

Residential Tenancies Board

Determination Order

Ref: DR0124-92176, DR0124-92583

In the matter of Catherine Brady Applicant(Acting in capacity as Executor over the Estate of Matthew Brady, deceased, Landlord) [Applicant/Respondent Landlord] and Lisa Sheehan [Respondent/Applicant Tenant] the Residential Tenancies Board, in accordance with section 121 of the Residential Tenancies Act 2004, determines that:

1. The Notice of Termination with a date of service of 1 January 2024, served by the Applicant/Respondent Landlord on the Respondent/Applicant Tenant, in respect of the tenancy of the dwelling at Apartment 26, The Anchorage, Bettystown, Co Meath, is valid.
2. The Respondent/Applicant Tenant and any other persons residing in the above dwelling shall vacate and give up possession of the above dwelling within 14 days of the date of issue of the Determination Order.
3. The Respondent/Applicant Tenant shall pay the total sum of €3,234.00 to the Applicant/Respondent Landlord by way of 6 consecutive instalments at the rate of €500.00 per calendar month, on or before the 28th day of each month, followed by one further instalment of €234.00 on or before the 28th day of the immediately succeeding month, commencing the next month after the issue of the Determination Order. This sum represents rent arrears of €4,234.00, having deducted the sum of €1,000.00 being damages awarded to the Respondent/Applicant Tenant for the consequences of a breach of landlord obligations regarding the standard and maintenance of the dwelling, in respect of the tenancy of the above dwelling.
4. The Respondent/Applicant Tenant shall also pay any further rent outstanding from 10 May 2024, being the date of the Adjudication Hearing, at the rate of €789.00 per month, or proportionate part thereof at the rate of €25.94 per day, unless lawfully varied, and any other charges as provided for under the terms of the tenancy agreement for each month or part thereof, until such time as the above dwelling is vacated by the Respondent/Applicant Tenant and any other persons residing therein.
5. The enforcement of the Determination Order for such payment of €3,234.00 will be deferred and the total sum owing will be reduced by the cumulative sum paid in monthly instalments, by the Respondent/Applicant Tenant to the Applicant/Respondent Landlord, on each due date, until such time as the total sum of €3,234.00 has been paid in full.
6. 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/Respondent Landlord.
7. The Applicant/Respondent Landlord is in breach of landlord obligations under the Residential Tenancies Act 2004, as amended, in failing to maintain the standard and maintenance of the dwelling, in respect of the tenancy of the above dwelling.
8. The Applicant/Respondent Landlord shall refund the entire of the security deposit of €600.00 to the Respondent/Applicant Tenant, upon the Respondent/Applicant Tenant vacating and giving up 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 07 August 2024.



Geraldine Norton

Higher Executive Officer

Duly authorised to sign on behalf of the Director