

Private Residential Tenancies Board

Determination Order

Ref: TR0614-000728/DR0414-11337

In the matter of Ciaran O'Brien [Appellant Landlord] and Noel Delaney, Rachel Keegan [Respondent Tenants] the Private Residential Tenancies Board, in accordance with section 121 of the Residential Tenancies Act 2004, determines that:

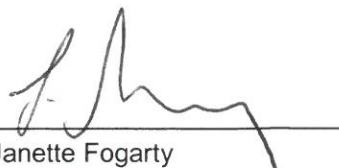
- 1) The Notice of Termination served by the Appellant Landlord on the first named Respondent Tenant on 16th September 2013 is invalid.
- 2) The Notice of Termination served by the Appellant Landlord on the Respondent Tenants on 22nd November 2013 is invalid.
- 3) The Respondent Tenants shall be jointly and severally responsible to pay the sum of €4,057.38 to the Appellant Landlord in 11 consecutive monthly instalments of €350 on the 28th day of each month commencing on the 28th day of the month immediately ensuing the issue of the Determination Order by the Board followed by one further payment of €207.38 on the 28th day of the immediately following month being rent arrears of €4,357.38 having deducted the sum of €300 in respect of set-off expenditure for repairs in respect of the tenancy of the Dwelling at 55 Alderwood Avenue, Tallaght, Dublin 24.
- 4) The enforcement of the Order for such payment will be deferred and the total sum owing will be reduced by the accrued amount paid under the cumulative monthly instalments made to the Appellant Landlord on each due date until the sum of €4,057.38 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 Appellant Landlord.
- 6) The Respondent Tenants shall continue to pay rent to the Appellant Landlord at a rate of €950 per month and at a daily rate of €31.23 per day where a whole month does not apply unless such monthly rent is lawfully varied and until such time as the tenancy is lawfully terminated.

This Order was made by the Private Residential Tenancies Board on 10 October 2014.



Catriona Walsh
Chairperson

Duly authorised to sign on behalf of the Board



Janette Fogarty
Assistant Director

Duly authorised to sign on behalf of the Board

