

## Residential Tenancies Board

### Determination Order

**Ref: DR1115-22281**


In the matter of Elma Callanan, Niall Lawless [Applicant Landlords] and Alan Tubridy [Respondent Tenant] the Residential Tenancies Board, in accordance with section 121 of the Residential Tenancies Act 2004, determines that:

1. The Respondent Tenant shall pay the total sum of €941.46 to the Applicant Landlords, in 2 consecutive monthly payments of €320, on the 11th day of each month, followed by one payment of €301.46 in the immediately succeeding month, commencing the next month after the issue of the Order. This sum represents rent arrears and damages in the sum of €900 having deducted the entire of the justifiably retained security deposit of €800 together with the sum of €41.46 with regard to charges properly payable by the tenant in accordance with the terms of the tenancy having taken account of the tenant's interim payment of €80, in respect of the tenancy of the dwelling at 4 The Drive, Cappahard, Tulla Road, Ennis, Co. Clare, V95F2H1.
2. The enforcement of this Order for such payment of €941.46 will be deferred and the total sum owing reduced by the cumulative sum paid in the monthly instalments made by the Respondent Tenant to the Applicant Landlords on each due date until such time as the total sum of €941.46 has been paid in full.
3. 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 Applicant Landlords.

This Order was made by the Residential Tenancies Board on 10 February 2017.



Tim Ryan  
Board Member  
Duly authorised to sign on behalf of the Board



Claire Diggin  
Higher Executive Officer  
Duly authorised to sign on behalf of the Board