

Residential Tenancies Board

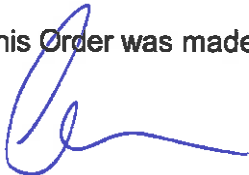
Determination Order

Ref: TR1018-003312/DR0218-41672

In the matter of Stephen Pascaniuc [Appellant Tenant] and Ken Fennel (Receiver over certain assets of John Trears and Kristen Trears [Respondent Landlord] the Residential Tenancies Board, in accordance with section 121 of the Residential Tenancies Act 2004, determines that:

1. The Notice of Termination with a service date of 2nd May 2017 and served by the Respondent upon the Appellant Tenant in respect of the tenancy of the dwelling at 24 Charnwood Park, Clonsilla, Dublin 15 is valid.
2. The Appellant 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.
3. The Appellant Tenant shall pay the total sum of €20,900.00 to the Respondent Landlord, in 20 equal consecutive instalments at the rate of €1000.00 per calendar month, and one final payment of €900.00, on the 28th day of each month commencing on the 28th day of the month immediately following the month of issue of this Order. This sum represents rent arrears in respect of the tenancy of the above dwelling.
4. The enforcement of this Order for such payment of €20,900.00 shall be deferred and the total sum owing reduced by the cumulative sum paid in the monthly instalments made by the Appellant Tenant to the Respondent Landlord on each due date until such time as the total sum of €20,900.00 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 Respondent Landlord.
6. The Appellant Tenant shall also pay any further rent outstanding from 14 December 2018 at the rate of €1,100 per month or proportionate part thereof at the rate of €36.16 per day, until such time as he vacates and gives up possession of the above dwelling.

This Order was made by the Residential Tenancies Board on 14 February 2019.



Carolyn O'Brien

Higher Executive Officer

Duly authorised to sign on behalf of the Director