

Residential Tenancies Board

Determination Order

Ref: DR0821-71956

In the matter of Thomas Cusack [Applicant Landlord] and Patrick Conneely [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 service date of 10th February 2021 and served by the Applicant Landlord upon the Respondent Tenant in respect of the tenancy of the dwelling at 1 Cregg Close, Oughterard, Co. Galway, H91NX3H is valid.
2. The Respondent Tenant, shall vacate and give up possession of that dwelling within 14 days of the date of issue of this Determination Order.
3. The Respondent Tenant shall pay the total sum of €11,362.02 to the Applicant Landlord, in 22 equal consecutive monthly instalments at the rate of €500.00 per month, followed by one further instalment of €362.02 in the immediately succeeding month, commencing the next month after the date of 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 €11,362.02 will 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 such time as the total sum of €11,362.02 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 Tenant shall continue to pay rent as it falls due in the sum of €900.00 per month, or proportionate part thereof at a rate of €29.58 per day , unless lawfully altered, for as long as he continues to reside in the above dwelling.

This Order was made by the Residential Tenancies Board on 23 February 2022.



Ciara Cronin

Higher Executive Officer

Duly authorised to sign on behalf of the Director