

Residential Tenancies Board

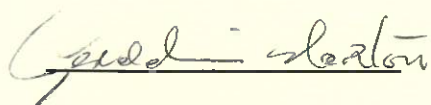
Determination Order

Ref: TR0920-004439/DR0420-61595

In the matter of Krystian Nawarski [Appellant Tenant] and Shane McMahon [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 on 19 February 2020 by the Respondent Landlord on the Appellant Tenant in respect of the tenancy of the dwelling at Apartment 2B, 40 Lower Sallynoggin Road, Co. Dublin, 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 10 days of the expiration the Emergency Period as defined in section 2 of the Residential Tenancies Act, 2020 or within 90 days of the date of issue of this Determination Order, whichever is the later.
3. The Appellant Tenant shall pay the total sum of €5,027.16 to the Respondent Landlord, in 24 equal consecutive instalments at the rate of €208.34 per calendar month, on the 28th day of each month, followed by one further instalment of €27.00 in the immediately succeeding month commencing the next month after the issue of this Order. This sum represents rent arrears, in respect of the tenancy of the above dwelling.
4. The Appellant Tenant shall also pay any further rent outstanding from 8 February 2021, being the date of the Tribunal hearing, at the rate of €884.00 per month or proportionate part thereof at the rate of €29.06 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 Appellant Tenant vacates and gives up possession of the above dwelling.
5. The enforcement of this Order for such payment of €5,027.16 will be deferred and the total sum owing reduced by the cumulative sum paid in the monthly instalments made by the Appellant Tenant to the Respondent Landlord on each due date until such time as the total sum of €5,027.16 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 Respondent Landlord.

This Order was made by the Residential Tenancies Board on 14 April 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