

Residential Tenancies Board

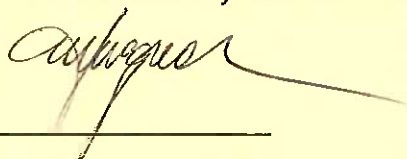
Determination Order

Ref: TR0224-007239/DR1123-91250

In the matter of Karl Kingidila [Appellant Tenant] and Don Magrane [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 date of service of 27 October 2023 served by the Respondent Landlord on the Appellant Tenant, in respect of the tenancy of the dwelling at 136 Castledawson, Maynooth, Co. Kildare, is valid.
2. The Appellant Tenant and any other persons residing in the above dwelling shall vacate and give up possession of the above dwelling within 14 days of the date of issue of this Determination Order.
3. The Appellant Tenant shall pay the total sum of €5,401 to the Respondent Landlord, by way of 10 consecutive instalments at the rate of €500 per calendar month, on or before the 28th day of each month, followed by one further instalment of €401 in the immediately succeeding month, commencing the next month after the date of issue of this Determination Order. This sum represents rent arrears of €4,680 and breach of tenant obligations in the amount of €721, in respect of the tenancy of the dwelling at 136 Castledawson, Maynooth, Co. Kildare.
4. The Appellant Tenant shall continue to pay any further rent outstanding to the Respondent Landlord from 9 April 2024, being the date of the Tribunal Hearing, at the rate of €520 per month, or proportionate part thereof at the rate of €17.10 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 above dwelling is vacated by the Appellant Tenant and any other persons residing therein
5. The enforcement of this Determination Order for such payment of €5,401 will be deferred and the total sum owing will be reduced by the cumulative sum paid, in monthly/weekly instalments, by the Appellant Tenant to the Respondent Landlord, on each due date, until such time as the total sum of €5,401 has been paid in full.
6. 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.
7. The Respondent Landlord shall refund the security deposit of €500 to the Appellant Tenant, upon the Appellant 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 08 May 2024.



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