

## **Residential Tenancies Board**

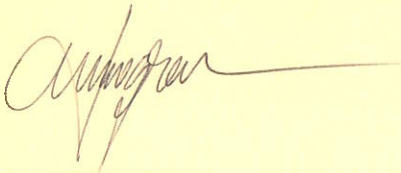
### **Determination Order**

**Ref: TR0224-007164/DR0823-88150**

In the matter of Thomas Ryan and Roisin Nash [Appellant Tenants] and Gerry Walsh [Respondent Landlord] the Residential Tenancies Board, in accordance with section 121 of the Residential Tenancies Act 2004, determines that:

1. The Notice of Termination with a date of service of 27 June 2023 served by the Respondent Landlord on the Appellant Tenants in respect of the tenancy of the dwelling at 1 Gentian Hill House, Barna Road, Galway, Co. Galway, H91W288, is valid.
2. The Appellant Tenants have been over-holding in the dwelling and they and any other persons residing in the above 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 Landlord shall refund the security deposit of €1,500.00 to the Appellant Tenants, on gaining vacant possession of the above dwelling, less any amounts properly withheld in accordance with the provisions of the 2004 Act.
4. The Appellant Tenants shall continue to pay any further rent outstanding to the Respondent Landlord from 21 May 2024, being the date of the Tribunal Hearing, at the rate of €1,540.00 per month, or proportionate part thereof at the rate of €50.63 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 above dwelling is vacated by the Appellant Tenants and any other persons residing therein.
5. The Appellant Tenants shall pay the total sum of €5,300.00 to the Respondent Landlord, by way of 12 consecutive instalments at the rate of €441.67 per calendar month, on or before the 28th day of each month, commencing the next month after the issue of this Determination Order. This sum represents rent arrears of €5,300.00 in respect of the tenancy of the above dwelling.
6. The enforcement of this Determination Order for such payment of €5,300.00 will be deferred and the total sum owing will be reduced by the cumulative sums paid, in monthly instalments, by the Appellant Tenants to the Respondent Landlord, on each due date, until such time as the total sum of €5,300.00 has been paid in full.
7. 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.

This Order was made by the Residential Tenancies Board on 3 July 2024.



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