

Residential Tenancies Board

Determination Order

Ref: DR0821-72000

In the matter of David O'Connor, Applicant (Acting in capacity as Receiver over the certain assets of Seamus Quinn, Landlord) and Johnny Bell [Respondent Tenant] the Residential Tenancies Board, in accordance with section 121 of the Residential Tenancies Act 2004, determines that:

1. The Notice of Termination served by the Applicant Landlord on 25th September 2020 on the Respondent Tenant in respect of the tenancy of the dwelling Apartment 11 Quinn's Place, Navenny Street, Ballybofey, Co. Donegal, F93XK19, is valid.
2. The Respondent Tenant and all persons residing in the above dwelling shall vacate and give up possession of the above dwelling within 90 days of the date of issue of this Determination Order.
3. The Respondent Tenant shall pay the total sum of €5,882.23 to the Applicant Landlord, in 11 equal consecutive instalments at the rate of €490.00 per calendar month, on the 28th day of each month, followed by one further instalment of €492.23 in the immediately succeeding month commencing the next month after the issue of the Order. This sum represents rent arrears of €5,882.23.
4. The enforcement of this Determination Order for such payment €5,882.23 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 €5,882.23 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 also pay any further rent outstanding from 27th October 2021 to the Applicant Landlord at the rate of €380.00 per month or proportionate part thereof at the rate of €12.49 per day unless lawfully varied, and any other charges as set out in the terms of the tenancy agreement for each month or part thereof, until such time as she vacates the above dwelling.

This Order was made by the Residential Tenancies Board on 19 January 2022.



Ciara Cronin

Higher Executive Officer

Duly authorised to sign on behalf of the Director