

Residential Tenancies Board

Determination Order


Ref: TR1018-003300/DR0818-47329

In the matter of Marese Gilhooly [Appellant Landlord] and Sarah Johnson [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 19th July 2018 by the Appellant Landlord on the Respondent Tenant in respect of the tenancy of the dwelling at 21 St Kierans Terrace, Athlone, Co Westmeath is valid.
2. The Respondent Tenant and all persons residing in the above dwelling shall vacate and give up possession of the above dwelling within 90 days of the date of issue of this Order.
3. The Respondent Tenant shall pay the total sum of €3,763.04 to the Appellant Landlord, in nine equal consecutive installments at the rate of €376.30 per calendar month, on the 28th day of each month, commencing the next month after the issue of this Order followed by one further installment of €376.34 in the immediately succeeding month. This sum represents rent arrears of €3,763.04, in respect of the tenancy of the dwelling at 21 St Kierans Terrace, Athlone, Co Westmeath for the period from the 3 May 2018 to the 18 December 2018 inclusive. The arrears are calculated at 7 months from 3 May 2018 to 2 December 2018 at €500 per month and 16 days from 3 December 2018 to 18 December 2018 at €16.44 per day.
4. The Respondent Tenant shall also pay any further rent outstanding from the 18th December 2018, at the rate of €500.00 per month or proportionate part thereof at the rate of €16.44 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 she vacates the above dwelling.
5. The enforcement of this Order for such payment of €3,763.04 will be deferred and the total sum owing reduced by the cumulative sum paid in the monthly instalments made by the Respondent Tenant to the Appellant Landlord on each due date until such time as the total sum of €3,763.04 has been paid in full.

6. 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 Appellant Landlord.

This Order was made by the Residential Tenancies Board on 14 February 2019.



Carolyn O'Brien

Higher Executive Officer

Duly authorised to sign on behalf of the Director