

Residential Tenancies Board

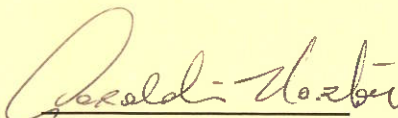
Determination Order

Ref: DR0323-83428

In the matter of Focus Housing Association [Applicant Landlord] and Josh McKenna [Respondent Tenant] the Residential Tenancies Board, in accordance with section 121 of the Residential Tenancies Act 2004, determines that:

1. The Notice of Termination with a date of service of 1 July 2022 served by the Applicant Landlord on the Respondent Tenant, in respect of the tenancy of the dwelling at Apartment 12, The Barley Store, Baker's Yard, Portland Street North, Dublin 1, D01K244, is valid.
2. The Respondent Tenant and any other persons residing in the above dwelling shall vacate and give up possession of the above dwelling within 10 days of the date of issue of the Determination Order.
3. The Respondent Tenant shall continue to pay the total sum of €199.00 to the Applicant Landlord, by way of 13 consecutive instalments at the rate of €14.35 per week, followed by one further instalment of €12.45 in the immediately succeeding month commencing the next month after the issue of the Determination Order. This sum represents rent arrears of €199.00, in respect of the tenancy of the dwelling at 12 The Barley Store, Baker's Yard, Portland Street North, Dublin 1, D01K244.
4. The Respondent Tenant shall continue to pay any further rent outstanding to the Applicant landlord from 15 June 2023, being the date of the Adjudication Hearing, at the rate of €25.65 per week, or proportionate part thereof at the rate of €3.65 per day, unless lawfully varied, and any other charges as set out in the terms of the tenancy agreement, for each week or part thereof, until such time as the above dwelling is vacated by the Respondent Tenant and any other persons residing therein.
5. The enforcement of the Determination Order for such payment of €199.00 will be deferred and the total sum owing will be reduced by the cumulative sum paid, in monthly/weekly instalments, by the Respondent Tenant to the Applicant Landlord, on each due date, until such time as the total sum of €199.00 has been paid in full.
6. For the avoidance of doubt, any default in the payment of any of the weekly instalments shall act to cancel any further deferral and the balance due at the date of default of any such weekly payment shall immediately become due and owing to the Applicant Landlord.

This Order was made by the Residential Tenancies Board on 02 August 2023.



Geraldine Norton

Higher Executive Officer

Duly authorised to sign on behalf of the Director