

Residential Tenancies Board

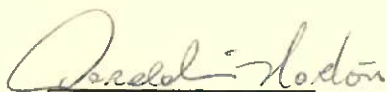
Determination Order

Ref: DR0922-80104

In the matter of Yunmei zhu [Applicant Landlord] and Ana Kiladze [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 17 November 2021 served on behalf of the Applicant Landlord on the Respondent Tenant in respect of the tenancy of the dwelling at 11 Edenbrook Close, Citywest, Co. Dublin, D24WRC5, is valid. The Respondent Tenant is overholding.
2. The Respondent Tenant, and all other persons residing in the above dwelling, shall vacate and give up possession of the above dwelling within 28 days of the date of issue of this Determination Order.
3. The Respondent Tenant shall pay the total sum of €11,050.00 to the Applicant Landlord, by way of 55 consecutive monthly instalments at the rate of €200.00 per month, to be paid on or before the 28th day of each month, followed by 1 final payment of €50.00, to be paid on or before the 28th day of the 56th month, commencing in the month immediately following the month of issue of this Determination Order. The said sum of €11,050.00 being rent arrears in respect of the aforementioned tenancy.
4. The enforcement of this Determination Order for such payment of €11,050.00 shall be deferred and the total sum owing shall be reduced by the cumulative sum paid, in monthly instalments, by the Respondent Tenant to the Applicant Landlord, on each due date, until such time as the total sum of €11,050.00 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 Landlord.
6. The Respondent Tenant shall also pay any further rent outstanding from 27th February 2023, being the date of the (virtual) adjudication hearing, to the Applicant Landlord, at the rate of €2,800.00 per month or proportionate part thereof at the rate of €92.05 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 all other persons residing therein.
7. On gaining vacant possession of the above dwelling, the Applicant Landlord shall promptly refund the entire €2,800.00 security deposit to the Respondent Tenant, less any amounts properly withheld in accordance with the provisions of the Act.

This Order was made by the Residential Tenancies Board on 05 April 2023.



Geraldine Norton

Higher Executive Officer

Duly authorised to sign on behalf of the Director