

## **Residential Tenancies Board**

### **Determination Order**

**Ref: DR0718-46510**

In the matter of Stephen Tennant (Receiver over the certain assets of Linda Olin, Landlord) [Applicant] and Vincent Burns [Respondent Tenant] the Residential Tenancies Board, in accordance with section 121 of the Residential Tenancies Act 2004, determines that:

1. The Notice of Termination served on the 11th May 2018 by the Applicant on the Respondent Tenant in respect of the tenancy of the dwelling at 13 Rutland Cottages Dublin 1, 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 28 of the date of issue of this Order.
3. The Respondent Tenant shall pay the total sum of €10,663.79 to the Applicant, in 10 equal consecutive instalments at the rate of €1,000.00 per calendar month, on the 1st day of each month, followed by one further instalment of €663.79 in the immediately succeeding month, commencing the next month after the issue of this Order. This sum represents rent arrears of €10,663.79 in respect of the tenancy of the above dwelling.
4. The Respondent Tenant shall also pay any further rent outstanding from the 23rd May 2019, being the date of adjudication hearing, at the rate of €600.00 per month or proportionate part thereof at the rate of €19.73 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 he vacates the above dwelling.
5. The enforcement of this Order for such payment of €10,663.79 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 on each due date until such time as the total sum of €10,663.79 has been paid in full.
6. 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.

This Order was made by the Residential Tenancies Board on 29 July 2019.



Emer Morrissey

Higher Executive Officer

Duly authorised to sign on behalf of the Director