

Residential Tenancies Board

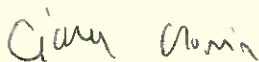
Determination Order

Ref: DR0921-72721

In the matter of John Morgan [Applicant Landlord] and Dervilla McAuley [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 3rd of August 2021 and served on the Respondent Tenant in respect of the dwelling at 12 Mount Sion Road, Greenmount, Co. Cork T12E0E7 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 28 days of the date of issue of this Determination Order.
3. The Respondent Tenant shall pay the total sum of €7,269.00 to the Applicant Landlord in 10 consecutive monthly installments at the rate of €700.00 per month on the 1st day of each month followed by one further installment of €269.00 in the immediately succeeding month commencing the next month after the 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 €7,269.00 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 Landlord on each due date until such time as the total sum of €7,269.00 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 Landlord.
6. The Respondent Tenant shall also pay any further rent outstanding from the 18th day of November 2021 being the date of the adjudication hearing, at the rate of €1,140.00 per month or proportionate part thereof at the rate of €37.50 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 09 February 2022.



Ciara Cronin

Higher Executive Officer

Duly authorised to sign on behalf of the Director