

## **Residential Tenancies Board**

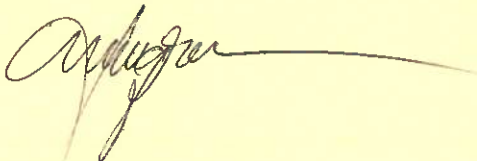
### **Determination Order**

**Ref: TR1223-007012/DR1023-89581**

In the matter of Yorkfire Limited [Applicant Landlord] and Desmond Francis Ward [Respondent Tenant] the Residential Tenancies Board, in accordance with section 121 of the Residential Tenancies Act 2004, determines that:

1. The Notice of Termination served on 03 October 2023 on behalf of the Applicant Landlord on the Respondent Tenant in respect of the tenancy of the dwelling at Apartment 5, 5 Herberton Street, Rialto, Dublin 8, D08W278 is valid and that the Respondent Tenant is overholding.
2. The Respondent Tenant and all other persons resident in the above dwelling shall vacate and give up possession of the dwelling within 35 days of the date of issue of this Determination Order.
3. The Respondent Tenant shall pay the total sum of €2,373.28 to the Applicant Landlord, by way of 4 consecutive instalments at the rate of €500 per calendar month, and one payment of €373.28 on or before the 28th day of each month, commencing the next month after the date of issue of this Determination Order. This sum represents rent arrears, in respect of the tenancy of the above dwelling.
4. The enforcement of this Determination Order for such payment of €2,373.28 will be deferred and the total sum owing will be reduced by the cumulative sum paid, in monthly instalments, by the Respondent Tenant to the Applicant Landlord, on each due date, until such time as the total sum 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 Applicant Landlord.
6. The Respondent Tenant shall pay the sum of €1,604 per month or part thereof (being €52.73 per day) from 23 April 2024 until the date that they actually vacate and give up possession of the dwelling, unless lawfully varied, together with any other lawful charges as are due under the terms of the lease.
7. The Applicant Landlord shall refund the security deposit of €1,000 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 5 June 2024.



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