

Residential Tenancies Board

Determination Order

Ref: DR0518-44523

In the matter of Tuath Housing Association [Applicant Landlord] and Scott Nevin [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 9th day of April 2018, by the Applicant Landlord on the Respondent Tenant, in respect of the tenancy of the dwelling at 174 An Leargan, Western Distributor Road, Knocknacarra, Co. Galway, 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 Order.
3. The Respondent Tenant shall pay the total sum of €2,381.42 to the Applicant Landlord, by way of 79 consecutive weekly instalments at the rate of €30 per week, on the Monday of each week, followed by one further instalment of €11.42 on the Monday of the 80th week, payment commencing on the Monday of the week immediately following the week of issue of this Order. This sum represents rent arrears of €2,281.42 together with the sum of €100 awarded in respect of damages.
4. The enforcement of this Order for such payment of €2,381.42 will be deferred and the total sum owing reduced by the cumulative sum paid in the weekly instalments of €30, or €11.42 with respect to the 80th and final instalment, by the Respondent Tenant to the Applicant Landlord, on each due date, until such time as the total sum of €2,381.42 has been paid in full.
5. For the avoidance of doubt, any default in the payment of any of the weekly instalments €30, or €11.42 with respect to the 80th and final instalment, shall act to cancel any further deferral and the balance due at the date of default of any such weekly payment shall immediately become due and owing to the Applicant Landlord.
6. The Respondent Tenant shall also pay any further rent outstanding from 22nd June 2018, the date of the hearing, to the Applicant Landlord, at the rate of €30 per week or proportional part thereof at the rate of €4.29 per day, together with any other charges as set out in the terms of the tenancy agreement for each week or part thereof, until such time as the dwelling is vacated.

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