

## **Residential Tenancies Board**

### **Determination Order**

**Ref: TR0321-004822/DR1020-65517**

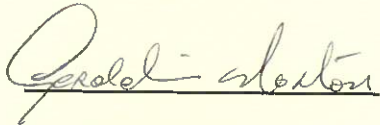
In the matter of Babatunde Ogunde [Appellant Tenant] and Bancroft Limited Partnership [Respondent Landlord], the Residential Tenancies Board, in accordance with section 121 of the Residential Tenancies Act 2004, determines that:

1. The Notice of Termination with a date of service of 13th August 2020, served by the Respondent Landlord on the Appellant Tenant, in respect of the tenancy of the dwelling at 58 New Bancroft Centre, Greenhills Road, Tallaght, Dublin 24, is valid;
2. The Appellant Tenant and any other persons residing in the dwelling shall vacate and give up vacant possession of the above dwelling within 10 days of the expiration of the emergency period as defined in section 2 of the Residential Tenancies Act, 2020, or within 10 days of the issuance of this Determination Order, whichever is later;
3. The Appellant Tenant shall pay the total sum of €26,624 to the Respondent Landlord, by way of 26 consecutive instalments at the rate of €1,000 per calendar month, on or before the 28th day of each month, followed by one further instalment of €624 in the immediately succeeding month, commencing the next month after the issue of this Determination Order. This sum represents rent arrears in respect of the tenancy of the above dwelling;
4. The Appellant Tenant shall also pay any further rent outstanding from 7th July 2021, at the rate of €1,664 per month or proportionate part thereof at the rate of €54.71 per day, unless lawfully varied, and any other charges as provided for under 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 €26,624 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 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 Appellant Tenant's claim of breach of landlord obligations with respect to the tenancy of the above dwelling is not upheld.

This Order was made by the Residential Tenancies Board on 11 August 2021.

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

Geraldine Norton

Higher Executive Officer

Duly authorised to sign on behalf of the Director

