

Residential Tenancies Board

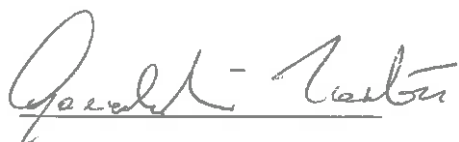
Determination Order

Ref: TR0919-003974/DR0619-55337

In the matter of Mac Tonnyson Flourish-Usikpo [Appellant Tenant] and Irish Residential Properties REIT Plc [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 23 May 2019 on the Appellant Tenant in respect of the tenancy of the dwelling at 24 Park Heights, Hansfield Wood, Dublin 15 is valid.
2. The Appellant Tenant and any person residing in the above dwelling shall vacate and give up possession of the above dwelling within 14 days of the issue of this Determination Order.
3. The Appellant Tenant shall pay the total sum of €14,089.32 to the Respondent Landlord, by way of 14 consecutive monthly instalments at the rate of €1,000.00 per month, due on the 1st day of each month, followed by one further installment of €89.32, due on the 1st day of the 15th month, commencing in the month immediately following the month of issue of this Order. This sum represents rent arrears of €14,089.32 in respect of the tenancy of the above dwelling.
4. The enforcement of the Order for such payment of €14,089.32 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 €14,089.32 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 pay any rent outstanding from 4 October 2019, at the rate of €2,200.00 per month and/or €72.33 per day, unless lawfully varied, and any other charges as set out in the terms of the tenancy agreement for each month/day or part thereof, until such time as they vacate the above dwelling.
7. The Respondent Landlord shall refund the entire of the security deposit of €2,200.00 to the Appellant Tenant, on gaining vacant possession of the above dwelling, less any amount properly withheld in accordance with the provisions of the Act.

This Order was made by the Residential Tenancies Board on 06 January 2020.

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