

Residential Tenancies Board

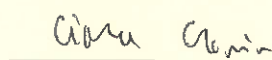
Determination Order

Ref: DR0922-79589

In the matter of Respond Housing Association [Applicant Landlord] and Donna Rooney [Respondent Tenant] the Residential Tenancies Board, in accordance with section 121 of the Residential Tenancies Act 2004, determines that:

1. The Respondent Tenant shall pay the total sum of €1,838.96 to the Applicant Landlord, by way of 69 consecutive instalments at the rate of €26.40 per calendar month, on or before the 28th day of each month, followed by 1 further instalment of €17.36 on or before the 28th day of the immediately succeeding month, commencing the next month after the issue of this Determination Order. This sum represents rent arrears of €1,838.96 in respect of the tenancy of the dwelling at 19 Eiscir Riada, Cloncollig, Tullamore, Co. Offaly, R35Y598.
2. The enforcement of this Determination Order for such payment of €1,838.96 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 Landlord, on each due date, until such time as the total sum of €1,838.96 has been paid in full.
3. 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.
4. The Notice of Termination with a date of service of 1/6/22, served by the Applicant Landlord on the Respondent Tenant, in respect of the tenancy of the dwelling is valid.
5. The Respondent Tenant and any other persons residing in the above dwelling shall vacate and give up possession of the above dwelling within 21 days of the date of issue of this Determination Order.
6. The enforcement of this Determination Order for such vacation of the dwelling shall be deferred while the Respondent Tenant complies with the instalment order provided for by clause 1 above.
7. For the avoidance of doubt, any default in the payment of any of the monthly instalments shall act to cancel any further deferral of this Determination Order for vacation and the Respondent Tenant and any other persons residing in the above dwelling shall vacate and give up possession of the above dwelling within 14 days of the date of such default.
8. For the avoidance of doubt, if and when the total sum of €1,838.96 has been paid in full, this Determination Order for vacation shall be considered to be cancelled and nullified to the effect that any subsequent period of occupancy by the Respondent Tenant in the dwelling shall be considered an extension of the current tenancy.
9. The Respondent Tenant shall also pay any further rent outstanding from 30/11/2022, being the date of the virtual hearing, to the Applicant Landlord, at the rate of €43.60 per week or proportionate part thereof at the rate of €6.21 per day, unless lawfully varied, plus any other charges provided for under the terms of the tenancy agreement, for each week or part thereof, until such time as the dwelling is vacated by her and by all other current occupiers.

This Order was made by the Residential Tenancies Board on 01 February 2023.



Ciara Cronin

Higher Executive Officer

Duly authorised to sign on behalf of the Director