

## **Residential Tenancies Board**

### **Determination Order**

**Ref: DR0522-77040**

In the matter of Sean Byrne, Noeleen Byrne [Applicant Landlords] and Cathy Kalo [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 the 30th of March 2022 and served on the Respondent Tenant on the 30th of March 2022 in respect of the dwelling at 5 Old School Yard, Riverchapel, Courtown, Gorey, Co. Wexford, is valid.
2. The Respondent Tenant, and all other persons residing in the above dwelling, shall vacate and give up possession of the dwelling within 20 days of the date of issue of this Determination Order.
3. The Respondent Tenant shall pay the sum of €3,605.00 to the Applicant Landlords in 20 equal monthly installments at the rate of €180.25 per month on the 1st day of each month commencing the month after issue of this Determination Order. This sum represents rent arrears in respect of the tenancy of the above dwelling.
4. The enforcement of this Determination Order for such payment of €3,605.00 will be deferred and the total sum reduced by the cumulative sum paid in the monthly installments made by the Respondent Tenant to the Applicant Landlords on each due date until such time as the total sum of €3,605.00 has been paid in full.
5. For the avoidance of doubt, any default in payment of any of the monthly installments 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 Landlords.
6. The Respondent Tenant shall also pay any further rent outstanding from the 24th day of June 2022 being the date of the adjudication hearing at the rate of €210.00 per week or proportionate part thereof at the rate of €30.00 per day unless lawfully varied and any other charges as provided for under the terms of the tenancy agreement for each month or part thereof, until such time as the above dwelling is vacated by the Respondent Tenant and any other persons residing therein.

This Order was made by the Residential Tenancies Board on 17 August 2022.

  
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Ciara Cronin

Higher Executive Officer

Duly authorised to sign on behalf of the Director