

Residential Tenancies Board

Determination Order

Ref: DR0218-40945

In the matter of Shane McCarthy (Receiver Over Certain Assets of Deirdre Garry) [Applicant Landlord] and Patrick Lowbridge, Jason Lowbridge [Respondent Tenants] the Residential Tenancies Board, in accordance with section 121 of the Residential Tenancies Act 2004, determines that:

1. The Notice of Termination served on 02 January 2018, on behalf of the Applicant receiver, on the Respondent Tenant, in respect of the tenancy of the dwelling at 7 Locke House View, Sragh, Tullamore, Co. Offaly, is valid.
2. The Respondent Tenant and any persons residing in 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 Tenant shall pay the sum of €3,263.58 in 10 consecutive monthly payments of €326.36, on the 28th day of each month, commencing the next month after the issue of this Order, being rent arrears in respect of the tenancy of the above dwelling.
4. The enforcement of this Order for such payment shall 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 on each due date until the sum of €3,263.58 has been paid in full;
5. For the avoidance of doubt any default in the payment of the monthly instalments in the sum of €326.36 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.
6. The Respondent Tenant shall pay any rent outstanding from 05 March 2018, at the rate of €120.00 per week and/or €17.14 per day, unless lawfully varied, and any other charges as set out in the terms of the tenancy agreement for each week/day or part thereof, until such time as he vacates the above dwelling.

This Order was made by the Residential Tenancies Board on 20 April 2018.



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