

## Residential Tenancies Board

### Determination Order

**Ref: DR0616-27044**

In the matter of William Heffernan [Applicant Landlord] and Linda Nicholson, Oliver Nicholson [Respondent Tenants] the Residential Tenancies Board, in accordance with section 121 of the Residential Tenancies Act 2004, determines that:

1. The Respondent Tenants shall pay the total sum of €2,922 to the Applicant Landlord, in 5 equal consecutive installments at the rate of €500 per calendar month, on the 28th day of each month, followed by one further installment of €422 in the immediately succeeding month commencing the next month after the issue of the Order. This sum represents rent arrears of €2,922 plus the sum of €500 in damages for breach of obligations under section 16(a) of the Act, having deducted the entire of the justifiably retained security deposit of €500 in respect of the tenancy of the dwelling at 9 O'Moore Street, Tullamore, Co. Offaly;
2. The enforcement of this Order for such payment of €2,922 will be deferred and the total sum owing reduced by the cumulative sum paid in the monthly installments made by the Respondent Tenants to the Applicant Landlord on each due date until such time as the total sum of €2,922 has been paid in full.
3. For the avoidance of doubt, any default in the payment of any of the monthly installments 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.

This Order was made by the Residential Tenancies Board on 02 September 2016.



Tim Ryan  
Board Member

Duly authorised to sign on behalf of the Board



Claire Diggins  
Higher Executive Officer

Duly authorised to sign on behalf of the Board