

Residential Tenancies Board

Determination Order

Ref: DR1120-66072

In the matter of Stephen Tennant (acting in capacity as Receiver over the Certain Assets of John Egan and Evelyn Egan, Landlord) [Applicant Receiver] and Slawomir Michalski, Annea Omasta Staniszc [Respondent Tenants] 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 Receiver on the Respondent Tenants on the 2nd of May 2019 in respect of the tenancy of the dwelling at 13 Radharc Na Coille, Portumna, Co. Galway, H53HP38 is valid.
2. The Notice of Termination served by the Applicant Receiver on the Respondent Tenants on the 16th of October 2020 in respect of the aforesaid tenancy is invalid.
3. The Respondent Tenants and all persons residing in the aforesaid property shall vacate and deliver up vacant possession to the Applicant Receiver within 10 days after the ending of the Emergency Period within the meaning of the Residential Tenancies Act 2020 or within 14 days after the date of issue of this Determination Order by the RTB, whichever date is the later.
4. The Respondent Tenants shall pay the Applicant Receiver the sum of €7,318.32 within 28 days of the date of issue of this Determination Order being rent arrears with respect of the tenancy of the above dwelling.
5. The Respondent Tenants shall also pay any further rent outstanding from 9 March 2021, being the date of the Adjudication Hearing, at the rate of €450 per month or proportionate part thereof at the rate of €14.79 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 Tenants and any other persons residing therein.

This Order was made by the Residential Tenancies Board on 19 May 2021.



Ciara Cronin

Higher Executive Officer

Duly authorised to sign on behalf of the Director