

Residential Tenancies Board

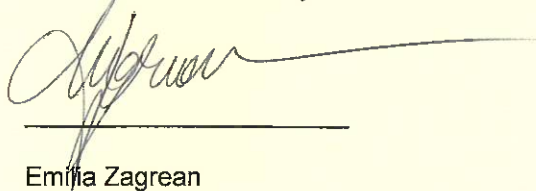
Determination Order

Ref: TR0722-005590/DR0422-76776

In the matter of Lewis Aihie [Appellant Tenant] and Jacob Johnson [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 28th of February 2022 and served on the 1st of March 2022 by the Respondent Landlord on the Appellant Tenant in respect of the tenancy of the dwelling at 15a Sundale Heights, Tallaght, Dublin 24, D24RY72 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 28 days of the date of issue of this Determination Order.
3. The Appellant Tenant shall pay the sum of €5,836.28 to the Respondent Landlord by way of 5 consecutive instalments at the rate of €1,000.00 per calendar month, on or before the 28th day of each month, followed by one further instalment of €836.28 in the immediately succeeding month, commencing the next month after the issue of this Determination Order. The sum of €5,836.28 represents rent arrears due and owing in respect of the tenancy in the said dwelling upto and including the 6th day of September 2022.
4. The enforcement of this Determination Order for such payment of €5,836.28 will be deferred and the total sum owing will be reduced by the cumulative sum paid, in monthly instalments, by the Appellant Tenant to the Respondent Landlord, on each due date, until such time as the total sum of €5,836.28 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 continue to pay rent at the rate of €1,350.00 per month or proportionate part thereof at the rate of €44.38 per day, unless lawfully varied, and any other charges as set out in the terms of the tenancy agreement for each month or part thereof from the 6th day of September 2022, being the date of the Tribunal Hearing, until such time as he vacates and gives up possession of the above dwelling.
7. The Respondent Landlord shall refund the security deposit of €1,350.00 to the Appellant Tenant, on gaining 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 2nd November 2022.



Emilia Zagrean

Higher Executive Officer

Duly authorised to sign on behalf of the Director