

Residential Tenancies Board

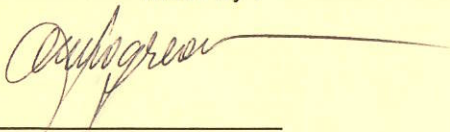
Determination Order

Ref: TR0723-006426/DR1022-80735

In the matter of Kayne Holohan [Appellant Tenant] and Kieran Conroy [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 by letter dated 22 April 2022 with an expiry date of 19 October 2022 in respect of the Dwelling at 8, St Rioch's Court, Saint Rioch's Street, Kilkenny, 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 total sum of €11,847.76 to the Respondent Landlord, by way of 15 consecutive instalments at the rate of €750 per calendar month, on or before the 28th day of each month, followed by one further instalment of €597.76 on or before the immediately succeeding month, commencing the next month after the issue of this Determination Order. This sum represents rent arrears of €11,847.76, in respect of the tenancy of the dwelling at 8 Saint Rioch's Court, Saint Rioch's Street, Kilkenny.
4. The enforcement of this Determination Order for such payment of €11,847.76 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, 847.76 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 continue to pay any further rent outstanding to the Respondent Landlord from 26 September 2023, being the date of the Tribunal Hearing, at the rate of €1,100 per month, or proportionate part thereof at the rate of €36.16 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, 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 €1,100 to the Appellant Tenant, upon the Appellant Tenant vacating and giving up vacant possession of the above dwelling and upon full discharge of all rent due, less any amounts properly withheld in accordance with the provisions of the Act.

This Order was made by the Residential Tenancies Board on 25 October 2023.



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