

## **Residential Tenancies Board**

### **Determination Order**

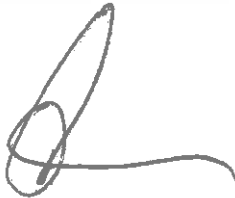
**Ref: TR0119-003436/DR1018-49387**

In the matter of Gifty Gloria Kwarteng [Appellant Tenant] and Pat Donoghue [Respondent Landlord] the Residential Tenancies Board, in accordance with section 121 of the Residential Tenancies Act 2004, determines that:

1. The Notice of Termination served on 19 December 2017 by the Respondent Landlord on the Appellant Tenant in respect of the tenancy of the dwelling at 53 Ros Ard, Monksland, Athlone, Co Westmeath is valid.
2. The Appellant Tenant and all persons residing in the above dwelling shall vacate and give up possession of the above dwelling within 56 days of the date of issue of this Order.
3. The Appellant Tenant shall pay the total sum of €8,733.52 to the Respondent Landlord, in 17 consecutive monthly payments of €500, on the 28th day of each month, followed by one payment of €233.52 on the 28th day of the immediately succeeding month, commencing on the 28th day of the month immediately following the date of issue of this Order, being rent arrears of €8,733.52.
4. The enforcement of this Order for such payment of €8,733.52 will be deferred and the total sum owing reduced by the cumulative sum paid in the monthly instalments made by the Appellant Tenant to the Respondent Landlord on each due date until such time as the total sum of €8,733.52 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 Appellant Tenant shall also pay any further rent outstanding from 11 April 2019 at the rate of €800 per month or proportionate part thereof at the rate of €26.30 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.

7. The Respondent Landlord shall refund the entire of the security deposit of €2,000 to the Appellant Tenant, upon the Appellant Tenant vacating and giving up possession of the above dwelling, less any amounts properly withheld in accordance with the provisions of the Act.

This Order was made by the Residential Tenancies Board on 17 May 2019.

A handwritten signature in dark ink, consisting of a large, stylized capital 'C' followed by a horizontal line extending to the right.

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