

## **Residential Tenancies Board**

### **Determination Order**

**Ref: TR0420-004310/DR0919-56892**

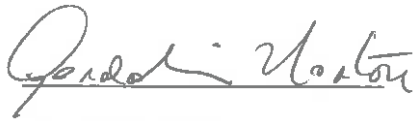
In the matter of Thomas Kavanagh receiver over the certain assets of Noeleen Tiernan and Matthew Tiernan [Appellant Landlord] and Lisa Thornbury [Respondent Tenant] the Residential Tenancies Board, in accordance with section 121 of the Residential Tenancies Act 2004, determines that:

- (i) The Notice of Termination served on the Respondent Tenant on 2 August 2019 on behalf of the Appellant Landlord in respect of the tenancy in the dwelling at 1 Highfield Mews, Ballymakenny Road, Drogheda, County Louth, is valid.
- (ii) The Respondent Tenant, and all persons, residing in the dwelling at 1 Highfield Mews, Ballymakenny Road, Drogheda, County Louth, shall vacate and give-up possession of the dwelling within a period of 84 days of the date of issue of this Order.
- (iii) The Respondent Tenant shall pay the total sum of €21,360 to the Appellant Landlord, in 28 equal consecutive instalments at a rate of €750 per month on the 28th day of each month, followed by one further instalment of €360 in the immediately succeeding month, which instalments are to commence the next month after the issue of this Order. This sum represents rent arrears in respect of the tenancy of the dwelling at 1 Highfield Mews, Ballymakenny Road, Drogheda, County Louth.
- (iv) The enforcement of this Order for such payment of €21,360 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 €21,360 has been paid in full.
- (v) 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 Appellant Landlord.
- (vi) The Respondent Tenant shall continue to pay rent at the rate of €1,070 per month or proportional part thereof at the rate of €35.18 per day, and any other charges as set out in the terms of the tenancy agreement for each week or part thereof until such a time as the

Respondent Tenant and all other persons residing therein vacate the dwelling at 1 Highfield Mews, Ballymakenny Road, Drogheda, County Louth.

(vii) The Appellant Landlord shall refund the entire of the security deposit to the Respondent Tenant, upon the Respondent Tenant vacating and giving up vacant possession of the dwelling, less any amounts properly withheld in accordance with the provisions of the Act.

This Order was made by the Residential Tenancies Board on 28 October 2020.

A handwritten signature in black ink, appearing to read 'Geraldine Norton', written over a horizontal line.

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