

Residential Tenancies Board

Determination Order

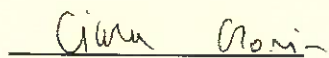
Ref: DR0121-67193

In the matter of Kevin Fox [Applicant Landlord] and Leona Doyle [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 Landlord on 17th day of August 2020 on the Respondent Tenant in respect of the tenancy of the dwelling at Apartment 102, O'Connell Court, Penrose Lane, Co. Waterford is valid.
2. The Respondent Tenant and all other persons residing in the dwelling shall vacate and give up possession of the above dwelling within a period of 21 days from the date of issue of this Order or within 10 days of the expiration of any Emergency Period, as defined in section 2 of the Residential Tenancies Act 2020 ('the Emergency Period') or as extended by Order under Section 31A of the Health Act 1947, whichever date is later.
3. The Respondent Tenant shall pay the total sum of €1,250.66 to the Applicant Landlord, in 9 equal instalments at the rate of €125 per calendar month, on the 1st of each month, followed by one further instalment of €125.66 in the immediately succeeding month commencing the next month after the issue of this Order. This sum represents the sum awarded with regard to rent arrears which represents rent arrears as at the 28th day of February 2021.
4. The enforcement of this Order for such payment of €1,250.66 will be deferred and the total sum owing reduced by the cumulative sum paid in the monthly instalments of €125 or €125.66 with respect to the tenth and final instalment made by the Respondent Tenant to the Applicant Landlord on each due date until such time as the total sum of €1,250.66 has been paid in full.
5. The Respondent Tenant shall also pay any further rent outstanding from the 1st day of March 2021 at the rate of €875 per month or proportional part thereof at the rate of €28.77 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 vacates the above dwelling.

6. The Applicant Landlord shall refund the security deposit received of €875 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.

This Order was made by the Residential Tenancies Board on 25 May 2021.



Ciara Cronin

Higher Executive Officer

Duly authorised to sign on behalf of the Director