

Residential Tenancies Board

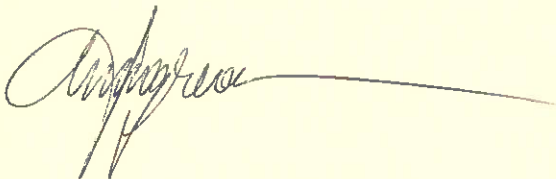
Determination Order

Ref: TR0723-006449/DR0323-83448

In the matter of William Sweeney [Appellant Landlord] and Fintan Byrne [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 8 December 2022 in respect of the tenancy of the Dwelling at 18A Windmill Heights, Belvedere Road, Wexford, County Wexford is valid.
2. The Respondent Tenant and all persons residing in the Dwelling shall vacate and give up possession of the Dwelling within 28 days of the date of issue of this Determination Order.
3. The Respondent Tenant shall pay the total sum of €11,829.65 to the Appellant Landlord, in 10 equal consecutive instalments at the rate of €1,182.96 per calendar month, on the 28th day of each month, commencing the next month after the issue of this Determination Order. This sum represents rent arrears of €11,829.65, in respect of the tenancy of the Dwelling.
4. The Respondent Tenant shall pay any further rent outstanding from 19 October 2023, being the date of the Tribunal hearing, at the rate of €563.33 per month or proportionate part thereof at the rate of €18.52 per day, unless lawfully varied, and any other charges as provided for under the terms of the tenancy agreement for each month or part thereof, until such time as the Dwelling is vacated by the Respondent Tenant and any other persons residing therein, in accordance with paragraph 2 above.
5. The enforcement of this Determination Order for such payment of €11,829.65 will be deferred and the total sum owing reduced by the cumulative sum paid in the monthly instalments made by the Respondent Tenant to the Appellant Landlord on each due date until such time as the total sum of €11,829.65 has been paid in full.
6. 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 Appellant Landlord.

This Order was made by the Residential Tenancies Board on 13 December 2023.



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