

Private Residential Tenancies Board

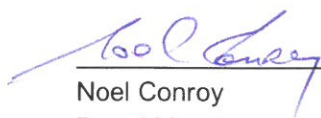
Determination Order

Ref: TR0614-000725/DR0414-11663

In the matter of Davy Target Investments PLC [Appellant Landlord] and Frank Lynn [Respondent Tenant] the Private Residential Tenancies Board, in accordance with section 121 of the Residential Tenancies Act 2004, determines that:

1. The notice of termination served on the 4th February 2014 by the Appellant Landlord's Agent on the Respondent Tenant in respect of the tenancy of the Dwelling at Apartment 43 Hampton Court, Cootehill Road, Cavan is invalid.
2. The Respondent Tenant has been in breach of his obligation under Section 16(h) of the Act of 2004 not to behave in the vicinity of the Dwelling at 43 Hampton Court, Cootehill Road, Cavan in a way that is anti-social.
3. The Respondent Tenant shall pay the sum of €2,170.95 to the Appellant Landlord in 10 consecutive monthly payments of €200 on or before the 28th day of each month commencing in the month immediately following the date of issue of the Order by the Board followed by one further payment of €170.95 to be paid on or before the 28th day of the next succeeding month being rent arrears in respect of the tenancy of the Dwelling at 43 Hampton Court, Cootehill Road, Cavan.
4. The enforcement of the Order for such payment will be deferred and the total sum owing will be reduced by the number of monthly instalments made to the Applicant Landlord on each due date until the sum of €2,170.95 has been paid in full.
5. For the avoidance of doubt any default in the payment of the monthly instalments shall act to cancel any further deferral and the balance due at the date of default shall immediately become due and owing to the Applicant Landlord.
6. The Respondent Tenant shall also pay any further rent outstanding from 16th September 2014 on the date it falls due at the rate of €400 per month, unless lawfully varied, and any other charges as set out in the terms of the tenancy agreement for each month or part thereof, until such time as he vacates the dwelling.

This Order was made by the Private Residential Tenancies Board on 14 November 2014.



Noel Conroy
Board Member

Duly authorised to sign on behalf of the Board



Janette Fogarty
Assistant Director

Duly authorised to sign on behalf of the Board