

## **Residential Tenancies Board**

### **Determination Order**

**Ref: DR1018-49591**

In the matter of Túath Housing Association [Applicant Landlord] and Liam Delaney [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 by the Applicant Landlord on 27 July 2018 on the Respondent Tenant, in respect of the tenancy of the dwelling at 13 Clonmeen Rise, Carrick Road, Edenderry, Co Offaly, is valid.
2. The Respondent Tenant shall pay the total sum of €268.84 to the Applicant Landlord in 12 equal consecutive instalments at the rate of €22.00 per week, on the Monday of each week, followed by one further instalment of €4.84 in the immediately succeeding week, commencing 4 February 2019. This sum represents rent arrears of €268.84 in respect of the tenancy of the above dwelling.
3. The Respondent Tenant shall also pay any further rent outstanding from 4 February 2019 at the rate of €78.00 per week, unless lawfully varied, or proportional part thereof at the rate of €11.14 per day and any other charges as set out in the terms of the tenancy agreement, until such time as he vacates and gives up possession of the above dwelling.
4. The enforcement of this Order for such payment of €268.84 will be deferred and the total sum owing reduced by the cumulative sum paid in the weekly instalments made by the Respondent Tenant to the Applicant Landlord on each due date until such time as the total sum of €268.84 has been paid in full.
5. For the avoidance of doubt, any default in the payment of any of the weekly instalments shall act to cancel any further deferral and the balance due at the date of default of any such weekly instalment shall immediately become due and owing to the Applicant Landlord.
6. The Respondent Tenant and all persons residing in the above dwelling shall vacate and give up possession of the above dwelling within 14 days of the date of any default in the payment of any of the weekly instalments of €22.00 set out above.

This Order was made by the Residential Tenancies Board on 04 April 2019.

  
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Emer Morrissey

Higher Executive Officer

Duly authorised to sign on behalf of the Director