

Residential Tenancies Board

Determination Order

Ref: DR0519-54113

In the matter of Jason O Donoghue [Applicant Landlord] and Gary Parsons [Respondent Tenant] the Residential Tenancies Board, in accordance with section 121 of the Residential Tenancies Act 2004, determines that:

1. The Notice of Termination dated the 29th March 2019, served by the Applicant Landlord, on the Respondent Tenant, in respect of the tenancy of the dwelling at Apartment 3, 21 Harbour Row, Cobh, Co. Cork, is valid.
2. The Respondent Tenant and any persons residing in the above dwelling shall vacate and give up possession of the above dwelling within 14 days of the issue of this Order.
3. The Respondent Tenant shall pay the sum of €4,320.00, in 17 consecutive monthly payments of €250, on the 28th day of each month, followed by one payment of €70 in the immediately succeeding month, commencing the next month after the issue of this Order, being rent arrears up to the 18th July 2019, being the date the adjudication, in respect of the tenancy of the above dwelling.
4. The enforcement of this Order for such payment shall be deferred and the total sum owing reduced by the cumulative sum paid in the monthly instalments made by the Respondent Tenant to the Applicant Landlord on each due date until the sum of €4,320.00 has been paid in full;
5. For the avoidance of doubt any default in the payment 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 pay any rent outstanding from the 18th July 2019, at the rate of €120 per week and/or €17.14 per day, unless lawfully varied, and any other charges as set out in the terms of the tenancy agreement for each week/day or part thereof, until such time as he vacates the above dwelling

This Order was made by the Residential Tenancies Board on 29 August 2019.



Emer Morrissey

Higher Executive Officer

Duly authorised to sign on behalf of the Director