

## **Residential Tenancies Board**

### **Determination Order**


**Ref: DR1120-66355**

In the matter of Mark Donlon [Applicant Landlord] and Przemyslaw Brzost [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 by the Applicant Landlord on 20th February 2020 on the Respondent Tenant in respect of the tenancy of the dwelling at 8 The Pines, Forest Park, Portlaoise, Co. Laois is valid.
2. The Respondent Tenant and all persons residing in the above dwelling shall vacate and give up possession of the above dwelling within 21 days of the date of issue of this Order or after the expiration of 14 days from the end of the Emergency Period, whichever is the later.
3. The Respondent Tenant shall pay the total sum of €8,800 to the Applicant Landlord, by way of 10 consecutive instalments at the rate of €880 per calendar month, on or before the 28th day of each month, commencing the next month after the issue of this Determination Order. This sum represents rent arrears of €8,800 in respect of the tenancy of the dwelling at the above address.
4. The enforcement of this Determination Order for such payment of €8,800 will be deferred and the total sum owing will 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 €8,800 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 9th February 2020 being the date of the Adjudication hearing, at the rate of €800 per month or proportional part thereof at the rate of €26.30 per day and any other charges as set out in the terms of the tenancy agreement for each month or part thereof, until such time as the Respondent Tenant vacates the above dwelling.

7. The Applicant Landlord shall refund the entire of the security deposit of €620 to the Respondent Tenant, upon the Respondent Tenant vacating and giving up vacant 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 28 April 2021.

  
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Ciara Cronin  
Higher Executive Officer  
Duly authorised to sign on behalf of the Director