

Residential Tenancies Board

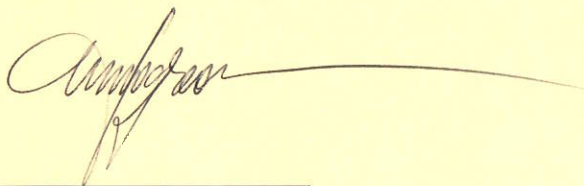
Determination Order

Ref: TR0923-006658/DR0623-86229

In the matter of Theresa Dwan [Applicant Landlord] and Ciara Dawson [Respondent Tenant] the Residential Tenancies Board, in accordance with section 121 of the Residential Tenancies Act 2004, determines that:

1. The notice of termination with a date of service of 1 September 2023, in respect of the tenancy between the parties of the dwelling at 52 Carrigmore Avenue, Saggart, Dublin, D24DK37, is valid.
2. The Respondent Tenant and all other 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 Determination Order.
3. The Respondent Tenant shall pay the total sum of €9,892.75, to the Applicant Landlord, in ten consecutive monthly payments, the first nine of €1,000 and a final payment of €892.75, on or before the 28th day of each month, commencing the next month after the issue of this Determination Order, being rent arrears up to and including 5 December 2023, being the date of the Tribunal hearing in this case, in respect of the tenancy of the above dwelling.
4. The enforcement of this Order for such payment of €9,892.75 shall be deferred and the total sum owing reduced by the cumulative sum paid in the monthly instalments made by the Respondent Tenant to the Applicant Landlord on or before each due date until such time as the total sum of €9,892.75 has been paid in full.
5. For the avoidance of doubt, any default in the payment of any of the monthly instalments or any further rent due shall act to cancel any further deferral and the balance due at the date of default of any such payment shall immediately become due and owing to the Applicant Landlord.
6. The Respondent Tenant shall also pay any further rent outstanding from 5 December 2023, being the day after the Tribunal hearing, at the rate of €2,450 per month, unless lawfully varied, and any other charges as set out in the terms of the tenancy agreement, for each month or proportionate part thereof, until such time as the above dwelling is vacated in accordance with paragraph 2 above.
7. The Applicant Landlord shall refund the entire of the security deposit of €2,350 to the Respondent Tenant, on gaining vacant possession of the above dwelling in accordance with paragraph 2 above, less any amounts properly withheld in accordance with the provisions of the Act.

This Order was made by the Residential Tenancies Board on 17 January 2024.



Emilia Zagrean
Higher Executive Officer
Duly authorised to sign on behalf of the Director