

Residential Tenancies Board

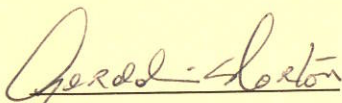
Determination Order

Ref: DR0124-92446

In the matter of Focus Housing Assoc Clg [Applicant Landlord] and Donna Marks, [Respondent 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 25 October 2023, served by the Applicant Landlord on the Respondent Tenant in respect of the tenancy of the dwelling at 35 The Crescent, Belmont, Ferrybank, Co. Kilkenny, X91H5TF is valid.
2. The Respondent Tenant and any other persons residing in the above dwelling shall vacate and give up possession of that dwelling within 28 days of the date of issue of the Determination Order.
3. The Respondent Tenant shall pay the total sum of €801.15 to the Applicant Landlord in 3 equal consecutive monthly instalments at a rate of €267.05 per month, on the 28th day of each month, commencing the next month after the issue of the Determination Order. This sum represents rent arrears in respect of the tenancy of the dwelling at 35 The Crescent, Belmont, Ferrybank, Co. Kilkenny, X91H5TF.
4. The enforcement of the Determination Order for such payment of €801.15 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 €801.15 has been paid in full.
5. 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 Landlord.
6. The Respondent Tenant shall continue to pay rent from 30 April 2024 being the date of the adjudication hearing to the Applicant Landlord at the rate of €78.00 per week, unless lawfully varied, and any other charges as set out in the terms of the tenancy agreement, in advance for each week or part thereof, until such time as the dwelling is vacated by the Respondent Tenant and any other persons residing therein.

This Order was made by the Residential Tenancies Board on 24 July 2024.



Geraldine Norton

Higher Executive Officer

Duly authorised to sign on behalf of the Director