

Residential Tenancies Board

Determination Order

Ref: DR0819-56613

In the matter of Vision Wave Limited [Applicant Landlord] and James Noonan [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 28th of March 2019, by the Applicant Landlord on the Respondent Tenant, in respect of the tenancy of the dwelling at Apartment 1, 59 Capel Street, Dublin 1, is valid.
2. The Respondent Tenant, and any other person/s residing in the above dwelling, shall vacate and give up possession of the above dwelling within 56 days of the date of issue of this Order.
3. The Respondent Tenant shall pay the total sum of €2080.00 to the Applicant Landlord, by way of 41 consecutive weekly installments at the rate of €50.00 per week, on the Thursday of each week, followed by one further installment of €30.00, on the Thursday of the 42nd week, commencing on the Thursday of the week immediately following the week of issue of this Order. This sum represents rent arrears of €2080.00, in respect of the tenancy of the above dwelling.
4. The enforcement of this Order for such payment of €2080.00 will be deferred and the total sum owing will be reduced by the cumulative sum paid in the weekly instalments by the Respondent Tenant to the Applicant Landlord, on each due date, until such time as the total sum of €2080.00 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 6th November 2019, being the date of the hearing, to the Applicant Landlord, at the rate of €150.00 per week or proportional part thereof at the rate of €21.43 per day, unless lawfully varied, together with any other charges provided for under the terms of the tenancy agreement, for each week or part thereof, until such time as he vacates the above dwelling.

This Order was made by the Residential Tenancies Board on 06 January 2020.



Grace McCormack Macken

Higher Executive Officer

Duly authorised to sign on behalf of the Director