

Residential Tenancies Board


Determination Order

Ref: DR0422-76915

In the matter of Collen Investment Ltd [Applicant Landlord] and Kwabena Owusu-Kyei [Respondent Tenant] the Residential Tenancies Board, in accordance with section 121 of the Residential Tenancies Act 2004, determines that:

1. The Respondent Tenant shall pay the total sum of €3,049.76 to the Applicant Landlord, by way of 12 equal consecutive monthly instalments at the rate of €254.15 per calendar month, on or before the 28th day of each month, commencing the next month after the issue of this Determination Order. This sum represents rent arrears in respect of the tenancy of the dwelling at Studio 2, 43 Rathmines Road Upper, Dublin 6, D06Y7F4.
2. The enforcement of this Determination Order for such payment of €3,049.76 will be deferred and the total sum owing reduced by the cumulative sum paid in the monthly instalment made by the Respondent Tenant to the Applicant Landlord on each due date until such time as the total sum of €3,049.76 has been paid in full.
3. For the avoidance of any 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 payments shall immediately become due and owing to the Applicant Landlord.
4. The Notice of Termination with a date of service of the 31st of March 2021 in respect of the disputed dwelling at Studio 2, 43 Rathmines Road Upper, Dublin 6, D06Y7F4 is valid.
5. The Respondent Tenant and any other 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 Determination Order.
6. The Respondent Tenant shall pay any further rent outstanding from the 28th of June 2022, being the date of the Adjudication Hearing, at the rate of €1,200.00 per month or proportionate part thereof at the rate of €39.45 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 22 March 2023.



Ciara Cronin

Higher Executive Officer

Duly authorised to sign on behalf of the Director