

Residential Tenancies Board

Determination Order

Ref: TR0820-004402/DR0120-60268

In the matter of Bobby Adekoya [Appellant Tenant] and Francis Clarke [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 31 December, 2019, in respect of the tenancy of the above dwelling at Apartment 20, Amberwood, Navan Road, Dublin 15, is valid.
- (2) The Appellant Tenant and any other persons residing in the above dwelling shall vacate and give up possession of the dwelling within 28 days of the issue of this Determination Order.
- (3) The Appellant Tenant shall pay the total sum of €16,090.30 in respect of rent arrears to the Respondent Landlord by way of 8 consecutive monthly instalments at a rate of €2,000 per month to be paid on or before the 28th day of each month followed by one further instalment of €90.30 to be paid on or before the 28th day of the 9th month, commencing in the month immediately following the month of issue of this Determination Order. This sum of €16,090.30 being rent arrears in respect of the tenancy of the above dwelling.
- (4) The enforcement of this Determination Order for such payment of €16,090.30 will be deferred and the total sum owing will be reduced by the cumulative sum paid in the monthly instalments by the Appellant Tenant to the Respondent Landlord on each due date until such time as the total sum of €16,090.30 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 payments shall immediately become due and owing to the Respondent Landlord.
- (6) The Appellant Tenant shall also pay any further rent outstanding from the 17th December 2020 being the date of the Tribunal Hearing to the Respondent Landlord at the rate of €1,150 per month or proportional part thereof at a rate of €37.80 per day unless lawfully varied together with any other charges provided for under the tenancy agreement for each month or part thereof until such time as the above dwelling is vacated by him and any other persons residing therein.

(7) The Respondent Landlord shall refund the security deposit of €1,100 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.

This Order was made by the Residential Tenancies Board on 28 January 2021.

A handwritten signature in dark ink, appearing to read 'Geraldine Norton', written over a horizontal line.

Geraldine Norton
Higher Executive Officer
Duly authorised to sign on behalf of the Director