

Residential Tenancies Board

Determination Order

Ref: TR0919-003975/DR0619-55298

In the matter of Ciaran O'Donnell [Appellant Landlord] and Deirdre Corcoran [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 on 24 April 2019 by the Appellant Landlord on the Respondent Tenant in respect of the tenancy of the dwelling at Apartment 24, The Waterfront, Lynch's Quay, Cobh, Co. Cork P24 X257 is valid.
2. The Respondent Tenant and all persons residing in the above dwelling shall vacate and give up vacant possession of the above dwelling within 56 days of the issue of this Determination Order.
3. The Respondent Tenant shall pay to the Appellant Landlord the total sum of €4,680.00 in 36 equal consecutive instalments at the rate of €130.00 per week, on the Friday of each week, commencing the next week after the issue of this Determination Order. This sum represents rent arrears up to and including 11th October 2019 in respect of the tenancy of the dwelling at Apartment 24 The Waterfront, Lynch's Quay, Cobh, Co. Cork P24X 257.
4. The Respondent Tenant shall also pay any further rent outstanding at the rate of €130.00 per week, or proportional part thereof at the rate of €18.57 per day (unless lawfully varied) from 17th October 2019 and any other charges as set out in the terms of the tenancy agreement for each week or part thereof, until such time as she vacates and gives up vacant possession of the above dwelling.
5. The enforcement of this Order for such payment of €4,680.00 shall be deferred and the total sum owing reduced by the cumulative sum paid in the weekly instalments made by the Respondent Tenant to the Appellant Landlord on each due date until such time as the total sum of €4,680.00 has been paid in full.
6. For the avoidance of doubt, any default in the payment of any of the weekly instalments shall act to cancel any further deferral and the balance due at the date of default of any such weekly payment shall immediately become due and owing to the Appellant Landlord.
7. The Appellant Landlord shall refund the entire security deposit of €520 to the Respondent 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 27 January 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