

## **Residential Tenancies Board**

### **Determination Order**

**Ref: TR0818-003174/DR0618-44901**

In the matter of Túath Housing Association [Applicant Landlord(s)] and Sean Fitzgerald [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 25th April 2018, by the Applicant Landlord on the Respondent Tenant, in respect of the tenancy of the dwelling at Apartment 4, Snugboro House, 17a Convent Lane, Rathfarnham, Dublin 14, is valid.
2. The Respondent Tenant, and any other person/s residing in the above dwelling, shall vacate and give up possession of the dwelling within 28 days of the date of issue of the Order.
3. The Respondent Tenant shall pay the total sum of €506.20 to the Applicant Landlord, by way of 5 consecutive monthly instalments at the rate of €100.00 per month, to be paid on the 1st day of each month, followed by one further instalment of €6.20, to be paid on the 1st day of the 6th month, payment commencing on the 1st day of the month immediately following the month of issue of the Order. This sum represents rent arrears of €506.20 in respect of the tenancy of the above dwelling.
4. The enforcement of the Order for such payment of €506.20 will be deferred and the total sum owing reduced by the cumulative sum paid in the monthly instalments by the Respondent Tenant to the Applicant Landlord, on each due date, until such time as the total sum of €506.20 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 2nd July 2018, being the date of the adjudication hearing, to the Applicant Landlord, at the rate of €19.40 per week or proportionate part thereof at the rate of €2.77 per day, together with any other charges as set out in the terms of the tenancy agreement, for each week or part thereof, until such time as he vacates the above dwelling.
7. The Respondent Tenant did not pay any deposit to the Applicant Landlord.

This Order was made by the Residential Tenancies Board on 20 December 2018.



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Carolyn O'Brien  
Higher Executive Officer  
Duly authorised to sign on behalf of the Director