

Residential Tenancies Board

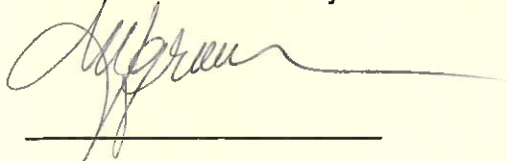
Determination Order

Ref: TR0722-005623/DR0222-75457

In the matter of Edward White [Appellant Tenant] and Eamon McManus [Respondent Landlord], the Residential Tenancies Board, in accordance with section 121 of the Residential Tenancies Act 2004, determines that:

1. The Notice of Termination served on 16th November 2021 by the Respondent Landlord on the Appellant Tenant, in respect of the tenancy of the dwelling at Garrymore, Shannonbridge, Co. Offaly, N37C6K3, is valid.
2. The Appellant Tenant and all persons residing in the above dwelling shall vacate and give up possession of the above dwelling within 42 days of the date of issue of this Determination Order.
3. The Appellant Tenant shall pay the total sum of €23,000 to the Respondent Landlord, in 46 consecutive monthly payments of €500, on the 28th day of each month, commencing on the 28th day of the month immediately following the date of issue of this Determination Order, being rent arrears of €20,000 upto and including the 18th day of October 2022 plus damages of €3,000 in respect of the tenancy of the dwelling at Garrymore, Shannonbridge, Co. Offaly, N37C6K3.
4. The enforcement of this Determination Order for such payment of €23,000 will be deferred and the total sum owing reduced by the cumulative sum paid in the monthly instalments made by the Appellant Tenant to the Respondent Landlord on each due date until such time as the total sum of €23,000 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 Respondent Landlord.
6. The Appellant Tenant shall also pay any further rent outstanding from 18th October 2022 at the rate of €800 per month or proportional part thereof at the rate of €26.30 per day and any other charges as set out in the terms of the tenancy agreement for each month or part thereof, until such time as he vacates the above dwelling.
7. The Respondent Landlord shall refund the entire of the security deposit of €800 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 30 November 2022.



Emilia Zagrean

Higher Executive Officer

Duly authorised to sign on behalf of the Director