

## Residential Tenancies Board

### Determination Order

**Ref: DR1115-22321**

In the matter of Irish Residential Properties REIT PLC [Applicant Landlord] and Mariusz Palacz, Izabela Palacz [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 11th May 2015 by the Applicant Landlord on the Respondent Tenants in respect of the tenancy of the dwelling at 234 Charlestown Place, Charlestown Centre, St. Margarets Road, Finglas, Dublin 11 is valid.
2. The Respondent Tenants and all persons residing in the above dwelling shall vacate and give up possession of the above dwelling within 28 days of the date of issue of the Order.
3. The Respondent Tenants shall pay the total sum of €7,000.00 to the Applicant Landlord in fourteen consecutive payments of €500.00 on the 1st day of each month commencing on the first day of the month immediately following the date of issue of the Order being arrears of rent of €7,000.00.
4. The enforcement of the Order for such payment of €7,000.00 will be deferred and the total sum owing reduced by the cumulative sum paid in the monthly instalments made by the Respondent Tenants to the Applicant Landlord on each due date until such time as the total sum of €7000.00 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 31st December 2015 at the rate of €1250.00 per month or proportionate part thereof at the rate of €41.10 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 €1,100.00 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 15 April 2016.



Noel Conroy

Board Member

Duly authorised to sign on behalf of the Board



Claire Diggin

Higher Executive Officer

Duly authorised to sign on behalf of the Board