

## **Residential Tenancies Board**


### **Determination Order**

**Ref: DR0518-44176**

In the matter of Oturia Properties BV [Applicant Landlord] and David Frances [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 8 Stoneyvale, Rooskey, County Roscommon, N41N2C2 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 total sum of €1,119.06 to the Applicant Landlord, in 2 consecutive monthly payments of €559.53, on the 28th day of each month, payment commencing on the 28th day of the month immediately following the month of issue of this Determination Order. This sum of €1,119.06 being rent arrears in respect of the tenancy of the above dwelling.
4. The enforcement of this Determination Order for such payment of €1,119.06 will be deferred and the total sum owing will be 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 total sum of €1,119.06 has been paid in full.
5. For the avoidance of doubt, any default in the payment of any monthly instalment 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 6th June 2018, being the date of the Adjudication hearing, to the Applicant Landlord, at the rate of €350.00 per month or proportionate part thereof at the rate of €11.51 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 the above dwelling is vacated by the Respondent Tenant and all persons residing therein.

This Order was made by the Residential Tenancies Board on 16 August 2018.



Claire Diggin

Higher Executive Officer

Duly authorised to sign on behalf of the Director