

Residential Tenancies Board

Determination Order

Ref: DR0522-77417

In the matter of Peter Gray, Orlagh Woods [Applicant Landlords] and Davor Petelin [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 date-of-service of 21 April 2022 served by the Applicant Landlords upon the Respondent Tenant in respect of the tenancy of the dwelling at Apartment 112, The Old Chocolate Factory, Kilmainham Square, Inchicore Road, Dublin 8, D08RX97, 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 Determination Order.
3. The Respondent Tenant shall pay the total sum of €15,400.00 to the Applicant Landlords, by way of 10 consecutive monthly instalments at the rate of €1,500.00 per month, on or before the 28th day of each month, followed by 1 further instalment of €400.00, on or before the 28th day of the 11th month, commencing in the month immediately following the month of issue of this Determination Order. This sum represents rent arrears of €15,400.00 in respect of the tenancy at the above dwelling.
4. The enforcement of this Determination Order for such payment of €15,400.00 will be deferred and the total sum owing will be reduced by the cumulative sum paid, in monthly instalments, by the Respondent Tenant to the Applicant Landlords, on each due date, until such time as the total sum of €15,400.00 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 also pay any further rent outstanding from the 12 August 2022, being the date of the (virtual) adjudication hearing, to the Applicant Landlords, at the rate of €1,600.00 per month or proportionate part thereof at a rate of €52.60 per day, unless lawfully varied, together with any other charges 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 28 September 2022.



Ciaran Delaney
Higher Executive Officer
Duly authorised to sign on behalf of the Director