

Residential Tenancies Board

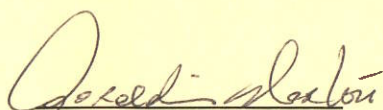
Determination Order

Ref: DR1222-81848

In the matter of Marian Byrne [Applicant Landlord] and Sean Riordan Leo [Respondent Tenant] the Residential Tenancies Board, in accordance with section 121 of the Residential Tenancies Act 2004, (the Act), and pursuant to a declaration under section 97(4)(b) of that Act relating to an agreement reached by the parties themselves:

1. The Notice of Termination with a date of service of 29 September 2022, served on behalf of the Applicant Landlord on the Respondent Tenant, in respect of the tenancy of the dwelling at 6 IBS House, Clare Street, Limerick, Co Limerick, is valid and the Respondent Tenant is overholding.
2. The Respondent Tenant and any other persons residing in the above dwelling shall vacate and give up possession of the above dwelling within 28 days of the date of issue of this Determination Order.
3. The Landlord shall refund the entire of the security deposit, of €500.00, to the Tenant on gaining vacant possession of the above dwelling, less any amounts properly withheld in accordance with the provisions of the Act.
4. The Respondent Tenant is in rent arrears as at the date of the adjudication hearing (12 July 2023), in the sum of €1,825.00.
5. The Respondent Tenant shall pay the total sum of €1,825.00 to the Applicant Landlord by way of 10 consecutive instalments at the rate of €180.00 per calendar month on or before the 14th day of each month, followed by a final payment of €25.00, in the immediately succeeding month, commencing the next month after the issue of this Determination Order. This sum represents rent arrears of €1,825.00 in respect of the tenancy for the above dwelling.
6. The Respondent Tenant shall also pay any further rent outstanding from 12 July 2023, being the date of the Adjudication Hearing, at the rate of €778.00 per month, or proportionate part thereof at the rate of €25.58 per day, unless lawfully varied, and any other charges as provided for under the terms of the tenancy agreement for each week or part thereof, until such time as the above dwelling is vacated by the Respondent Tenant and any other persons residing therein.
7. The enforcement of this Determination Order for such payment of €1,825.00 shall 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 €1,825.00 has been paid in full.
8. 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.

This Order was made by the Residential Tenancies Board on 06 September 2023.



Geraldine Norton

Higher Executive Officer

Duly authorised to sign on behalf of the Director