



William Finnerty <williamfinnertygalway@gmail.com>

TAS (The Tribunal Service) appeal dated January 13th 2023 held in Belfast.

William Finnerty <williamfinnertygalway@gmail.com>

Tue, Jan 17, 2023 at 1:05 PM

To: William Finnerty Yahoo Account <newinngalway@yahoo.co.uk>, William Finnerty <williamfinnertygalway@gmail.com>

----- Forwarded message -----

From: **Ciaran Smith** <ciaran.smith@radiushousing.org>

Date: Tue, Jan 17, 2023 at 11:52 AM

Subject: RE: TAS (The Tribunal Service) appeal dated January 13th 2023 held in Belfast.

To: William Finnerty <williamfinnertygalway@gmail.com>

Cc: Stacey Butler <stacey.butler@radiushousing.org>

Good Afternoon Mr Finnerty,

Thank you for your update in relation to the outcome of your appeal hearing on the 13th January 2023. Unfortunately due to issues beyond our control there has been a further adjournment of your appeal and that the outcome at this point is still unknown.

I can confirm that the EJO office have been able to secure monies from your bank account for the sum of £10,610.15 – these monies are currently with the EJO office and will be transferred to Radius on 31st January 2023. This amount includes £9,276.55 of monies owed in rent arrears and a further £1333.60 in Court and EJO fees. I can confirm that your current account balance is £16,813.50 with and expected £9,276.55 from the EJO in relation to rent arrears. This will leave an outstanding arrear balance of: **£7536.95.**

In order for Radius to put the proposed Eviction on hold I would request that you maintain your proposal that you made to clear the outstanding arrears given that you have advised us that you have the financial reserves to do so prior to the 31st January 2023 . You will also be required to maintain payments towards the weekly rent charges going forward after this payment. I can advise that if your appeal hearing is successful at a later date and there is any backdated benefit award paid to Radius Housing then we will process this and refund any monies owed from your rent account.

Can you please confirm that you will be upholding your proposal and we can then confirm arrangements on how these monies will be transferred to Radius Housing Association.

Kind Regards

Ciaran

Ciaran Smith
Area Housing Manager



Email: ciaran.smith@radiushousing.org

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From: William Finnerty <williamfinnertygalway@gmail.com>

Sent: 16 January 2023 11:20

To: Ciaran Smith <ciaran.smith@radiushousing.org>; Stacey Butler <stacey.butler@radiushousing.org>; Michael Gillespie <michael.gillespie@radiushousing.org>; Rachel O'Donnell <Rachel.O'Donnell@radiushousing.org>; Sharon Hyndman <sharon.hyndman@radiushousing.org>; Keelan McGaghran <Keelan.McGaghran@radiushousing.org>; Deborah Sparks <deborah.sparks@radiushousing.org>; Cathy Jackson <Cathy.Jackson@radiushousing.org>; John Cairnduff <john.cairnduff@radiushousing.org>; Radius Scheme Co-ordinator Ina Ferguson <I.Ferguson@radiushousing.org>; Loma Wilson <Loma.Wilson@radiushousing.org>; John McLean <john.mclean@radiushousing.org>; Mr G Adair at the Enforcement of Judgements Office, Laganside House, Belfast, BT1 3LA <POSTROOMEJO@courtsni.gov.uk>; Enforcement of Judgements Master's Clerk <ejomastersclerk@courtsni.gov.uk>; The Officer in Charge, Enforcement of Judgements Office, Northern Ireland Courts and Tribunals Service <belfastcountycourt@courtsni.gov.uk>; Barrister Chris Daw QC <chrisdawqc@lincolnhousechambers.com>; Clerk to Chris Daw QC <dwright@lincolnhousechambers.com>; Lawyer Brendan M. Glynn B.B.S., LL.B. at Patrick Hogan & Co (Solicitors), Ballinasloe, County Galway, Republic of Ireland <brendan@phoganandco.com>; Barrister John V. Glynn B.C.L. at Patrick Hogan & Co <johnglynn@phoganandco.com>; Patrick Hogan & Company Solicitors <info@phogan.ie>; Law Society of the Republic of Ireland <general@lawsociety.ie>; Lawyer Ciaran Keenan <ciaran@keenanlaw.co.uk>

