

Residential Tenancies Board


Determination Order

Ref: DR0316-24665

In the matter of Ruaidhri O'Connor [Applicant Landlord] and Kerrie Casey, Cezary Chybowski [Respondent Tenants] 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 2nd February 2016, by the Applicant Landlord on the Respondent Tenants, in respect of the tenancy of the dwelling at 6 Castle Oaks, Kiltegan, Co. Wicklow, W91F2D7 is valid.
2. The Respondent Tenants and all persons residing in the above dwelling shall vacate and give up possession of the dwelling within 28 days of the date of issue of this Determination Order.
3. The Respondent Tenants shall pay the total sum of €2,247.96 to the Applicant Landlord, in equal instalments at the rate of €400.00 per calendar month for five consecutive months, on the 28th day of each month, followed by one payment of €247.96 on the 28th day of the immediately succeeding month, commencing on the 28th day of the month immediately following the issue of this Order, being rent arrears of €2,247.96 in respect of the tenancy of the above dwelling.
4. The enforcement of the Determination Order for such payment will be deferred and the total sum owing will be reduced by the cumulative sum paid in the monthly instalments made by the Respondent Tenants to the Applicant Landlord on each due date until the sum of €2,247.96 has been paid in full.
5. For the avoidance of doubt, any default in the payment of a monthly instalment 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.
6. The Respondent Tenants shall pay any further rent outstanding from the 30th day of March 2016 to the Applicant Landlord at the rate of €500.00 per month or proportionate part thereof at the rate of €16.44 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 they vacate the above dwelling.
7. The Applicant Landlord shall refund the entire of the security deposit of €550.00 to the Respondent Tenants, on gaining vacant 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 03 May 2016.



Noel Conroy
Board Member

Duly authorised to sign on behalf of the Board



Janette Fogarty
Assistant Director

Duly authorised to sign on behalf of the Board