

Residential Tenancies Board

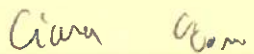
Determination Order

Ref: TR0523-006253/DR1122-81441

In the matter of OLI Property Rentals Limited [Appellant Landlord] and James Murphy [Respondent Tenant] 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 10 October 2022, served by the Appellant Landlord on the Respondent Tenant, in respect of the tenancy of the dwelling at 30 Barrow Hall, Mountgarrett, New Ross, Co. Wexford, is valid.
2. The Respondent Tenant and any other persons residing in the above dwelling shall vacate and give up possession of the above dwelling within 21 days of the date of issue of this Determination Order.
3. The Respondent Tenant shall pay the total sum of €8,826.25 to the Appellant Landlord, by way of 25 consecutive monthly instalments at the rate of €353.05 per calendar month, on or before the 28th day of each month, the first payment of €353.05 to be made in the month after the issue of this Determination Order. This sum represents rent arrears of €8,826.25, in respect of the tenancy of the above dwelling.
4. The enforcement of this Determination Order for such payment of €8,826.25 shall be deferred and the total sum owing will be reduced by the cumulative sum paid, in monthly instalments, by the Respondent Tenant to the Appellant Landlord, on or before each due date, until such time as the total sum of €8,826.25 has been paid in full.
5. For the avoidance of doubt, any default in the payment of any of the monthly instalments due shall act to cancel any further deferral and the balance due at the date of any such default shall immediately become due and owing to the Appellant Landlord.
6. The Respondent Tenant shall also pay any further rent outstanding from 13 September 2023, being the day after the Tribunal hearing, at the rate of €975 per month or proportionate part thereof at the rate of €32.05 per day (being €975 x 12 / 365), 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 Respondent Tenant and any other persons residing therein, in accordance with paragraph 2 above.
7. The Appellant Landlord shall refund the security deposit of €1,125 to the Respondent Tenant, on gaining vacant possession of the dwelling in accordance with paragraph 2 above, less any amounts properly withheld in accordance with the provisions of the Act.

This Order was made by the Residential Tenancies Board on 6 December 2023.



Ciara Cronin
Higher Executive Officer
Duly authorised to sign on behalf of the Director