

Residential Tenancies Board

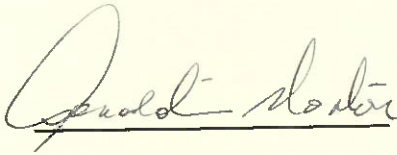
Determination Order

Ref: TR0621-005003/DR0321-68337

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

1. The Notice of Termination dated 11 March, 2021 served by the Respondent Landlord on the Appellant Tenant, in respect of the tenancy of the dwelling at 22 Rose Lawn, Rose Hill, Kilkenny, R95X8W6, is valid.
2. The Appellant Tenant shall vacate and give up possession of the above dwelling within 28 days of the date of issue of this Determination Order.
3. The Appellant Tenant shall pay the total sum of €3,700.00 being rent arrears to the Respondent Landlord by way of 10 equal consecutive instalments at the rate of €370.00 per calendar month, on the 28th day of each month, commencing the next month after the date of issue of this Determination Order.
4. The enforcement of this Order for such payment of €3,700.00 will be deferred and the total sum owing reduced by the cumulative sum paid in the monthly instalments made by the Appellant Tenant to the Respondent Landlord on each due date until such time as the total sum of €3,700.00 has been paid in full.
5. 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.
6. The Appellant Tenant shall also pay any further rent outstanding from 6 September, 2021, being the date of the Tribunal Hearing, at the rate of €500.00 per month, or proportionate part thereof at the rate of €16.44 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.
7. The Respondent Landlord shall refund the entire of the security deposit of €500.00 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 10 November 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