

Residential Tenancies Board

Determination Order

Ref: DR0521-69435

In the matter of Gregory Graves, Jeannie Graves [Applicant Landlords] and Dave Smith [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 11th January 2021 and served by the Applicant Landlords upon the Respondent Tenant in respect of the tenancy of the dwelling at Apartment 1, Georgestown, Kill, County Waterford, is valid.
2. The Respondent Tenant and all other persons residing in the above dwelling shall vacate and give up possession of that dwelling within 14 days of the date of issue of this Determination Order.
3. The Respondent Tenant shall pay the total sum of €7,400 to the Applicant Landlords in 10 equal consecutive monthly instalments at a rate of €700 per month, on the 28th day of each month, followed by one further instalment of €400 in the immediately succeeding month, commencing the next month after the issue of this Determination Order. This sum represents rent arrears in respect of the tenancy of the above dwelling.
4. The enforcement of this Determination Order for such payment of €7,400 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 Landlords on each due date until such time as the total sum of €7,400 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 Landlords.
6. The Respondent Tenant shall continue to pay rent as it falls due, from 17th May 2021 in the sum of €800.00 per month, or proportionate part thereof, for as long as he continues to reside in the above dwelling.

This Order was made by the Residential Tenancies Board on 15 September 2021.



Ciara Cronin

Higher Executive Officer

Duly authorised to sign on behalf of the Director