

Residential Tenancies Board

Determination Order

Ref: DR1119-58677

In the matter of Eugene Cranley [Applicant Landlord] and Oreva Buluku [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 1st July 2019, served by the Applicant Landlord upon the Respondent Tenant, in respect of the tenancy of the dwelling at Apartment 2, 47 Mountjoy Square, 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 14 days of the date of issue of this Order.
3. The Respondent Tenant shall pay the total sum of €11,900 to the Applicant Landlord, by way of 11 consecutive monthly instalments at the rate of €1,000 per month, to be paid on or before the 28th day of each month, followed by one further instalment of €900, to be paid on or before the 28th day of the 12th 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 €11,900 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 €11,900 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 18th December 2019, being the next due payment date subsequent to the Adjudication hearing, to the Applicant Landlord, at the rate of €1,700 per month or proportionate part thereof at the rate of €55.89 per day, together with any other charges provided for under the terms of the tenancy agreement, for each month or part thereof, until such time as she vacates and gives up possession of the above dwelling.
7. The Applicant Landlord shall refund the entire of the security deposit of €5,100 to the Respondent Tenant, upon the Respondent Tenant vacating and giving up possession of the above dwelling, less any amounts properly withheld in accordance with the provisions of the Act.

This Order was made by the Residential Tenancies Board on 27 February 2020.

A handwritten signature in black ink, appearing to read 'Geraldine Norton', written over a horizontal line.

Geraldine Norton

Higher Executive Officer

Duly authorised to sign on behalf of the Director