

Residential Tenancies Board


Determination Order

Ref: DR0322-76012

In the matter of Damien Harper [Acting in Capacity as Receiver over the certain assets of Aidan Davey, Applicant Landlord] and Maria Belavida Gomes, Valdney Pires [Respondent Tenants] the Residential Tenancies Board, in accordance with section 121 of the Residential Tenancies Act 2004, determines that:

1. The Notice of Termination with a service date of 14th May 2021, and served by the Applicant Receiver upon the Respondent Tenants in respect of the tenancy of the dwelling at 20 Cluain Aoibhinn, Claremorris, Co. Mayo, F12W0D7 is valid.
2. The Respondent Tenants shall vacate and give up possession of the above dwelling within 7 days of the date of issue of this Determination Order.
3. The Respondent Tenants shall pay the total sum of €22,800.00 to the Applicant Landlord in 28 equal consecutive instalments at the rate of €800.00 per calendar month on the 28th day of each month, followed by one further instalment of €400.00 in the immediately succeeding month, commencing the next month after the date of issue of this Determination Order. This sum represents rent arrears in respect of the tenancy of the above dwelling.
4. The enforcement of this Order for such payment of €22,800.00 will be deferred and the total sum owing reduced by the cumulative sum paid in the monthly instalments made by the Respondent Tenants to the Applicant Landlord on each due date until such time as the total sum of €22,800.00 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 Tenants shall also pay any further rent outstanding from 13th April 2022, being the date of the Adjudication hearing, at the rate of €950.00 per month or proportionate part thereof unless lawfully varied, until such time as they vacate and give up possession of the above dwelling.

This Order was made by the Residential Tenancies Board on 29 June 2022.



Ciara Cronin

Higher Executive Officer

Duly authorised to sign on behalf of the Director