

Residential Tenancies Board

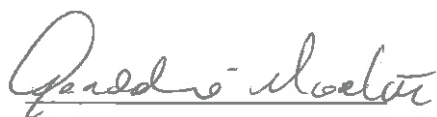
Determination Order

Ref: TR1119-004065/DR0619-55291

In the matter of Gerard 'Gerry' Mungovan [Appellant Tenant] and Marcus Purcell receiver over certain assets of Philip Lonergan [Respondent Landlord], the Residential Tenancies Board, in accordance with section 121 of the Residential Tenancies Act 2004, determines that:

1. The Notice of Termination dated 6th February 2019 and served on 8th February 2019 in respect of the tenancy at 34 St. Mary's Road, Newcastle, Galway is valid.
2. The Notice of Termination dated 3rd May 2019 and served on 3rd May 2019 in respect of the tenancy at 34 St. Mary's Road, Newcastle, Galway is valid.
3. The Appellant Tenant and any other persons residing in the dwelling shall vacate and give up possession of the above dwelling within 14 days of the expiration of the emergency period as defined in section 3 of the Emergency Measures in the Public Interest (Covid -19) Act 2020 or as extended by order under section 4 of the Emergency Act the Emergency Measures in the Public Interest (Covid -19) Act 2020.
4. The Appellant Tenant shall pay the total sum of €10,169.45 within 28 days of the issue of this Order, being rent arrears in the sum of €10,169.45 up to and including 3rd March 2020, in breach of section 16 (a) of the Residential Tenancies Act 2004, as amended, in respect of the tenancy at 34 St. Mary's Road, Newcastle, Galway.
5. The Appellant Tenant shall continue to pay rent from 4th March 2020, being the date of the Tribunal hearing, to the Respondent Landlord, rent at the rate of €400.00 per month or proportional part thereof at the rate of €13.15 per day, unless lawfully varied, and any other charges provided for under the terms of the tenancy agreement, for each month or part thereof, until such time as the dwelling is vacated by him and any other occupants.

This Order is made by the Residential Tenancies Board on 16 July 2020.

A handwritten signature in dark ink, appearing to read 'Geraldine Norton', written in a cursive style.

Geraldine Norton

Higher Executive Officer

Duly authorised to sign on behalf of the Director