

Residential Tenancies Board

Determination Order

Ref: DR0820-64091

In the matter of Roy McSweeney, Finola McSweeney [Applicant Landlords] and Tadhg Slevin [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 service of 18th February 2020, served by the Applicant Landlords on the Respondent Tenant, in respect of the tenancy of the dwelling at Apartment 1, 5 Alexandra Place, Wellington Road, Co. Cork, is valid.
2. The Respondent Tenant and any other persons residing in the above dwelling shall vacate and give up possession of the above dwelling on or before 1st March 2021 or after the expiration of 10 days from the end of the Emergency Period, or within 10 days of the date of issue of this Determination Order by the RTB, whichever is the later.
3. The Respondent Tenant shall pay the total sum of €4,710 to the Applicant Landlords, by way of 10 consecutive instalments at the rate of €471 per calendar month, on or before the 28th day of each month, commencing the next month after the issue of this Determination Order. This sum represents rent arrears of €4,710, in respect of the tenancy of the dwelling at the above address.
4. The Respondent Tenant shall also pay any further rent outstanding from 1st October 2020, being the date of the assessment of the arrears, at the rate of €840 per month or proportionate part thereof at the rate of €27.62 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.
5. The enforcement of this Determination Order for such payment of €4,710 will be deferred and the total sum owing will be reduced by the cumulative sum paid, in monthly instalments, by the Respondent Tenant to the Applicant Landlords, on each due date, until such time as the total sum of €4,710 has been paid in full.
6. For the avoidance of doubt, any default in the payment of any of the monthly/weekly 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 Landlords.

7. The Applicant Landlords shall refund the security deposit of €700 to the Respondent Tenant, upon the Respondent Tenant vacating and giving up possession of the above dwelling, less any amounts properly withheld in accordance with the provisions of the Act.

This Order was made by the Residential Tenancies Board on 18 March 2021.

Ciara Cronin

Ciara Cronin

Higher Executive Officer

Duly authorised to sign on behalf of the Director