

Residential Tenancies Board

Determination Order

Ref: DR0521-69769

In the matter of Martin Heneghan [Applicant Landlord] and Bridget Cleary, Thomas Cleary [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 the 20th of May 2021 served by the Applicant Landlord on the Respondent Tenants in respect of the tenancy of the dwelling at 28 Eallagh, Headford, Co. Galway, is valid.
2. The Respondent Tenants, and any other person/s residing in the above dwelling, shall vacate and give up possession of the dwelling within 14 days of the date of issue of this Order.
3. The Respondent Tenants shall pay the total sum of €13,860.00 to the Applicant Landlord, by way of 24 consecutive monthly instalments at the rate of €577.50 per month, to be paid on or before the 28th day of each month, commencing in the month immediately following the month of issue of this Order. This sum of €13,860.00 being rent arrears in respect of the tenancy of the above dwelling.
4. The enforcement of this Order for such payment of €13,860.00 will be deferred and the total sum owing will be reduced by the cumulative sum paid in the monthly instalments, by the Respondent Tenants to the Applicant Landlord, on each due date, until such time as the total sum of €13,680.00 has been paid in full.
5. For the avoidance of any 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 the 27th of July 2021, being the date of the Adjudication Hearing, to the Applicant Landlord, at the rate of €140.00 per week or proportionate part thereof at the rate of €20.00 per day, unless lawfully varied, plus any other charges provided for under the terms of the tenancy agreement, for each week or part thereof, until such time as the above dwelling is vacated by the Respondent Tenants and any other person/s residing therein.

This Order was made by the Residential Tenancies Board on 29 September 2021.



Ciara Cronin

Higher Executive Officer

Duly authorised to sign on behalf of the Director