

## **Residential Tenancies Board**

### **Determination Order**

**Ref: DR0518-44519**

In the matter of Alan Morrissey [Applicant Landlord] and Jenny Williams [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 20th April 2018, by the Applicant Landlord, on the Respondent Tenant, in respect of the tenancy of the dwelling at 31 Barr na Haille, Ballydarragh, Rosslare, Co. Wexford, is valid.
2. The Respondent Tenant, and any other persons residing in the above dwelling, shall vacate and give up possession of the dwelling within 14 days of the date of issue of this Determination Order.
3. The Respondent Tenant shall pay the sum of €8,528.80 to the Applicant Landlord, in 42 consecutive monthly payments of €200, on or before the 28th day of each month, followed by one payment of €128.80 on or before the 28th day of the 43rd month, payment commencing in the month immediately following the month of issue of this Determination Order. This sum of €8,528.80 being rent arrears in respect of the tenancy of the above dwelling.
4. The enforcement of this Determination Order for such payment of €8,528.80 shall be deferred and the total sum owing reduced by the cumulative sum paid in the monthly instalments by the Respondent Tenant to the Applicant Landlord, on each due date, until such time as the sum of €8,528.80 has been paid in full.
5. 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 Landlord.
6. The Respondent Tenant shall also pay any further rent outstanding from the 29th June 2018, the date of the adjudication hearing, to the Applicant Landlord, at the rate of €500 per month or proportional part thereof at the rate of €16.44 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.
7. The Applicant Landlord shall refund the entire of the security deposit of €500 to the Respondent Tenant, on gaining 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 16 August 2018.

A handwritten signature in blue ink, consisting of several loops and a long horizontal stroke at the end.

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