

Residential Tenancies Board

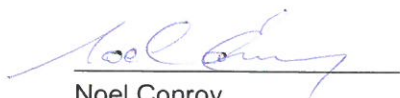
Determination Order

Ref: DR0316-24761

In the matter of Emily Cox [Applicant Landlord] and William Maughan, Brigid Maughan [Respondent Tenants] the Residential Tenancies Board, in accordance with section 121 of the Residential Tenancies Act 2004, determines that:

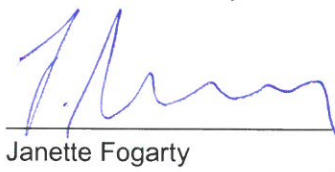
1. The Notice of Termination served on the 22nd August 2015 by the Applicant Landlord on the Respondent Tenants in respect of the tenancy of the dwelling at 25 St. John's Villas, Arklow, County Wicklow Y14 Y704 is valid.
2. The Respondent Tenants and all persons residing in the above dwelling shall vacate the give up possession of the above dwelling within 28 days of the date of issue of this Order.
3. The Respondent Tenants shall pay the total sum of €8,800 to the Applicant Landlord in two consecutive monthly payments of €4,000 on the 28th day of each month followed by one payment of €800 on the 28th day of the immediately succeeding month commencing on the 28th day of the month immediately following the date of issue of this Order being rent arrears of €7,800 plus €1,000 damages for breach of obligations pursuant to Section 16 (a) of the Residential Tenancies Act 2004 in respect of the tenancy of the above dwelling.
4. The enforcement of this Order for such payment of €8,800 will be deferred and the total Sum owing reduced by the cumulative sum paid in the monthly instalments by the Respondent Tenants to the Applicant Landlord on each due date until such time as the total sum of €8,800 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 Applicant Landlord.
6. The Respondent Tenants shall also pay any further rent outstanding from the 8th day of April 2016 at the rate of €700 per month or proportionate part thereof at the rate of €23.01 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 €1,200 to the Respondent Tenants upon the Respondent Tenants 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 3 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