

Residential Tenancies Board

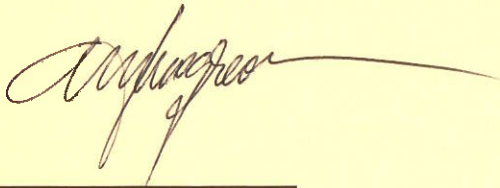
Determination Order

Ref: TR1023-006853/DR0723-87453

In the matter of Sean Johnston [Applicant Landlord] and Catherine Foley [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 26th of June 2023 on the Respondent Tenant in respect of the tenancy of the dwelling at Apartment 10, 67 O'Connell Street, Waterford, is valid.
2. The Respondent Tenant and all those occupying the above dwelling shall vacate and give up possession of the above dwelling within 28 days of the date of issue of this Determination Order.
3. The Respondent Tenant shall pay the total sum of €7,423.44 to the Applicant Landlord, in 10 equal consecutive instalments at the rate of €700.00 per calendar month, followed by one final instalment of €423.44, on the 28th day of each month, commencing the next month after the date of issue of this Determination Order. This sum represents rent arrears of €7,423.44, in respect of the tenancy of the dwelling at Apartment 10, 67 O'Connell Street, Waterford.
4. The Respondent Tenant shall also pay any further rent outstanding from the 16th of April, 2024, at the rate of €900.00 per month or proportional part thereof at the rate of €29.59 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 she vacates the above dwelling.
5. The enforcement of this Determination Order for such payment of €7,423.44 will be deferred and the total sum owing reduced by the cumulative sum paid in the monthly instalments made by the Respondent Tenant to the Applicant Landlord on each due date until such time as the total sum of €7,423.44 has been paid in full.
6. 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.

This Order was made by the Residential Tenancies Board on 29 May 2024.



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