

Determination Order

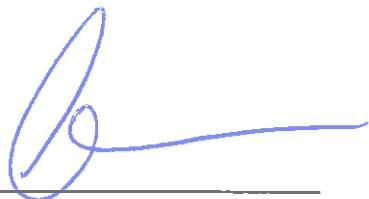
Ref: TR1118-003337/DR0818-47523

In the matter of Michaela Isaila [Appellant Tenant] and Ian Woods [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 the 2nd May 2018, by the Respondent Landlord on the Appellant Tenant, in respect of the tenancy of the dwelling at 113 Swiftwood, Gartars Lane, Saggart, Co. Dublin is valid.
2. The Notice of Termination served on the 5th July 2018 by the Respondent Landlord on the Appellant Tenant, in respect of the tenancy of the dwelling at 113 Swiftwood, Gartars Lane, Saggart, Co. Dublin is valid.
3. The Appellant Tenant, and any other person(s) residing in the above dwelling, shall vacate and give up possession of the dwelling within 14 days of the date of issue of this Determination Order.
4. The Appellant Tenant shall pay the total sum of €7,350 to the Respondent Landlord, at the rate of 24 equal payments of €300 per week, payable on the Wednesday of each week, followed by one final payment of €150 commencing the next week after the issue of this Order. This sum represents rent arrears of €7,350, in respect of the tenancy of the dwelling at 113 Swiftwood, Gartars Lane, Saggart, Co. Dublin.
5. The enforcement of the Order for such payment will be deferred and the total sum owing will be reduced by the number of weekly instalments of €300 made to the Respondent Landlord on each due date until the sum of €7,350 has been paid in full.
6. For the avoidance of doubt any default in the payment of the weekly instalments of €300 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 Landlord.
7. The Appellant Tenant shall also pay any further rent outstanding from 9 January 2019, being the date of the Tribunal hearing, to the Respondent Landlord, at the rate of €1,300.00 per month or proportional part thereof at the rate of €42.74 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 she vacates the above dwelling.
8. The Respondent Landlord shall refund the entire of the security deposit of €1,050.00 to the Appellant Tenant, upon the Respondent Tenant vacating and giving up vacant

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 March 2019.



Carolyn O'Brien
Higher Executive Officer
Duly authorised to sign on behalf of the Director