Cc: For The Attention of Legally Qualified Member Mr M O'Brien at the Northern Ireland Appeals Service (Ref: Case Number BE/6784/19/45/O) <appeals.service.belfast@communities-ni.gov.uk>; FAO Joanne Gordon, Northern Ireland State Pension Credit Disputes Team <pensionservice@dfcni.gov.uk>; Joanne Gordon, Northern Ireland State Pension Credit Disputes Team <Joanne.Gordon@nissa.gsi.gov.uk>; Dr David Cheyne GP, Dr Holly Dunlop GP, and Consultant Psychiatrist Dr Janet Corry via Belfast Reception 147 <Reception.147@orMEAuparksurgery.gp.n-i.nhs.uk>; Andrea Lowry, Surgery Practice Manager 147 <PracticeManager.147@orMEAuparksurger.gp.n-i.nhs.uk>; FAO: GP Assistant Una Carlin and Dr Roderick Jenkins GP via Surgery Practice Manager 147 <PracticeManager.147@orMEAuparksurgery.gp.ni.nhs.uk>; FAO Consultant Urologists Dr Connolly and Dr Khan via Office Manager at Belfast City Hospital In-Patient Waiting List Department <waitinglist.office@belfasttrust.hscni.net>; Assessment Survey Organiser Paul Finegan at City Hospital <Paul.Finegan@belfasttrust.hscni.net>; Consultant Psychiatrist Dr Lauren Edgar and Community Psychiatric Nurse Carmel Reilly at Knockbracken Healthcare Park, Belfast <Carmel.Reilly@belfasttrust.hscni.net>; Yvonne McCambley, Secretary to Consultant Psychiatrist Dr Paul Bell, MB Bch BAO, MD, FRCPsych <yvonne.mccambley@belfasttrust.hscni.net>; Social Worker Ms Tina Millar at Knockbracken Healthcare Park, Belfast <Tina.Millar@belfasttrust.hscni.net>; Community Psychiatric Nurse Ms Briana Bloomer at Knockbracken Healthcare Park, Belfast <Briana.Bloomer@belfasttrust.hscni.net>; Community Psychiatric Nurse Ms Ann Flanagan at Knockbracken Healthcare Park, Belfast <Ann.Flanagan@belfasttrust.hscni.net>; Human Rights Lawyer Martha Spurrier, Director of Liberty <comms@libertyhumanrights.org.uk>; Legal Help for Whistleblowers <info@whistleblower.co.uk>; John Mackell, Director of Client (Solicitor) Complaints at The Law Society of Northern Ireland <John.mackell@lawsoc-ni.org>; Case Officer Daniel Mc Loughlin – Professional Conduct

Department at Law Society Department of Northern Ireland <Daniel.McLaughlin@lawsoc-ni.org>; Dr Michael McBride, Chief Medical Officer, Northern Ireland Department of Health <michael.mcbride@health-ni.gov.uk>

Subject: TAS (The Tribunal Service) appeal dated January 13th 2023 held in Belfast.

Dear Mr Smith,

RE: TAS (The Tribunal Service) appeal dated January 13th 2023 held in Belfast.

