

Residential Tenancies Board

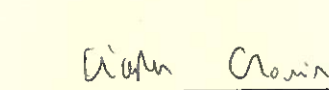
Determination Order

Ref: TR0622-005522/DR0222-75635

In the matter of John Tuite [Appellant Landlord] and Elaine Lawes [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 on 13 October 2021 on the Respondent Tenant in respect of the tenancy of the dwelling at Bohoona, Dressogue, Athboy, County Meath is valid.
2. The Respondent Tenant and all persons residing in the above dwelling shall vacate and give up vacant possession of the above dwelling within 56 days of the date of issue of this Determination Order.
3. Following the Respondent Tenant vacating the dwelling, the Appellant Landlord shall refund to the Respondent Tenant the security deposit of €1,000 paid in respect of the tenancy of the above dwelling, less any amounts properly withheld in accordance with the provisions of the Residential Tenancies Act 2004, as amended.
4. The Respondent Tenant shall pay the sum of €8,558.90 to the Appellant Landlord by 18 consecutive monthly payments of €475 on the 28th day of each month, commencing on the 28th day of the month immediately following the date of issue of this Determination Order, with a subsequent final payment of €8.90, in respect of the tenancy of the above dwelling.
5. The enforcement of this Determination Order for such payment of €8,558.90 will be deferred and the total sum owing will be reduced by the cumulative sum paid in the monthly instalments by the Respondent Tenant to the Appellant Landlord, on or before each due date, until such time as the total sum of €8,558.90 has been paid in full.
6. For the avoidance of doubt, any default in the payment of any of the monthly instalments, or further rent due, 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.
7. The Respondent Tenant shall also pay any further rent outstanding from 13 July 2022, being the date of the Tribunal hearing, at the rate of €1,000 per month, unless lawfully varied, 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 Respondent Tenant vacates the above dwelling.

This Order was made by the Residential Tenancies Board on 03 August 2022.



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