

## Residential Tenancies Board

### Determination Order

Ref: TR0722-005625/DR0422-76635

In the matter of Kenneth Akinwumi [Appellant Tenant] and Pexxus Ltd. [Respondent Landlord] 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 Respondent Landlord on the Appellant Tenant on 9 March 2022 in respect of the tenancy of the dwelling at 203 An Buiog, Bettystown Town Centre, Bettystown, Co. Meath, is valid.
2. The Appellant Tenant, and all other 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 total sum of €11,764.76 to the Respondent Landlord by way of 15 consecutive monthly instalments at the rate of €750.00 per month, on or before the 1st day of each month, followed by one final instalment of €514.76, on or before the 1st day of the 16th month, commencing in the month immediately following the month of issue of this Determination Order. This sum of €11,764.76 being rent arrears due in relation to the aforementioned tenancy.
4. The enforcement of this Determination Order for such payment of €11,764.76 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 €11,764.76 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 5 April 2023 (being the date of the Tribunal hearing) to the Respondent Landlord, at the rate of €1,207.00 per month or proportionate part thereof at the rate of €39.69 per day, unless lawfully varied, together with any other charges 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 all other persons residing therein.
7. The Respondent Landlord shall refund the security deposit of €1,200.00 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.
8. The Appellant Tenant's claims of breach of obligations by the Respondent Landlord regarding the repair to, and standard and maintenance of, the dwelling are not upheld.

This Order was made by the Residential Tenancies Board on 14 June 2023.



Emilia Zagrean  
Higher Executive Officer  
Duly authorised to sign on behalf of the Director