With reference to my undertaking to keep you informed regarding my Pension Credit appeal on Friday, January 13th 2023, as stated in my registered letter to you dated December 21st 2022, which is referred to at the following www location:

<http://www.humanrightsireland.com/RadiusHousing/21December2022/RegisteredLetter.htm> , please consider the following points:

1) On Friday, January 13th 2023, the Legally Qualified Member Mr M. O'Brien at TAS, the Northern Ireland Appeals Service (Ref: Case Number BE/6784/19/45/O), decided to further adjourn my appeal hearing. It is my understanding that Mr O'Brien will soon be sending a letter to me which will contain information relating to, among other things perhaps, his reasons for this most recent adjournment. Assuming there are no restrictions set out in the letter which would prevent me from doing so, I will email you a copy of Mr O'Brien's letter as soon as I can after I have received it, which I understand is likely to be sometime before the end of this week.

As I recall it, Mr O'Brien informed me during last Friday's meeting that, in part at least, the letter he plans to send to me later this week will be an update of the letter dated August 31st 2022 from TAS to the Pension Credit Appeals Branch in Londonderry, a copy of which has been placed at:

<http://www.humanrightsireland.com/AppealsServiceNorthernIreland/15November2022/Letter.htm#TS>

Assuming I understood Mr O'Brien correctly, he intends to try to do all he can to ensure that my appeal will be finally determined as soon as it is reasonably possible to do so, and that he anticipates that this should happen sometime before Easter 2023 (i.e. on or before Thursday, April 6th, the day before Good Friday 2023).

2) I took a copy of a letter handed to me last Wednesday (i.e. January 11th 2023) by Enforcement of Judgements Officer Mr Gerard Adair, an unedited copy of which has been placed at:

<http://www.humanrightsireland.com/AppealsServiceNorthernIreland/13Jan2023/Appeal-Related-Info.htm>

I showed the letter handed to me by Mr Adair last Wednesday to Mr O'Brien during my appeal hearing last Friday, and I read out to him the handwritten comment which states: **"You have until 2/2/23 to resolve or vacate the property."**

I asked Mr O'Brien for legal advice as to what I might now best do regarding the handwritten statement referred in the paragraph immediately above, having due regard for the fact that my Pension Credit Appeal might not be finally determined until sometime before April 6th 2023, or even later than that possibly (as I have indicated under Point 1 above). Mr O'Brien kindly explained to me that his role relating to my Pension Credits appeal is similar in some respects to that of a football referee, and that being the case, it would be inappropriate for him to give legal advice to either of the two parties involved in the "contest": i.e. myself versus the Department for Communities.

Mr O'Brien went on to make arrangements for me to be provided with a list of organisations who I understand specialise in providing legal advice and representation relating to eviction issues connected with Pension Credit appeals and suchlike. Although it is my intention to contact one or more of the organisations on the list I have now been provided with by TAS, at the time of writing I have no way of knowing if any of these organisations on the list will provide me with professional legal advice and representation.

3) The best solution now for me would, I feel, to be for Radius Housing to extend the ***"the potential eviction date"*** from 2/2/23, to sometime after my Pension Credit Appeal is finally determined. In the event that this is not acceptable to Radius Housing, then I would be grateful if you could please let me know what I need to do now, in order to **"resolve"** matters, between myself and Radius Housing, so that I can avoid being evicted on 2/2/23 (or shortly after perhaps), as indicated in the handwritten note referred to under Point 2 above?

With reference to the proposal I made to Radius Housing, under Section 3, in my email to you dated December 14th 2022, copy at: <http://www.humanrightsireland.com/RadiusHousing/14December2022/Gmail.html>, please know that financially I am still in a position to support that proposal, although I do still have some very deep reservations and doubts about doing so: before, that is, my Pension Credit appeal has been finally determined. Nevertheless, and mostly for mental health considerations connected with the fact that I suffer from Complex-Post Traumatic Stress Disorder -- which the medical profession still refuses (in effect, as I see it) to provide me with any kind of meaningful "talking therapy" for -- that I must now put these reservations and doubts of mine to one side, if that is what it takes to avoid I being evicted on.2/2/23, or shortly thereafter.

I look forward to hearing from you regarding the above matters.

Kind Regards,

William Finnerty.

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