

Residential Tenancies Board

Determination Order

Ref: TR0121-004617/DR0220-60809

In the matter of John Loughnane [Appellant Landlord] and Gerry Ryan [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 24th October 2019 by the Appellant Landlord on the Respondent Tenant in respect of the tenancy of the dwelling at Flat 4, Glenmorgan House, Parnell Street, Thurles, Co. Tipperary, E41RH57 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 28 days of the date of issue of this Order.
3. The Respondent Tenant shall pay the total sum of €660.00 to the Appellant Landlord, in 6 equal consecutive installments at the rate of €100.00 per calendar month, on the 28th day of each month, followed by one further installment of €60.00 in the immediately succeeding month commencing the next month after the issue of this Order. This sum represents rent arrears of €660.00, in respect of the tenancy of the dwelling;
4. The Respondent Tenant shall also pay any further rent outstanding from 10th June 2021, being the date of the Tribunal hearing, at the rate of €140.00 per week, unless lawfully varied, until such time as the Respondent Tenant vacates and give up possession of the above dwelling.
5. The enforcement of this Order for such payment of €660.00 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 €660.00 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 Applicant Landlord.

This Order was made by the Residential Tenancies Board on 15 September 2021.



Geraldine Norton
Higher Executive Officer
Duly authorised to sign on behalf of the Director