

Residential Tenancies Board

Determination Order

Ref: DR0319-52487

In the matter of Karl O'Neill (Receiver Over Certain Assets Of Deirdre Hopkins and Catherine Munroe) [Applicant Landlords] and Johacny Villanueva De Sanchez [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 22 January 2019 by the Applicant Receiver on the Respondent Tenant in respect of the tenancy of the dwelling at 19 Grand Canal Court, Herberton, Rialto, Dublin 8, D08 CK02, is valid.
2. The Respondent Tenant and all 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 this Order.
3. The Respondent Tenant shall pay the total sum of €7,594.50 to the Applicant Receiver, by way of 14 consecutive monthly instalments at the rate of €500.00 per month, to be paid on or before the 14th day of each month, followed by one further instalment of €594.50, to be paid on or before the 14th day of month 15, payment commencing in the month immediately following the month of issue of this Order. This sum of €7,594.50 being rent arrears, in respect of the tenancy of the above dwelling.
4. The enforcement of this Order for such payment of €7,594.50 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 Receiver, on each due date, until such time as the total sum of €7,594.50 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 Receiver.
6. The Respondent Tenant shall also pay the Applicant Receiver any further rent outstanding from 11 April 2019, being the date of the Adjudication hearing, at the rate of €1,200.00 per month or proportional part thereof at the rate of €39.45 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.

7. The Applicant Receiver shall refund the entire of the security deposit of €1,200.00 to the Respondent Tenant, upon the Respondent 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 30 May 2019.



Emer Morrissey
Higher Executive Officer

Duly authorised to sign on behalf of the Director