

Residential Tenancies Board

Determination Order

Ref: TR0318-002860/DR0118-39908

In the matter of Paul James [Appellant Tenant(s)] and Mark Scally [Respondent Landlord(s)] the Residential Tenancies Board, in accordance with section 121 of the Residential Tenancies Act 2004, determines that:

1. The Notice of Termination served on 23 November 2017 by the Applicant Landlord on the Respondent Tenant in respect of the tenancy of the dwelling at 15 The Beeches, Woodville, Glanmire, Cork 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 14 days of the date of issue of this Order.
3. The Respondent Tenant shall pay the total sum of €4,080.15 to the Applicant Landlord, in 3 equal consecutive installments at the rate of €1,000 per calendar month, on the 28th day of each month, followed by one further installment of €1,080.15 in the immediately succeeding month, commencing the next month after the issue of the Order. This sum represents rent arrears of €4,080.15, in respect of the tenancy of the above dwelling.
4. The Respondent Tenant shall also pay any further rent outstanding from the 5 February 2017, at the rate of €1,400 per month or proportionate part thereof at the rate of €46.03 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 he vacates the above dwelling.
5. The enforcement of this Order for such payment of €4,080.15 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 Applicant Landlord on each due date until such time as the total sum of €4,080.15 has been paid in full.
6. The Appellant Tenant shall pay to the Respondent Landlord, within a period of fourteen days of the date of the Determination Order, the sum of €250 in respect of expenses arising out of defending of the application herein.

This Order was made by the Residential Tenancies Board on 13 June 2018.



Justin O'Brien
Board Member
Duly authorised to sign on behalf of the Board



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