

## **Residential Tenancies Board**

### **Determination Order**

**Ref: DR0419-53937**

In the matter of Vincent O Connell [Applicant Landlord] and Joanne Melia [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 service date of 5th March 2019, and served by the Applicant Landlord upon the Respondent Tenant in respect of the tenancy of the dwelling at Apartment 13, Saint Vincent's Hall, Collins Avenue, Dublin 9 is valid.
2. The Respondent Tenant and all persons residing in the above dwelling shall vacate and give up possession of the above dwelling within 7 days of the date of issue of this Order.
3. The Respondent Tenant shall pay the total sum of €8,104.72 to the Applicant Landlord, in 16 equal consecutive instalments at the rate of €500 per month on the 28th day of each month, followed by one further instalment of €104.72 in the immediately succeeding month, commencing the next 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 €8,104.72 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 €8,104.72 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 and charges outstanding from 24th May 2019, being the date of the Adjudication hearing, at the rate of €1,400 per month or proportionate part thereof at the rate of €46.03 per day until such time as she vacates and gives up possession of the above dwelling.

This Order was made by the Residential Tenancies Board on 22 July 2019.



Emer Morrissey

Higher Executive Officer

Duly authorised to sign on behalf of the Director