

Residential Tenancies Board

Determination Order

Ref: DR0120-59838

In the matter of Tommy Mulligan [Applicant Landlord] and Silvia Horvatova [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 21st December 2019, by the Applicant Landlord on the Respondent Tenant, in respect of the tenancy at 1 Aran Court, Galway Road, Roscommon, F42Y2O1, is valid.

2. The Respondent Tenant, and any other person/s 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 €602.00 to the Applicant Landlord, by way of 24 consecutive weekly payments of €25.00, due for payment on the Monday of each week, followed by one further payment of €2.00, due for payment on the Monday of the 25th week, commencing on the Monday of the week immediately following the week of issue of this Order. This sum of €602.00 being rent arrears due from the date of the previous Adjudication on the 25th November 2019 to the 13th February 2020, being the date of the current Adjudication hearing, in respect of the tenancy of the above dwelling.

4. The enforcement of this Order for such payment of €602.00 will be deferred and the total sum owing will be reduced by the cumulative sum paid in the weekly instalments by the Respondent Tenant to the Applicant Landlord, on each due date, until such time as the total sum of €602.00 has been paid in full.

5. For the avoidance of doubt, any default in the payment of any weekly 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 the 13th February 2020, being the date of the current Adjudication hearing, to the Applicant Landlord, at the rate of €196.00 per week or proportionate part thereof at the rate of €28.00 per day, unless lawfully varied, together with any other charges provided for under the terms of the tenancy agreement, for each week or part thereof, until such time as the above dwelling is vacated by her and any other person/s residing therein.

This Order was made by the Residential Tenancies Board on 25 June 2020.



Ciara Cronin

Higher Executive Officer

Duly authorised to sign on behalf of the Director