

Residential Tenancies Board

Determination Order

Ref: TR0519-003732/DR0319-52883

In the matter of Paul James [Appellant Tenant] and John Lucy [Respondent Landlord] the Residential Tenancies Board, in accordance with section 121 of the Residential Tenancies Act 2004, determines that:

1. The Notice of Termination served by the Respondent Landlord on 24th January 2019 on the Appellant Tenant in respect of the tenancy of the dwelling at 2 Ryecroft, Maryborough Woods, Douglas, Co. Cork 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 14 days of the date of issue of this Order;
3. The Appellant Tenant shall pay the total sum of €6,591.84 to the Respondent Landlord, in 9 equal consecutive instalments at the rate of €659 per calendar month, followed by a 10th payment of €660.84 on the 30th day of each month, commencing the next month after the issue of this Order. This sum represents rent arrears of €6,591.84.
4. The Appellant Tenant shall also pay any further rent outstanding from 12th July 2019, being the date of the Tribunal hearing, at the rate of €1,500 per month or proportional part thereof at the rate of €49.32 per day 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 Appellant Tenant vacates the above dwelling;
5. The enforcement of this Order for such payment of €6,591.84 will be deferred and the total sum owing reduced by the cumulative sum paid in the monthly installments made by the Appellant Tenant to the Respondent Landlord on each due date until such time as the total sum of €6,591.84 has been paid in full.
6. For the avoidance of doubt, any default in the payment of any of the monthly installments 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 entire of the security deposit of €1,500 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 29 August 2019.



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