

Residential Tenancies Board

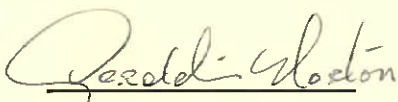
Determination Order

Ref: TR1122-005818/DR0122-74994

In the matter of Ebum Sandra Ewelike [Appellant Tenant] and Michael Foley [Respondent Landlord], the Residential Tenancies Board, in accordance with section 121 of the Residential Tenancies Act 2004, determines that:

1. The Notice of Termination with a date of service of 13 December 2021, served on the Appellant Tenant, in respect of the tenancy of the dwelling at 28 Cluain Na Sidhe, Killashee, Co. Longford, N39XD77, is valid.
2. The Appellant Tenant and any other persons residing in the above dwelling shall vacate and give up possession of the above dwelling within 42 days of the date of issue of this Determination Order.
3. The Appellant Tenant shall pay the total sum of €10,597 to the Respondent Landlord by way of 10 consecutive instalments at the rate of €1,000 per calendar month on or before the 28th day of each month, followed by one further instalment of €597 on or before the 28th day of the immediately succeeding month, commencing the next month after the date of issue of this Determination Order. This sum represents rent arrears up to the date of the Tribunal hearing in the amount of €10,597 in respect of the tenancy of the dwelling at 28 Cluain Na Sidhe, Killashee, Co. Longford, N39XD77.
4. The enforcement of this Determination Order for such payment of €10,597 will be deferred and the total sum owing will be reduced by the cumulative sum paid, until such time as the total sum of €10,597 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 Respondent Landlord.
6. The Appellant Tenant shall also pay any further rent outstanding from 15 February 2023, at the rate of €800 per month, or €26.30 per day, unless lawfully varied, until such time as the above dwelling is vacated by the Appellant Tenant and any other persons residing therein.
7. The Respondent Landlord shall refund the entire of the security deposit of €550 to the Appellant Tenant, upon the Appellant Tenant vacating and giving up 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 12 April 2023.



Geraldine Norton

Higher Executive Officer

Duly authorised to sign on behalf of the Director