

Private Residential Tenancies Board

Determination Order

Ref: DR1115-22450

In the matter of Ann McCabe [Applicant Landlord] and Amanda Loftus, Shaun Flaherty [Respondent Tenants] the Private Residential Tenancies Board, in accordance with section 121 of the Residential Tenancies Act 2004, determines that:

1. The Notice of Termination served by the Applicant on the 12th of October 2015 on the Respondent Tenants in respect of the tenancy of the dwelling at 6 Browns court, Store Street, Youghal, Co. Cork, is valid.
2. The Respondent Tenants and any persons of the above dwelling shall vacate and give up possession of the above dwelling within 14 days of the issue of this Order.
3. The Respondent Tenants shall pay the total sum of €1,140 to the Applicant Landlord, in 5 consecutive monthly payments of €200, on the 28th day of each month, followed by one payment of €140 in the immediately succeeding month, commencing the next month after the issue of the Determination Order, being rent arrears in respect of the tenancy of the dwelling at 6 Browns court, Store Street, Youghal, Co. Cork.
4. The enforcement of this Order for such payment of €1,140 shall be deferred and the total sum owing reduced by the cumulative sum paid in the monthly instalments of €200 made by the Respondent Tenants to the Applicant Landlord on each due date until such time as the total sum of €1,140 has been paid in full.
5. For the avoidance of doubt, any default in the payment 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 Tenants shall pay any rent outstanding from the 15th December 2015, at the rate of €480 per month and/or €15.78 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 they vacate the above dwelling.

7. The Applicant Landlord shall refund the entire of the security deposit of €480 to the Respondent Tenants, on gaining 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 Private Residential Tenancies Board on 05 February 2016.



Noel Conroy
Board Member

Duly authorised to sign on behalf of the Board



Janette Fogarty
Assistant Director

Duly authorised to sign on behalf of the Board

