

Residential Tenancies Board

Determination Order

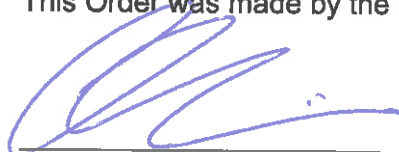
Ref: DR0518-43728

In the matter of Bryant Park QIAIF ICAV [Applicant Landlord] and Artur Jackowiak [Respondent Tenants] the Residential Tenancies Board, in accordance with section 121 of the Residential Tenancies Act 2004, determines that:

1. The Notice of Termination served on 6 April 2018 by the Applicant Landlord on the Respondent Tenant in respect of the tenancy of the dwelling at 95 Dargan Building, HSQ, St. John's Road West, Kilmainham, Dublin 8, D08HE26 is valid.
2. The Respondent Tenant and all persons residing in the above dwelling shall vacate and give up vacant possession of the above dwelling within 21 days of the date of issue of this Order.
3. The Respondent Tenant shall pay the total sum of €10,960.24 in rent arrears to the Applicant Landlord, in 5 equal consecutive installments at the rate of €2,000 per calendar month, on the 28th day of each month, followed by one further installment of €960.24 in the immediately succeeding month commencing the next month after the issue of this Order.
4. The Respondent Tenant shall also pay any further rent outstanding from 8 June 2018, at the rate of €1,750 per month or proportionate part thereof at the rate of €57.53 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.
5. The enforcement of this Order for such payment of €10,960.24 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 €10,960.24 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 payment shall immediately become due and owing to the Applicant Landlord.
7. The Applicant Landlord shall refund the entire of the security deposit of €1,750 to the

Respondent Tenant, upon the Respondent Tenant vacating and giving up possession of the above dwelling, less any amounts properly withheld in accordance with the provisions of the Act.

This Order was made by the Residential Tenancies Board on 02 August 2018.



Claire Diggin

Higher Executive Officer

Duly authorised to sign on behalf of the Director