

## **Residential Tenancies Board**

### **Determination Order**

**Ref: DR0518-43484**

In the matter of Letricia Meyer [Applicant Tenant] and Kieran Quigley [Respondent Landlord] 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 Respondent Landlord on 20 June 2018 on the Applicant Tenant, in respect of the tenancy of the dwelling at 14 Woodbine Avenue, Mountain Bay, Arklow, Co. Wicklow, is valid.
2. The Applicant Tenant and all persons residing in the above dwelling shall vacate and give up possession of the above dwelling on or before 24 July 2018 (the termination date) or within 14 days of the date of issue of this Order, whichever is the later.
3. The Applicant Tenant shall pay the total sum of €13,600.00 to the Respondent Landlord in 13 equal consecutive instalments at the rate of €1,000.00 per calendar month, on the 28th day of each month, followed by one further instalment of €600.00 in the immediately succeeding month, commencing the next month after the issue of this Order. This sum represents rent arrears of €13,600.00 in respect of the tenancy of the above dwelling.
4. The Applicant Tenant shall also pay any further rent outstanding from 3 July 2018, being the date of the Adjudication Hearing, at the rate of €750.00 per month, unless lawfully varied, or proportional part thereof at the rate of €24.66 per day and any other charges as set out in the terms of the tenancy agreement, until such time as she vacates and gives up possession of the above dwelling.
5. The enforcement of this Order for such payment of €13,600.00 will be deferred and the total sum owing reduced by the cumulative sum paid in the monthly instalments made by the Applicant Tenant to the Respondent Landlord on each due date until such time as the total sum of €13,600.00 has been paid in full.
6. 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 instalment shall immediately become due and owing to the Respondent Landlord.

7. The Respondent Landlord shall refund the entire of the security deposit of €750.00 to the Applicant Tenant, upon the Applicant Tenant vacating and giving up vacant possession of the above dwelling, less any amounts properly withheld in accordance with the provisions of the Act.

8. The Applicant Tenant's application, regarding the Respondent Landlord's breach of his obligations under the Act in failing to maintain the standard of the dwelling, in respect of the tenancy of the above dwelling, is not upheld.

This Order was made by the Residential Tenancies Board on 24 August 2018.



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Carolyn O'Brien  
Higher Executive Officer  
Duly authorised to sign on behalf of the Director