

Residential Tenancies Board

Determination Order

Ref: DR0921-72926

In the matter of Donogh McGowan, Applicant [Acting in capacity as Executor over the Estate of Conor McGowan, Landlord] and Mirela Tanasie [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 the 11th of October 2019 served by the Applicant Landlord on the Respondent Tenant in respect of the tenancy of the dwelling at 6 Hampton Court, Hampton Street, Balbriggan, Co. Dublin, K32KW20 is valid.
2. The Respondent Tenant and all other persons residing in the above dwelling at 6 Hampton Court, Hampton Street, Balbriggan, Co. Dublin, K32KW20 shall vacate and give up possession of that dwelling within 21 days of the date of issue of this Determination Order.
3. The Respondent Tenant shall pay the total sum of €4,291.10 to the Applicant Landlord, in 10 equal consecutive monthly installments at the rate of €429.11 per month on the 1st day of each 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 €4,291.10 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 €4,291.10 has been paid in full.
5. For the avoidance of doubt, any default in the payment 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 26th of January 2022 being the date of the adjudication hearing, at the rate of €950.00 per month or proportionate part thereof at the rate of €31.23 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 06 April 2022.



Ciara Cronin

Higher Executive Officer

Duly authorised to sign on behalf of the Director