

Residential Tenancies Board

Determination Order

Ref: DR1120-66069

In the matter of Patrick Griffin [Applicant Landlord] and Lisa Avasa [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 27 August 2020 by the Applicant Landlord on the Respondent Tenant in respect of the tenancy of the Dwelling Flat 2, 279 North Circular Road, Dublin 7, D07PK49 is valid. The Tenancy of the dwelling terminated on 26 September 2020.
2. The Respondent Tenant and all persons residing in the above Dwelling shall vacate the Dwelling on or before 1 April 2021 or within 14 days of the issue of this Order whichever is the later date (subject to any Covid-19 Regulations that may be applicable). Upon vacating the Respondent Tenant shall return the keys of the Dwelling to the Applicant Landlord or his representative.
3. The Respondent Tenant shall pay the total sum of €5,970.00 to the Applicant Landlord by way of 18 consecutive instalments at the rate of €330.00 per week, on Friday of each week, followed by one further instalment of €30.00 on the immediately succeeding Friday, commencing the first Friday after the issue of this Determination Order. This sum represents rent arrears of €5,750.00 in respect of the tenancy of the above dwelling up to 28 January 2021 plus electricity charges of €220.00.
4. The enforcement of this Determination Order for such payment of €5,970.00 will be deferred and the total sum owing will be reduced by the cumulative sum paid, in weekly instalments, by the Respondent Tenant to the Applicant Landlord, on each due date, until such time as the total sum of €5,970.00 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. From 29 January 2021 onwards the Respondent Tenant shall also pay the equivalent of the weekly rent at the rate of €125.00 per week or €17.86 per day unless lawfully varied, and any other charges set out in the terms of the tenancy agreement, until such time as she vacates the dwelling.
7. The Applicant Landlord shall refund the entire of any security deposit to the Respondent Tenant on gaining vacant possession of the above Dwelling, less any amounts properly withheld in accordance with the provisions of the Act.

8. The Respondent Tenant shall make immediate contact with the Applicant Landlord to discuss payment of the rent arrears.

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