

Residential Tenancies Board

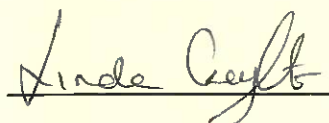
Determination Order

Ref: TR0122-005256/DR0821-71963

In the matter of Marcella Delahunty [Appellant Landlord] and Lukasz Tomczyk [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 21st September 2020 on the Respondent Tenant in respect of the tenancy of the dwelling at 67 Borris Little, Portlaoise, Co. Laois is valid.
2. The Respondent Tenant and all persons residing in the above dwelling shall vacate and give up vacant possession of the above dwelling within 14 days of the date of issue of this Determination Order.
3. The Respondent Tenant shall pay the total sum of €12,630.00 to the Appellant Landlord, in 12 equal consecutive instalments at the rate of €1,052.50 per calendar month, on the 28th day of each month, commencing the next month after the issue of this Determination Order. This sum represents rent arrears of €12,630.00, in respect of the tenancy of the above dwelling.
4. The enforcement of this Determination Order for such payment of €12,630.00 will be deferred and the total sum owing reduced by the cumulative sum paid in the monthly instalments made or any additional payments made and recorded by the Respondent Tenant to the Appellant Landlord on each due date until such time as the total sum of €12,630.00 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 Appellant Landlord.
6. The Respondent Tenant shall also pay any further rent outstanding from the 31st March 2022, being the date of the Tribunal hearing, at the rate of €1,000.00 per month or proportional part thereof at the rate of €32.88 per day, unless lawfully varied, and any other charges as set out in the terms of the tenancy agreement for each month or part thereof, until such time as the Respondent Tenant vacates and gives up vacant possession of the above dwelling.
7. The Appellant Landlord shall refund the entire of the security deposit of €1,000.00 to the Respondent 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, to include arrears of rent.

This Order was made by the Residential Tenancies Board on 4th May 2022



Linda Creighton

Higher Executive Officer

Duly authorised to sign on behalf of the Director