

## Residential Tenancies Board

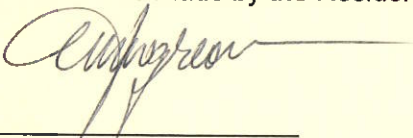
### Determination Order

**Ref: TR0723-006472/DR0123-82395**

In the matter of Dominic Foley [Appellant Landlord] and Mary Fitzgerald [Respondent Tenant] 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 Appellant Landlord on the Respondent Tenant on 7 October 2022 with an expiry date of 4 November 2022 in respect of the Dwelling at 21 Primrose Crescent, Love Lane, Charleville, Co. Cork is valid.
2. The Respondent 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 Respondent Tenant shall pay the total sum of €6,350 to the Appellant Landlord, by way of 25 consecutive instalments at the rate of €250 per calendar month, on or before the 28th day of each month, followed by one further instalment of €100 on or before the immediately succeeding month, commencing the next month after the issue of this Determination Order. This sum represents rent arrears of €6,350, in respect of the tenancy of the dwelling at 21 Primrose Crescent, Love Lane, Charleville, Co. Cork.
4. The enforcement of this Determination Order for such payment of €6,350 will be deferred and the total sum owing will be reduced by the cumulative sum paid, in monthly instalments, by the Respondent Tenant to the Appellant Landlord, on each due date, until such time as the total sum of €6,350 has been paid in full.
5. For the avoidance of doubt, any default in the payment of any of the monthly instalments or 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 Appellant Landlord.
6. The Respondent Tenant shall continue to pay any further rent outstanding to the Respondent Landlord from 20 October 2023, being the date of the Tribunal Hearing, at the rate of €1,200 per month, or proportionate part thereof at the rate of €39.45 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 Respondent Tenant and any other persons residing therein.

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



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