

## Residential Tenancies Board

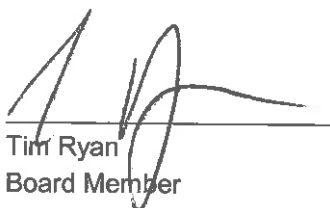
### Determination Order

Ref: DR0218-41079

In the matter of Gary Cooney [Applicant Landlord] and Gavin Linehan [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 on 17 November 2017, by the Applicant Landlord on the Respondent Tenant, in respect of the tenancy of the dwelling at 23 Temple Hill, Terenure Road, Dublin 6W, is valid.
2. The Respondent Tenant, and any other persons residing in the above dwelling, shall vacate and give up possession of the dwelling within 14 days of the date of issue of this Determination Order.
3. The Respondent Tenant shall pay the total sum of €7,995.92 to the Applicant Landlord, in 7 consecutive monthly payments of €1,000.00 on or before the 28th day of each month, followed by a final payment of €995.92 on or before the 28th day of the 8th month, payment commencing in the month immediately following the month of issue of this Determination Order. This sum of €7,995.92 being rent arrears in respect of the tenancy of the above dwelling.
4. The enforcement of this Determination Order for such payment of €7,995.92 shall be deferred and the total sum owing reduced by the cumulative sum paid in the monthly instalments by the Respondent Tenant to the Applicant Landlord, on each due date, until such time as the total sum of €7,995.92 has been paid in full.
5. 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.
6. The Respondent Tenant shall also pay any rent outstanding from 06 April 2018, being the date of the hearing, to the Applicant Landlord, at the rate of €1,500.00 per month or proportionate part thereof at the rate of €49.32 per day, 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 above dwelling.

This Order was made by the Residential Tenancies Board on 25 May 2018.



Tim Ryan  
Board Member

Duly authorised to sign on behalf of the Board



Claire Diggins  
Higher Executive Officer

Duly authorised to sign on behalf of the Board