

## **Residential Tenancies Board**

### **Determination Order**

**Ref: TR0218-002837/DR1217-39747**

In the matter of Albert Owusu [Appellant Tenant(s)] and Peter Bredican, Michael Bredican [Respondent Landlord(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 07 November 2017 by the Respondent Landlords on the Appellant Tenant in respect of the tenancy of the dwelling at Flat 4, 85 Hollybank Road, Drumcondra, Dublin 9, 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 28 days of the date of issue of the Order.
3. The Appellant Tenant shall pay the total sum of €3,480 to the Respondent Landlords, in 8 equal consecutive instalments of €435 per calendar month, on the 28th day of each month, commencing the next month after the issue of the Order. This sum represents rent arrears of €3,480 in respect of the tenancy of the above dwelling.
4. The enforcement of the Order for such payment of €3,480 will 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 Landlords on each due date until such time as the total sum of €3,480 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 Landlords.
6. The Appellant Tenant shall also pay any further rent outstanding from 30 April, 2018, being the date of the Tribunal hearing, at the rate of €580.00 per month or proportional part thereof at the rate of €19.07 per day, unless lawfully varied, and any other charges as set out in the terms of the tenancy agreement for each month or part thereof, until such time as the Respondent Tenant vacates the above dwelling.
7. The Respondent Landlords shall refund the entire of the security deposit of €580.00

to the Appellant Tenant, upon the Appellant Tenant vacating and giving up vacant 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 18 May 2018.



Tim Ryan  
Board Member  
Duly authorised to sign on behalf of the Board



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