

Residential Tenancies Board

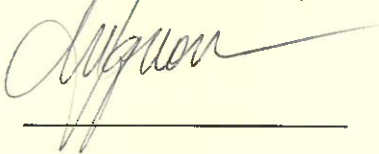
Determination Order

Ref: TR0722-005617/DR0122-74744

In the matter of Amanda Dobson [Appellant Tenant] and Nicholas O'Dwyer Acting in capacity as receiver of the Specific Assets of Marvin Collentine [Respondent Landlord], the Residential Tenancies Board, in accordance with section 121 of the Residential Tenancies Act 2004, determines that:

1. The notice of termination dated 7 December, 2021 served by the Respondent Landlord on the Appellant Tenant in respect of the tenancy of the dwelling at Apartment 8, Grove Court, Grove Street, Mullingar, Co. Westmeath N91D261, is valid.
2. The Appellant Tenant and any other persons residing in the above dwelling shall vacate and give up vacant possession of the above dwelling within 28 days of the date of issue of this Determination Order.
3. The Appellant Tenant shall also pay any further rent outstanding from 20 October 2022, being the day after the Tribunal hearing, at the rate of €570.00 per month or €18.74 per day where appropriate, unless lawfully varied, and any other charges as provided for under the terms of the tenancy agreement, for each month or part thereof, until such time as the above dwelling is vacated by the Appellant Tenant and any other persons residing therein, in accordance with paragraph 2 of this determination.
4. The Appellant Tenant shall also pay the total sum of €13,561.06 to the Respondent Landlord, being the total sum due for rent arrears as of the date of the Tribunal hearing, by way of 12 consecutive monthly instalments at the rate of €1,130.08 per month, to be paid on or before the 1st day of each month, the first payment to be made in the month immediately following the month of issue of this Determination Order.
5. The enforcement of this Determination Order insofar as it relates to payment of the sums above will be deferred and the total sum owing will be reduced by the cumulative sum paid, in monthly instalments, by the Appellant Tenant to the Respondent Landlord, on or before each due date, until such time as the total sum of €13,561.06 has been paid in full.
6. For the avoidance of doubt, any default in the payment of any of the monthly instalments or any further rent due 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.
7. The Respondent Landlord shall refund the security deposit of €425.00 to the Appellant 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 7 December 2022.



Emilia Zagrean

Higher Executive Officer

Duly authorised to sign on behalf of the Director