

## **Residential Tenancies Board**

### **Determination Order**

**Ref: DR0418-43198**

In the matter of Eamonn Cahill [Applicant Landlord] and Edward Geaney [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 on the 13 December 2017, by the Applicant Landlord on the Respondent Tenant, in respect of the tenancy of the dwelling at Apartment 7, 7 Buckingham Street Lower, Dublin 1, is valid.
2. The Respondent Tenant, and any other persons residing in the above dwelling, shall vacate and give up possession of the dwelling within 28 days of the date of issue of this Order.
3. The Respondent Tenant shall pay the total sum of €5,050.00 to the Applicant Landlord, by way of 10 consecutive monthly installments at the rate of €505.00 per month, to be paid on or before the 28th day of each month, payment commencing in the month immediately following the month of issue of this Order. This sum represents rent arrears of €5,050.00 in respect of the tenancy of the dwelling at the above address.
4. The enforcement of this Order for such payment of €5,050 will be deferred and the total sum owing reduced by the cumulative sum paid in the monthly instalments by the Respondent Tenant to the Applicant Landlord, on each due date, until such time as the total sum of €5,050 has been paid in full.
5. 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.
6. The Respondent Tenant shall also pay any further rent outstanding from 22nd May 2018, being the date of the Adjudication hearing, to the Applicant Landlord, at the rate of €140 per week or proportional part thereof at the rate of €20 per day and any other charges as set out in the terms of the tenancy agreement for each week or part thereof, until such time as he vacates the above dwelling.
7. The Applicant Landlord shall refund the entire of the security deposit of €900 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 10 July 2018.



Paul White  
Board Member  
Duly authorised to sign on behalf of the Board



Claire Diggin  
Higher Executive Officer  
Duly authorised to sign on behalf of the Board