

Residential Tenancies Board

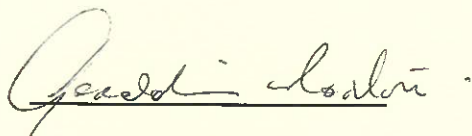
Determination Order

Ref: TR0321-004808/DR1020-65961

In the matter of Period Door Properties Ltd [Appellant Landlord] and Maria Kirby [Respondent Tenant] the Residential Tenancies Board, in accordance with section 121 of the Residential Tenancies Act 2004, determines that:

1. The Notice of Termination served on 2 October 2020 by the Appellant Landlord on the Respondent Tenant in respect of the tenancy of the dwelling at 153 Philipsburgh Avenue, Marino, Dublin 3 is valid.
2. The Respondent Tenant and all persons residing in the above dwelling shall vacate and give up possession of the above dwelling within 21 of the date of issue of this Order.
3. The Respondent Tenant shall pay the total sum of €17,559.80 to the Appellant Landlord, within 21 days of the date of issue of this Order, being rent arrears in respect of the tenancy of the dwelling at 153 Philipsburgh Avenue, Marino, Dublin 3.
4. The Respondent Tenant shall also pay any further rent outstanding from 29 June 2021, being the date of the Tribunal hearing, at the rate of €2,350 per month or proportional part thereof at the rate of €77.30 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(s) vacate and give up possession of the above dwelling.
5. The enforcement of this Order for such payment of €17,559.80 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 Appellant Landlord on each due date until such time as the total sum of €17,559.80 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 Appellant Landlord.
7. The Appellant Landlord shall refund the entire of the security deposit of €3,525 to the Respondent Tenant, upon the Respondent 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 14 July 2021.

A handwritten signature in black ink, appearing to read 'Geraldine Norton', written over a horizontal line.

Geraldine Norton

Higher Executive Officer

Duly authorised to sign on behalf of the Director