

Residential Tenancies Board

Determination Order

Ref: DR1018-49030

In the matter of Caroline Hanly and Alan Hanly [Applicant Landlords] and Geraldine Ronayne [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 on the 17th of July 2018, by the Applicant Landlords on the Respondent Tenant, in respect of the tenancy of the dwelling at Carrownaseer, Dunmore, Co. Galway, is valid.
2. The Respondent Tenant, and any other person/s residing in the above dwelling, shall vacate and give up possession of the dwelling within 14 days of the date of issue of this Order.
3. The Respondent Tenant shall pay the total sum of €3,660.04, to the Applicant Landlords, by way of 5 consecutive monthly instalments at the rate of €600 per month, to be paid on the 1st day of each month, followed by one further instalment of €660.04, to be paid on the 1st day of the 6th month, payment commencing on the 1st day of the month immediately following the month of issue of this Order. This sum represents rent arrears of €3,460.04, together with the sum of €200 in damages awarded as a result of the failure by the Respondent Tenant to comply with her legal obligations to discharge the rent in accordance with Section 16 of the Act, in respect of the tenancy of the above dwelling.
4. The enforcement of this Order for such payment of €3,660.04 will be deferred and the total sum owing will be reduced by the cumulative sum paid in the monthly instalments of €600, or €660.04 with respect to the 6th and final instalment, by the Respondent Tenant to the Applicant Landlords, on each due date, until such time as the total sum of €3,660.04 has been paid in full.
5. For the avoidance of doubt, any default in the payment of any of the monthly instalments of €600, or €660.04 with respect to the 6th and final instalment, 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 Landlords.
6. The Respondent Tenant shall also pay any further rent outstanding from 2nd November 2018, being the date of the hearing, to the Applicant Landlords, at the rate of €500 per month or proportional part thereof at the rate of €16.43 per day, together with any other charges provided for under 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 20 December 2018.



Emer Morrissey

Higher Executive Officer

Duly authorised to sign on behalf of the Director