

Residential Tenancies Board

Determination Order

Ref: DR1120-66169

In the matter of The Iveagh Trust [Applicant Landlord] and Holly Donnelly [Respondent Tenant] the Residential Tenancies Board, in accordance with section 121 of the Residential Tenancies Act 2004, determines that:

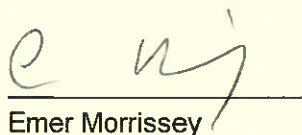
1. The Notice of Termination served on 30 January 2020 by the Applicant Landlord on the Respondent Tenant in respect of the tenancy of the dwelling at Flat 4, Block 18, Marrsfield Avenue, Clongriffin Estate, Donaghmede, Dublin 13, D13 ED95 is valid.
2. Pursuant to the Residential Tenancies Act 2020 the Respondent Tenant and any other persons residing in the dwelling shall not be required to vacate the dwelling during the emergency period as defined in section 2 of the Residential Tenancies Act 2020 or as extended by order under section 31A of the Health Act 1947. The Respondent Tenant and any other persons residing in the dwelling shall vacate the dwelling either:
 - a. within 10 days of the expiration of the emergency period as defined in section 2 of the Residential Tenancies Act 2020 or as extended by order under section 31A of the Health Act 1947 or
 - b. within 42 days of the date of issue of this Order

whichever date is the later in paragraph a or b above shall apply to the Order.

3. The Respondent Tenant shall pay the sum of €2,687.30 to the Applicant Landlord being rent arrears due and owing as of 08 February 2021, in 87 consecutive weekly payments of €30.70 on the Monday of each week, followed by one payment of €16.40 on the Monday of the immediately succeeding week, commencing on the Monday of the week immediately following the date of issue of this Order.
4. The enforcement of this Order for such payment of €2,687.30 will be deferred and the total sum owing reduced by the cumulative sum paid in the weekly instalments made by the Respondent Tenant to the Applicant Landlord on each due date until such time as the total sum of €2,687.30 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. The Respondent Tenant shall also pay any further rent outstanding from 18 February 2021, at the rate of €34.30 per week or proportionate part thereof at the rate of €4.30 per day, unless lawfully varied, and any other charges as set out in the terms of the tenancy agreement for each week or part thereof, until such time as she vacates the above dwelling.

This Order was made by the Residential Tenancies Board on 02 June 2021.

A handwritten signature in dark ink, appearing to read 'Emer Morrissey', is written over a horizontal line.

Emer Morrissey
Assistant Director

Duly authorised to sign on behalf of the Director