

## **Residential Tenancies Board**

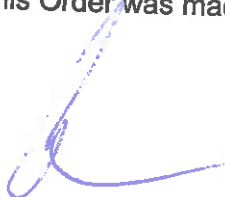
### **Determination Order**

**Ref: DR0518-44228**

In the matter of Niall Corcoran (Applicant Tenant) and Robert McGivern (Respondent Landlord) the Tribunal in accordance with section 108(1) of the Residential Tenancies Act 2004, determines that:

1. The Notice of Termination dated 30th April 2018 served by the Respondent Landlord on the Applicant Tenant in respect of the tenancy of the dwelling at Apartment 3, Old Court, Main Street, Castlemartyr, Cork is valid.
2. The Applicant Tenant and all persons residing in the above dwelling shall vacate and give up possession of the above dwelling within seven days of the date of issue of this Order.
3. The Applicant Tenant shall pay the total sum of €1,616.92 to the Respondent Landlord, in four consecutive monthly payments of €404.23, on the 28th day of each month, commencing on the 28th day of the month immediately following the date of issue of this Order, being rent arrears of €1,616.92, in respect of the tenancy of the above dwelling.
4. The enforcement of this Order for such payment of €1,616.92 will be deferred and the total sum owing reduced by the cumulative sum paid in the monthly instalments made by the Applicant Tenant to the Respondent Landlord on each due date until such time as the total sum of €1,616.92 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 Respondent Landlord.
6. The Applicant Tenant shall also pay any further rent outstanding from 27th June 2018, being the date of the Adjudication hearing, at the rate of €300.00 per month or proportional part thereof at the rate of €9.86 per day, unless lawfully varied, and any other charges as set out in the terms of the tenancy agreement for each month or part thereof, until such time as the Applicant Tenant vacates the above dwelling.

This Order was made by the Residential Tenancies Board on 11 December 2018.



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Carolyn O'Brien  
Higher Executive Officer  
Duly authorised to sign on behalf of the Director