

Residential Tenancies Board

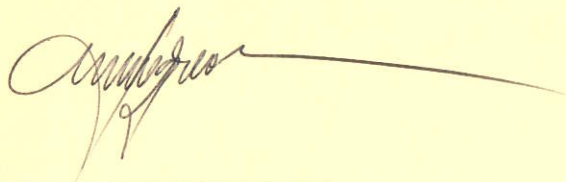
Determination Order

Ref: TR1023-006790/DR0523-85516

In the matter of Frank Ross [Appellant Landlord] and John Daly [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 the 6th of June 2023 by the Appellant Landlord on the Respondent Tenant in respect of the tenancy of the dwelling at Apartment 4, 67 North Main Street, Youghal, County 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 14 days of the date of issue of this Determination Order.
3. The Respondent Tenant shall pay the sum of €14,310.00 to the Appellant Landlord by way of 30 consecutive instalments at the rate of €477.00 per calendar month, on or before the 28th day of each month, commencing the next month after the date of issue of this Determination Order. The sum of €14,310.00 represents rent arrears due and owing in respect of the tenancy in the said dwelling upto and including the rent payment due on the 29th of February 2024.
4. The enforcement of this Determination Order for such payment of €14,310.00 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 €14,310.00 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 Appellant Landlord.
6. The Respondent Tenant shall continue to pay rent at the rate of €90.00 per week or proportionate part thereof at the rate of €12.82 per day from and including the 7th day of March 2024, 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 he vacates and gives up possession of the above dwelling.

This Order was made by the Residential Tenancies Board on 17 April 2024.



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