

Residential Tenancies Board

Determination Order

Ref: DR1020-65346

In the matter of Durbar Property Company [Applicant Landlord] and David Greally [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 service date of 24th September 2020 and served by the Applicant Landlord upon the Respondent Tenant in respect of the tenancy of the dwelling at 20 Hampton Rise, Mill Lane, Navan, County Meath, is valid.
2. The Respondent Tenant and any other persons residing in the above dwelling shall vacate and give up possession of that dwelling. Pursuant to the Residential Tenancies Act 2020 the Respondent Tenant and all other persons residing in the above dwelling shall not be required to vacate the dwelling during the emergency period as defined in section 2 of the Residential Tenancies Act 2020 ("the Emergency Period") or as extended by order under section 31A of the Health Act 1947. The Respondent Tenant and all other persons residing in the above dwelling shall vacate and give up possession of that dwelling within 74 days of the expiration of the Emergency Period, or within 10 days of the date of issue of this Determination Order, whichever is the later.
3. The Respondent Tenant shall pay the total sum of €5,575 to the Applicant Landlord, in 11 equal consecutive instalments at the rate of €500 per month, on the 28th day of each month, followed by one further instalment of €75 in the immediately succeeding month, commencing the next month after the issue of this Determination Order. This sum represents rent arrears prior to 4th November 2020, in respect of the tenancy of the dwelling at 20 Hampton Rise, Mill Lane, Navan, County Meath.
4. The enforcement of this Order for such payment of €5,575 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 Landlord on each due date until such time as the total sum of €5,575 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 continue to pay rent as it falls due from 4th November 2020, at the rate of €1,100 per month or proportionate part thereof, unless lawfully altered, until such time as he vacates and gives up possession of the above dwelling.

This Order was made by the Residential Tenancies Board on 21 April 2021.

Ciara Cronin

Ciara Cronin

Higher Executive Officer

Duly authorised to sign on behalf of the Director