

## **Residential Tenancies Board**

### **Determination Order**

**Ref: DR0919-56794**

In the matter of KW PRS ICAV acting solely in respect of its sub-fund KW PRS Fund 3 [Applicant Landlord] and Mark Wildgust [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 3rd of July 2019 as served by the Applicant Landlord on the Respondent Tenant in respect of the tenancy of the dwelling at 19 Kingsbridge House, Clancy Quay, South Circular Road, Islandbridge, Dublin 8, 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 7 days of the date of issue of this Order.
3. The Respondent Tenant shall pay the total sum of €7,027.06 to the Applicant Landlord, by way of 8 consecutive monthly instalments at the rate of €800 per month, to be paid on or before the 28th day of each month, followed by one further instalment of €627.06, to be paid on or before the 28th day of the 9th month, commencing in the month immediately following the month of issue of this Order. This sum represents rent arrears in respect of the tenancy of the above dwelling.
4. The enforcement of this Order for such payment of €7,027.06 will be deferred and the total sum owing will be reduced by the cumulative sum paid in the monthly instalments by the Respondent Tenant to the Applicant Landlord, on each due date, until such time as the total sum of €7,027.06 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 Landlord.
6. The Respondent Tenant shall also pay any further rent outstanding from 11th October 2019, being the date of the hearing, to the Applicant Landlord, at the rate of €2,088 per month or proportionate part thereof at the rate of €68.65 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 he vacates and gives up possession of the above dwelling.

This Order was made by the Residential Tenancies Board on 05 December 2019.



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Claire Diggin

Assistant Director

Duly authorised to sign on behalf of the Director