

Residential Tenancies Board

Determination Order

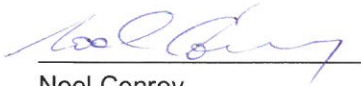
Ref: DR0916-29241

In the matter of Ray Shanahan, Brian Shanahan [Applicant Landlords] and Nicole Levis [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 Applicant Landlord on 18 August 2016 on the Respondent Tenant in respect of the tenancy of the dwelling at 8 Charlemont Mews, Rochestown, Cork City, T12NW89, is valid.
2. The Respondent Tenant and all persons residing in the above dwelling shall vacate and give up possession of the above dwelling within 7 days of the date of issue of the Order.
3. The Respondent Tenant shall pay the total sum of €5,641.09 to the Applicant Landlord, in 37 equal consecutive installments at the rate of €150 per calendar week, on the Monday of each week, followed by one further installment of €141.09 in the immediately succeeding week commencing the next week after the issue of the Order.
4. The Respondent Tenant shall also pay any further rent outstanding from 20 October 2016 to the Applicant Landlord at the rate of €700 per month or proportionate part thereof at the rate of €23.01 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 she vacates the above dwelling.
5. The enforcement of this Order for such payment of €5,641.09 will be deferred and the total sum owing reduced by the cumulative sum paid in the weekly instalments made by the Respondent Tenant to the Applicant Landlord on each due date until such time as the total sum of €5,641.09 has been paid in full.
6. For the avoidance of doubt, any default in the payment of any of the weekly instalments shall act to cancel any further deferral and the balance due at the date of default of any such weekly payment shall immediately become due and owing to the Applicant Landlord.

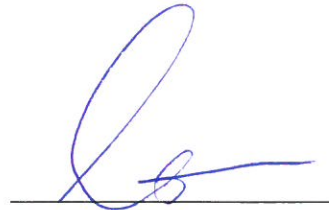
7. The Landlord shall refund the entire of the security deposit of €700 to the Respondent Tenant, upon the Respondent Tenant vacating and giving up vacant possession of the above dwelling, less any amounts properly withheld in accordance with the provisions of the Act.

This Order was made by the Residential Tenancies Board on 06 January 2017.



Noel Conroy
Board Member

Duly authorised to sign on behalf of the Board



Carolyn O'Brien
Higher Executive Officer

Duly authorised to sign on behalf of the Board