

## Residential Tenancies Board

### Determination Order

**Ref: DR1216-30649**

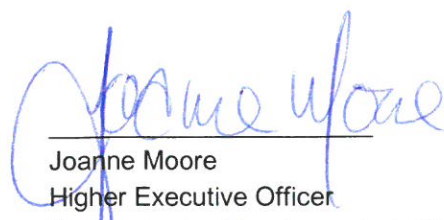
In the matter of John O'Dwyer [Applicant Landlord] and Mick Loughnane [Respondent Tenant] the Residential Tenancies Board, in accordance with section 121 of the Residential Tenancies Act 2004, determines that:

1. The Notice of Termination served on the 04 October 2016 by the Applicant Landlord on the Respondent Tenant in respect of the tenancy of the dwelling at The Cottage, Farranmanagh, Cashel, Co. Tipperary is valid.
2. The Respondent Tenant and any other person residing in the above dwelling should vacate and give up possession of the above dwelling within 14 days of the date of issue of this Order.
3. The Respondent Tenant shall pay the total sum of €4,741.96 to the applicant landlord, in 23 equal instalments at the rate of €200 per month, on the 20th day of each month which will then be followed by one further instalment of €141.96 in the immediately succeeding month commencing the next month after the issue of the Order. This sum represents rent arrears of €4,541.96 together with the sum of €200 awarded in respect of damages.
4. The respondent tenant shall pay any further rent at the current rate of €550 per monthly rental period or proportional part thereof at the rate of €18.08 per day 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 dwelling is vacated.
5. The enforcement of the Order for such payment will be deferred and the total sum owing will be reduced by the number of monthly instalments of €200 or €141.96 with respect to the twenty fourth and final instalment made to the Applicant Landlord on each due date until the sum of €4741.96 has been paid in full;
6. For the avoidance of doubt any default in the payment of the monthly instalments of €200 or €141.96 with respect to the twenty fourth and final instalment shall act to cancel any further deferral and the balance due at the date of default shall immediately become due and owing to the Applicant Landlord.

This Order was made by the Residential Tenancies Board on 17 February 2017.



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



Joanne Moore  
Higher Executive Officer  
Duly authorised to sign on behalf of the Board