

Residential Tenancies Board

Determination Order

Ref: TR1117-002692/DR0917-37335

In the matter of Samuel Daniel [Appellant Tenant] and William Rowley and Mary Rowley [Respondent Landlords] the Residential Tenancies Board, in accordance with section 121 of the Residential Tenancies Act 2004, determines that:

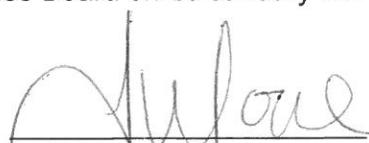
1. The Notice of Termination dated 19 December 2016 served by the Respondent Landlords on the Appellant Tenant in respect of the tenancy in the dwelling at Flat 2, 26 Grove Park, Rathmines, Dublin 6 D06X590 is valid.
2. The Appellant Tenant and all persons residing in the above dwelling shall vacate and give up possession of the above dwelling within 56 days of the date of issue of this Order.
3. The Respondent Tenant shall pay the total sum of €3,365.00 to the Respondent Landlords, in 10 consecutive monthly payments of €336.50 on or before the 28th day of each month, commencing the next month after the issue of the Order. This sum represents rent arrears of €3,365.00 in respect of the tenancy of the above dwelling;
4. The enforcement of the Order for such payment will be deferred and the total sum owing will be reduced by the number of monthly instalments of €336.50 made to the Respondent Landlords on or before each due date until the sum of €3,365.00 has been paid in full;
5. For the avoidance of doubt any default in the payment of the monthly instalments of €336.50 or any further rent payments due shall act to cancel any further deferral and the balance due at the date of default shall immediately become due and owing to the Respondent Landlords.
6. The Appellant Tenant shall also pay any further rent outstanding from and including the 8 January 2018 at the rate of €150.00 per week or proportionate part thereof at the rate of €21.37 per day, unless lawfully varied, and any other charges as set out in the terms of the tenancy for each month or part thereof, until such time as he vacates the dwelling.
7. The Respondent Landlords shall refund the entire of the security deposit of €450.00 to the Respondent 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 23 January 2017



Tim Ryan
Board Member

Duly authorised to sign on behalf of the Board



Joanne Moore
Higher Executive Officer

Duly authorised to sign on behalf of the Board