

Residential Tenancies Board

Determination Order

Ref: DR0318-42101, DR0318-42360

In the matter of Seun Aparagun [Applicant/Respondent Tenant] and Targeted Investment Opportunities ICAV [Respondent/Applicant Landlord] the Residential Tenancies Board, in accordance with section 121 of the Residential Tenancies Act 2004, determines that:

1. The Notice of Termination served on the 19 February 2018 by Respondent/Applicant Landlord on the Applicant/Respondent Tenant in respect of the tenancy of the dwelling at 245 Castlepark, Ballybane, Galway City, H91APD1 is valid.
2. The Applicant/Respondent Tenant and any other person residing in the above dwelling shall vacate and give up vacant possession of the above dwelling within 14 days of the date of issue of this Order.
3. The Applicant/Respondent Tenant shall pay any further rent at the current rate of €850.00 per monthly rental period or proportional part thereof at the rate of €27.95 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 dwelling is vacated.
4. The Applicant/Respondent Tenant shall pay the total sum of €7,873.64 to the Respondent/Applicant Landlord, in 10 equal instalments at the rate of €750.00 per month, on the 1st day of each month which will then be followed by one further instalment of €373.64 in the immediately succeeding month commencing the next month after the issue of this Order. This sum represents rent arrears of €7,873.64.
5. The enforcement of this Order for such payment will be deferred and the total sum owing will be reduced by the number of monthly instalments made to the Respondent/Applicant Landlord on each due date until the sum of €7,873.64 has been paid in full.
6. 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 Respondent/Applicant Landlord.
7. The Applicant/Respondent Tenant's claim that the Respondent/Applicant Landlord breached their legal obligations under S12 of the Residential Tenancies Act 2004 by failing to maintain the property is not upheld.

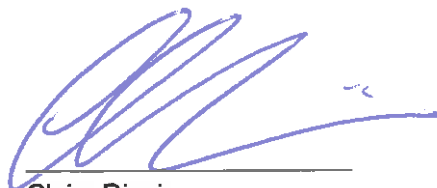
This Order was made by the Residential Tenancies Board on 28 June 2018.

A handwritten signature in blue ink, appearing to read 'Justin O'Brien', written over a horizontal line.

Justin O'Brien

Board Member

Duly authorised to sign on behalf of the Board

A handwritten signature in blue ink, appearing to read 'Claire Diggin', written over a horizontal line.

Claire Diggin

Higher Executive Officer

Duly authorised to sign on behalf of the Board