

Residential Tenancies Board

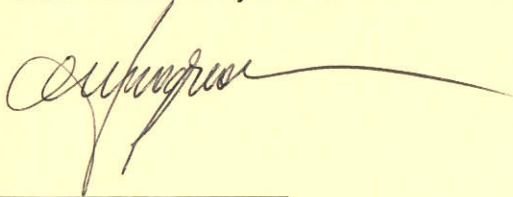
Determination Order

Ref: TR1023-006785/DR0723-86837

In the matter of Cornelius O'Donovan [Applicant Landlord] and Stewart Dollery, Ann Marie Dollery [Respondent Tenants] 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 Applicant Landlord on the Respondent Tenants on 23 June 2023 in respect of the tenancy of the dwelling at Cooldubh, Lissarda, Co. Cork is valid.
2. The Respondent Tenants and all persons residing in the dwelling at Cooldubh, Lissarda, Co. Cork shall vacate and give up possession of the dwelling within 3 months of the date of issuance of this Determination Order.
3. The Respondent Tenants shall pay the total sum of €5,755.08 to the Applicant Landlord, in 10 equal consecutive instalments at the rate of €575.50 per calendar month on the 28th day of each month, in the immediately succeeding month commencing the next month after the issue of the Order. This sum represents rent arrears of €6,655.08 having deducted the entire of the justifiably retained security deposit of €900.00 in respect of the tenancy of the dwelling at Cooldubh, Lissarda, Co. Cork.
4. The enforcement of this Order for such payment of €5,755.08 will be deferred and the total sum owing reduced by the cumulative sum paid in the monthly instalments made by the Respondent Tenants to the Applicant Landlord on each due date until such time as the total sum of 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 Applicant Landlord.
6. The Respondent Tenants shall also pay any further rent outstanding from 28 November 2023 to the Applicant at the rate of €900.00 per month 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 they vacate the above dwelling.
7. In the event that the arrears referred to at 3 above remain wholly or partially undischarged, the Respondent Landlord is entitled to retain all or a portion of the deposit, in full or partial discharge of the aforesaid arrears.

This Order was made by the Residential Tenancies Board on 10 January 2024.



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