

Residential Tenancies Board

Determination Order

Ref: DR0218-40819

In the matter of Paul Nugent [Applicant Landlord] and Emma Manek [Respondent Tenant] the Residential Tenancies Board, in accordance with section 121 of the Residential Tenancies Act 2004, determines that:

1. The Notice of Termination served by the Applicant on 21 September 2017 on the Respondent Tenant in respect of the tenancy of the dwelling at 56 Old Bawn Park, Tallaght, Dublin 24 is valid.
2. The Respondent Tenant and all persons residing in the above dwelling shall vacate and give up possession of the above dwelling within 21 days of the date of issue of the Order.
3. The Respondent Tenant shall pay the total sum of €12,600.00 to the Applicant Landlord, in 24 equal consecutive instalments at the rate of €525.00 per calendar month, on the 28th day of each month, commencing the next month after the issue of the Order. This sum represents rent arrears of €12,600.00 in respect of the tenancy of the dwelling at the above address.
4. The Respondent Tenant shall also pay any further rent outstanding from 23 February 2018, being the date of the Adjudication hearing, at the rate of €1,400.00 per month or proportional part thereof at the rate of €46.03 per day and any other charges as set out in the terms of the tenancy agreement for each month or part thereof, until such time as the Respondent Tenant vacate the above dwelling.
5. The Landlord shall refund the entire of the security deposit of €1,400.00 to the Respondent Tenant, upon the Respondent Tenant vacating and giving up vacant possession of the above dwelling, less any amounts properly withheld in accordance with the provisions of the Act.
6. The enforcement of this Order for such payment of €12,600.00 will be deferred and the total sum owing reduced by the cumulative sum paid in the monthly instalments made by the Respondent Tenant to the Applicant Landlord on each due date until such time as the total sum of €12,600.00 has been paid in full.
7. For the avoidance of doubt, any default in the payment of any of the monthly instalments shall act to cancel any further deferral and the balance due at the date of default of any such monthly payment shall immediately become due and owing to the Applicant Landlord.

This Order was made by the Residential Tenancies Board on 13 April 2018.



Tim Ryan

Board Member

Duly authorised to sign on behalf of the Board



Claire Diggin

Higher Executive Officer

Duly authorised to sign on behalf of the Board