

Residential Tenancies Board

Determination Order

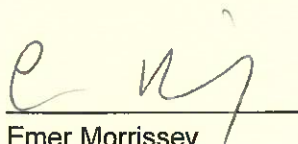
Ref: DR0121-67077

In the matter of O'Leary International [Applicant Landlord] and Audrey Pauline Waters [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 27th of November 2020 by the Applicant Landlord on the Respondent Tenant in respect of the tenancy of the dwelling at 13 Barrow Hall, Mountgarrett, New Ross, Co. Wexford, is valid.
2. The Respondent Tenant, and all other persons residing in the above dwelling, shall vacate and give up possession of the dwelling within a period of 21 days from the date of issue of this Order or within 12 days of the expiration of any Emergency Period, as defined in section 2 of the Residential Tenancies Act 2020 ('the Emergency Period') or as extended by Order under Section 31A of the Health Act 1947, whichever date is the later.
3. The Respondent Tenant shall pay the total sum of €1,596.64 to the Applicant Landlord, by way of 10 consecutive monthly instalments at the rate of €150 per month, to be paid on or before the 12th day of each month, followed by one further instalment of €96.64, to be paid on or before the 12th day of month 11, commencing in the month immediately following the month of issue of this Order. This sum of €1,596.64 being rent arrears up to the 15th of March 2021, the date of the hearing.
4. The enforcement of this Order for such payment of €1,596.64 will be deferred and the total sum owing will be reduced by the cumulative sum paid in the monthly instalments of €150, or €96.64 in respect of the 11th and final instalment, by the Respondent Tenant to the Applicant Landlord, on each due date, until such time as the total sum of €1,596.64 has been paid in full.
5. The Respondent Tenant shall also pay any further rent outstanding from the 16th of March 2021 (being the date after the hearing date), to the Applicant Landlord, at the rate of €750 per month or proportional part thereof at the rate of €24.66 per day, unless lawfully varied, together with any other charges provided for under the terms of the tenancy agreement, for each month or part thereof, until such time as she vacates the above dwelling.

6. The Applicant Landlord shall refund the security deposit received of €1,125 to the Respondent Tenant, upon the Respondent Tenant vacating and giving up 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 02 June 2021.

A handwritten signature in dark ink, appearing to read 'Emer Morrissey', is written over a horizontal line.

Emer Morrissey

Assistant Director

Duly authorised to sign on behalf of the Director