

Residential Tenancies Board

Determination Order

Ref: DR0722-78118

In the matter of James Crowley [Applicant Landlord] and Aneta Alves, Rosimar Alves [Respondent Tenants] the Residential Tenancies Board, in accordance with section 121 of the Residential Tenancies Act 2004, determines that:

1. The Notice of Termination dated 1st of June 2022 served by the Applicant Landlord on the Respondent Tenants in respect of the tenancy of the dwelling at Gainsborough, Corrin View, Fermoy, Co. Cork, P61HY29, is valid.
2. The Respondent Tenants, and all other persons residing in the above dwelling, shall vacate and give up possession of the dwelling within 21 days of the date of issue of this Determination Order.
3. The Respondent Tenants shall pay the total sum of €650.00 to the Applicant Landlord, by way of 2 consecutive monthly instalments at the rate of €325.00 per month, on or before the 13th day of each month, commencing in the month immediately following the month of issue of this Determination Order. The sum represents rent arrears in respect of the tenancy of the above dwelling.
4. The enforcement of this Determination Order for such payment of €650.00 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 €650.00 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 the 10th of August 2022, being the date of the (virtual) adjudication hearing, to the Applicant Landlord, at the rate of €650.00 per month or proportionate part thereof at the rate of €21.37 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 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 28 September 2022.



Ciaran Delaney

Higher Executive Officer

Duly authorised to sign on behalf of the Director