

Residential Tenancies Board

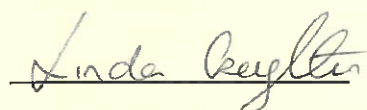
Determination Order

Ref: TR0721-005033/DR0321-68390

In the matter of Maureen Connell [Appellant Landlord] and David Arthur Cunningham [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 by the Appellant Landlord on the Respondent Tenant on the 5th February 2021, in respect of the tenancy of the dwelling at Flat 3, 12 Grattan Crescent, Inchicore, Dublin 8, is valid.
2. The Respondent Tenant and any other persons in occupation of the dwelling at Flat 3, 12 Grattan Crescent, Inchicore, Dublin 8 shall vacate and give up vacant possession of the dwelling to the Appellant Landlord within 28 days of the date of issue of this Determination Order.
3. The Respondent Tenant shall pay to the Appellant Landlord the sum of €1,387.00 within the period of 6 months from the date of issue of this Determination Order, at the rate of €230.00 per month for 5 consecutive months with a final payment in month 6 of €237.00, commencing on the 28th day of the next month after the date of issue of this Determination Order.
4. For the avoidance of doubt, any default in the payment of any of the monthly instalments referred to in number 3 above 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 Appellant Landlord.
5. From the 12th November 2021 onwards the Respondent Tenant shall continue to pay rent to the Appellant Landlord at the rate of €670.00 per month, unless lawfully varied, and any other charges set out in the terms of the tenancy agreement, until such time as the Respondent Tenant vacates and gives up vacant possession of the above dwelling.
6. The Appellant Landlord shall refund the entire security deposit of €525.00 to the Respondent Tenant on gaining vacant possession of the dwelling at Flat 3, 12 Grattan Crescent, Inchicore, Dublin 8, less any amounts properly withheld in accordance with the provision of the Act with respect to rent arrears or damage to the dwelling above normal wear and tear.

This Order was made by the Residential Tenancies Board on 23rd February 2022.



Linda Creighton

Higher Executive Officer

Duly authorised to sign on behalf of the Director