

## **Residential Tenancies Board**

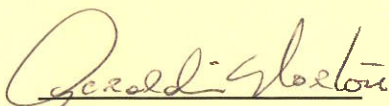
### **Determination Order**

**Ref: DR0323-84124**

In the matter of ADN Limited [Applicant Landlord] and Mark Simpson [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 the 13th of January 2022 and served on the Respondent Tenant in respect of the dwelling at 11 Cherry Lodge, Farmleigh Woods, Castleknock, Dublin 15 is valid.
2. The Respondent Tenant and all other persons residing in the above dwelling, shall vacate and give up possession of the dwelling within 15 days of the date of issue of this Order.
3. The Respondent Tenant shall pay the sum of €44,690.00 to the Applicant Landlord in 10 equal consecutive monthly installments at the rate of €4,469.00 per month on the 1st day of each month commencing the month after the issue of this Order. This sum represents rent arrears in respect of the above dwelling.
4. The enforcement of this Order for such payment of €44,690.00 will be deferred and the total sum reduced by the cumulative sum paid in the monthly installments made by the Respondent Tenant to the Applicant Landlord on each due date until such time as the total sum of €44,690.00 has been paid in full.
5. For the avoidance of doubt, any default in payment of any of the monthly installments 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.
6. The Respondent Tenant shall also pay any further rent outstanding from the 22nd of June 2023 being the date of the adjudication hearing at the rate of €1930.00 per month or proportionate part thereof at the rate of €63.45 per day unless lawfully varied and any other charges as provided for under the terms of the tenancy agreement for each month or part thereof, until such time as the above dwelling is vacated by the Respondent Tenant and any other persons residing therein.

This Order was made by the Residential Tenancies Board on 23 August 2023.



Geraldine Norton

Higher Executive Officer

Duly authorised to sign on behalf of the Director