

Residential Tenancies Board

Determination Order

Ref: TR0923-006667/DR0623-86149

In the matter of Diamond Hill Properties Limited [Applicant Landlord] and Louise Carey and Richard Keohane [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 on the 5 May 2023 by the Applicant Landlord on the Respondent Tenants in respect of the tenancy of the Dwelling at 4 Cois Fota, Belvelly, Cobh, Cork, P24HF61 is valid.
2. The Respondent Tenant, Louise Carey, and all persons residing in the Dwelling shall vacate and give up possession of the Dwelling within 28 days of the date of issue of this Determination Order.
3. The Respondent Tenants (Louise Carey and Richard Keohane) shall pay the total sum of €17,423.83 to the Applicant Landlord, by way of 17 consecutive instalments at the rate of €1000.00 per calendar month, on or before the 28th day of each month, followed by one further instalment of €423.83 on or before the 28th day of the immediately succeeding month, commencing the next month after the issue of this Determination Order. This sum represents rent arrears of €17,423.83 up to the 6 June 2023, the date of the termination of the Tenancy, in respect of the tenancy of the dwelling at 4 Cois Fota, Belvelly, Cobh, Cork, P24HF61.
4. The enforcement of this Determination Order for such payment of €17,423.83 by Louise Carey and Richard Keohane, Respondent Tenants, will be deferred and the total sum owing reduced by the cumulative sum paid in the monthly instalments made by the Respondent Tenants (Louise Carey and Richard Keohane) to the Applicant Landlord on each due date until such time as the total sum of €17,423.83 has been paid in full.
5. The Respondent Tenant, Louise Carey, shall pay the total sum of €16,489.70 to the Applicant Landlord, by way of 16 consecutive instalments at the rate of €1000.00 per calendar month, on or before the 28th day of each month, followed by one further instalment of €489.70 on or before the 28th day of the immediately succeeding month, commencing the next month after the issue of this Determination Order. This sum represents rent arrears of €16,489.70 from the 7 June 2023 up to the 16 January 2024, the date of the hearing, in respect of the tenancy of the dwelling at 4 Cois Fota, Belvelly, Cobh, Cork, P24HF61.
6. The enforcement of this Determination Order for such payment of €16,489.70 by Louise Carey, Respondent Tenant, will be deferred and the total sum owing reduced by the cumulative sum paid in the monthly instalments made by Louise Carey the Respondent Tenant to the Applicant Landlord on each due date until such time as the total sum of €16,489.70 has been paid in full.
7. For the avoidance of doubt, any default in the payment of any of the monthly instalments, outlined at paragraphs 3 and 5 above, 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 Applicant Landlord.

8. The Respondent Tenant, Louise Carey, shall pay any further rent outstanding from 16 January 2024, being the date of the Tribunal hearing, at the rate of €2,250.00 per month or proportionate part thereof at the rate of €73.97 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 Dwelling is vacated by Louise Carey, the Respondent Tenant and any other persons residing therein, in accordance with paragraph 2 above.

This Order was made by the Residential Tenancies Board on 6 March 2024.

A handwritten signature in dark ink, appearing to read 'Emilia Zagrean', with a long horizontal flourish extending to the right.

Emilia Zagrean
Higher Executive Officer
Duly authorised to sign on behalf of the Director