

Residential Tenancies Board

Determination Order

Ref: DR1018-49188

In the matter of Tom Kennedy [Applicant Landlord] and Martin Williams [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 30th August 2018, by the Applicant Landlord on the Respondent Tenant, in respect of the tenancy of the dwelling at 10 Albert Street, Clonmel, Co. Tipperary, E91XV10, 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 Determination Order.
3. The Respondent Tenant shall pay the total sum of €1,417.85 to the Applicant Landlord, by way of 10 consecutive monthly payments of €140, due on the 28th day of each month, followed by a final payment of €17.85, due on the 28th day of the 11th month, payment commencing in the month immediately following the month of issue of this Determination Order. This sum of €1,417.85 being rent arrears up to the 7th December 2018, the date of the adjudication, in respect of the tenancy of the above dwelling.
4. The enforcement of this Determination Order for such payment of €1,417.85 shall be deferred and the total sum owing shall be reduced by the cumulative sum paid in the monthly instalments by the Respondent Tenant to the Applicant Landlord, on each due date, until such time as the total sum of €1,417.85 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 the 7th December 2018, at the rate of €173 per week or proportional part thereof at the rate of €24.71 per day, unless lawfully varied, together with any other charges provided for under the terms of the tenancy agreement, for each week or part thereof, until such time as he vacates the above dwelling.

This Order was made by the Residential Tenancies Board on 08 February 2019.

A handwritten signature in black ink, appearing to read 'Gary Byrne', is written over a horizontal line.

Gary Byrne

Higher Executive Officer

Duly authorised to sign on behalf of the Director