

## **Residential Tenancies Board**

### **Determination Order**

**Ref: TR0124-007118/DR1123-90657**

In the matter of Lascara Limited [Applicant Landlord] and Maria O'Driscoll [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 by the Applicant Landlord on the Respondent Tenant on 8 November 2023 in respect of the tenancy of the dwelling at 41 The Courtyard, City Square, Watercourse Road, Cork, T23RK82, 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 56 days of the date of issue of this Determination Order.
3. The Respondent Tenant shall pay the total sum of €9426.09 to the Applicant Landlord, in 36 equal consecutive instalments at the rate of €261.83 per calendar month, on the 1st day of each month, commencing the next month after the date of issue of this Determination Order. This sum represents rent arrears of €9426.09, in respect of the tenancy of the dwelling at 41 The Courtyard, City Square, Watercourse Road, Cork, T23RK82, made up to and including the date of the Tribunal hearing (20 June 2024).
4. The enforcement of this Determination Order for such payment of €9426.09 will be deferred and the total sum owing will be reduced by the cumulative sum paid, in monthly instalments, by the Respondent Tenant to the Applicant Landlord, on each due date, until such time as the total sum of €9426.09 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 Applicant Landlord.
6. The Respondent Tenant shall also pay any further rent outstanding from 20 June 2024, being the date of the Tribunal hearing, at the rate of €1599.00 per month or proportional part thereof at the rate of €52.56 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 the Respondent Tenant vacates and gives up possession of the above dwelling.
7. The Applicant Landlord shall refund the security deposit of €1540.00 to the Respondent Tenant, on gaining vacant 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 24 July 2024.



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