

## **Residential Tenancies Board**

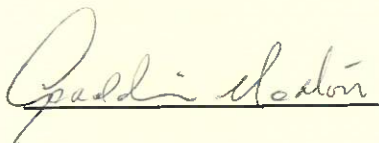
### **Determination Order**

**Ref: TR0621-005005/DR0221-67995**

In the matter of Kennedy Wilson Investment Fund II ICAV [Appellant Landlord] and Gavin Cassidy [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 by the Appellant Landlord on the Respondent Tenant on the 19th February 2021 in respect of the tenancy of the dwelling at 711 Vantage Central, Central Park, Leopardstown Road, Dublin 18 is valid.
2. The Respondent Tenant and any other persons in occupation of the dwelling at 711 Vantage Central, Central Park, Leopardstown Road, Dublin 18 shall vacate and give up vacant possession of the dwelling to the Appellant Landlord within 28 days of the date of this Determination Order.
3. The Respondent Tenant shall pay the total sum of €18,643.02 to the Appellant Landlord representing rent arrears up to the 2nd November 2021 in respect of the tenancy of the dwelling at 711 Vantage Central, Central Park, Leopardstown Road, Dublin 18. The arrears of €18,643.02 shall be paid by way of 37 consecutive monthly instalments comprising 36 consecutive instalments at the rate of €510.00 per calendar month followed by one further instalment of €283.02 in the immediately succeeding month. Payments shall be made on or before the 28th day of each month commencing in the month after the month in which this Determination Order is issued.
4. For the avoidance of doubt, any default in the payment of any of the monthly instalments referred to in number 3 above 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.
5. From the 3rd November 2021 onwards the Respondent Tenant shall pay to the Appellant Landlord monthly rent at the rate of €1,843.36 per month (€60.60 per day) unless lawfully varied, and any other charges set out in the terms of the tenancy agreement, until such time as the Respondent Tenant vacates the dwelling.
6. The Appellant Landlord shall refund the entire of the security deposit of €775.00 to the Respondent Tenant on gaining vacant possession of the dwelling at 711 Vantage Central, Central Park, Leopardstown Road, Dublin 18, less any amounts properly withheld in accordance with the provision of the Act with respect to rent arrears or damage to the dwelling above normal wear and tear.

This Order was made by the Residential Tenancies Board on 02 February 2022.

A handwritten signature in cursive script, reading "Geraldine Norton", written in black ink. The signature is positioned above a horizontal line.

Geraldine Norton

Higher Executive Officer

Duly authorised to sign on behalf of the Director