

## Residential Tenancies Board

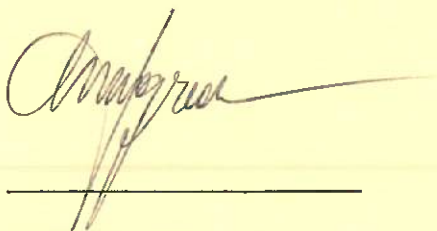
### Determination Order

**Ref: TR0223-005955/DR1122-81142**

In the matter of John Daly (Applicant Landlord) and Joe Dineen and Patricia Maughan (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 by the Applicant Landlord on 3 October 2022 on the Respondent Tenants in respect of the tenancy of the dwelling at Brownhall, Balla, Mayo, Ireland is valid.
2. The Respondent Tenants 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 Tenants shall pay the total sum of €3,975.00 to the Applicant Landlord, in 10 equal consecutive instalments at the rate of €397.50 per calendar month, on the 28th day of each month. This sum represents rent arrears in respect of the tenancy of the dwelling at Brownhall, Balla, Mayo, Ireland for the period from 24 August 2020 to 26 August 2022;
4. The enforcement of this Order for such payment of €3,975.00 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 Applicant Landlord on each due date until such time as the total sum of €3975.00 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 31 May 2023 being the date of the Tribunal hearing, at the rate of €75 per week or proportional part thereof at the rate of €10.71 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 Tenants vacate and give up possession of the above dwelling.

This Order was made by the Residential Tenancies Board on 13 September 2023.



Emilia Zagrean

Higher Executive Officer

Duly authorised to sign on behalf of the Director