

Residential Tenancies Board

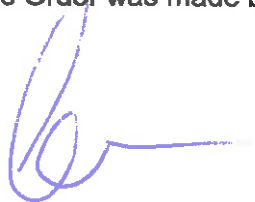
Determination Order

Ref: DR 0418-43114

In the matter of AAA Property Management James G Coughlan & Assoc [Applicant Landlord(s)] and Fabrizio Borriello [Respondent Tenant(s)] the Residential Tenancies Board, in accordance with section 121 of the Residential Tenancies Act 2004, determines that:

1. The Notice of Termination served on the 17th November 2017, on behalf of the Applicant Landlords, on the Respondent Tenant, in respect of the tenancy of the dwelling at Apartment 10, 14 Mary Street, Cork, Co. Cork, 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 14 days of the issue of this Determination Order.
3. The Respondent Tenant shall pay the sum of €2,422.76 in 10 consecutive monthly payments of €242.28, on the 28th day of each month, commencing the next month after the issue of this Determination Order, being rent arrears in respect of the tenancy of the above dwelling.
4. The enforcement of the Order for such payment shall be deferred and the total sum owing reduced by the cumulative sum paid in the monthly instalments of €242.28 made by the Respondent Tenant to the Applicant Landlords on each due date until the sum of €2422.76 has been paid in full;
5. For the avoidance of doubt any default in the payment of the monthly instalments in the sum of €242.28 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 Landlords.
6. The Respondent Tenant shall pay any rent outstanding from the 14th May 2018, being the date of the Adjudication Hearing, at the rate of €250 per month and/or €8.22 per day, unless lawfully varied, and any other charges as set out in the terms of the tenancy agreement for each month/day or part thereof, until such time as he vacates the above dwelling.
7. The Applicant Landlords shall refund the entire of the security deposit of €333.00 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 17 October 2018.



Carolyn O'Brien

Higher Executive Officer

Duly authorised to sign on behalf of the Director