

Residential Tenancies Board

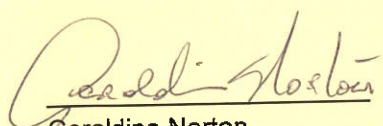
Determination Order

Ref: DR0423-84496

In the matter of Ernan O'Donnell [Applicant Landlord] and Lindsey Dignam [Respondent Tenant] the Residential Tenancies Board, in accordance with section 121 of the Residential Tenancies Act 2004, determines that:

1. The Notice of Termination dated 29th August 2022 served by the Applicant Landlord on the Respondent Tenant in respect of the tenancy of the dwelling at Apartment 4, The Maples, Priory Court, Kildare Town, Co Kildare 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 fourteen days of the date of issue of this Order.
3. The Respondent Tenant shall pay the total sum of €17,510.00 to the Applicant Landlord, in seventy weekly payments of €250.00, on or before the Friday of each week, followed by one payment of €10.00 on or before the Friday of the immediately succeeding week, commencing on the Friday of the week immediately following the date of issue of this Order, being rent arrears of €17,510.00 in breach of Section 16(a)(i) of the Act, in respect of the tenancy of the above dwelling.
4. The enforcement of this Order for such payment of €17,510.00 will be deferred and the total sum owing reduced by the cumulative sum paid in the weekly instalments made by the Respondent Tenant to the Applicant Landlord on each due date until such time as the total sum of €17,510.00 has been paid in full.
5. 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.
6. The Respondent Tenant shall also pay any further rent outstanding from 7th December 2023, being the date of the Adjudication hearing, at the rate of €1,030.00 per month or proportional part thereof at the rate of €33.86 per day, unless lawfully varied, and any other charges as set out in the terms of the tenancy agreement for each month or part thereof, until such time as the Respondent Tenant vacates the above dwelling.

This Order was made by the Residential Tenancies Board on 31 January 2024.



Geraldine Norton

Higher Executive Officer

Duly authorised to sign on behalf of the Director