

Residential Tenancies Board

Determination Order

Ref: DR0516-26760

In the matter of Steve Richards [Applicant Landlord] and Piotr Weber, Magdalena Dobosz [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 14th April 2016 on behalf of the Applicant Landlord on the Respondent Tenants, in respect of the tenancy of the dwelling at 23 Ash Park Heath, Lucan, Co. Dublin, is invalid.
2. The Respondent Tenants shall pay the sum of €6,507.07 to the Applicant Landlords in 6 consecutive monthly payments of €1,000.00, on the 28th day of each month, followed by one payment of €507.07 in the immediately succeeding month, commencing the next month after the issue of this Order, being rent arrears in respect of the tenancy of the dwelling at the above address.
3. The Respondent Tenants shall pay any rent outstanding from the 12th July 2016, at the rate of €1050.00 per month, 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.
4. The enforcement of the Order for such payment shall be deferred and the total sum owing reduced by the cumulative sum paid in the monthly instalments of €1000.00 made by the Respondent Tenants to the Applicant Landlord on each due date until the sum of €6,507.07 has been paid in full.
5. For the avoidance of doubt any default in the payment of the monthly instalments of €1000.00 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 Applicant Landlord shall refund the entire of the security deposit of €1100.00 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 02 September 2016.



Tim Ryan
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