

Residential Tenancies Board

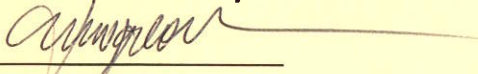
Determination Order

Ref: TR0923-006724/DR0623-86730

In the matter of Irish Residential Properties Reit Plc [Applicant Landlord] and Michael Weldon [Respondent Tenant] the Residential Tenancies Board, in accordance with section 121 of the Residential Tenancies Act 2004, determines that:

1. The Notice of Termination dated the 23 June 2023, served by the Applicant Landlord on the Respondent Tenant in respect of the tenancy of the Dwelling at Apartment 330, Charlestown Place, Saint Margaret's Road, Dublin 11, D11W029, is valid.
2. The Respondent Tenant and all persons residing in the Dwelling shall vacate and give up possession of the Dwelling within 90 days of the date of issue of this Determination Order.
3. The Respondent Tenant shall pay the total sum of €5650.00 to the Applicant Landlord, in 28 equal consecutive instalments at the rate of €200 per calendar month, on the 28th day of each month, followed by one further instalment of €50.00 in the immediately succeeding month, commencing the next month after the issue of this Determination Order. This sum represents rent arrears of €5650.00 in respect of the tenancy of the Dwelling for the period from 01 September 2020 to 06 February 2024 being the date of the Tribunal hearing.
4. The Respondent Tenant shall pay any further rent outstanding from 6 February 2024, being the date of the Tribunal hearing, at the rate of €1585.00 per month or proportionate part thereof at the rate of €52.10 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 €5650.00 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 Applicant Landlord on each due date until such time as the total sum of €5650.00 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 Applicant Landlord.
7. The Applicant Landlord shall refund the security deposit of €2025.00 to the Respondent Tenant, upon the Respondent 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 13 March 2024.



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