

Private Residential Tenancies Board

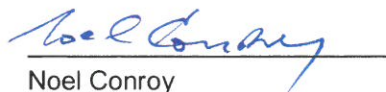
Determination Order

Ref: TR0715-001305/DR0315-17134

In the matter of Marcel Codjie, Yvettes Egle [Appellant Tenants] and Brian Guinan [Respondent Landlord] the Private Residential Tenancies Board, in accordance with section 121 of the Residential Tenancies Act 2004, determines that:

1. The Notice of Termination served on 11 November 2014 by the Respondent Landlord on the Appellant Tenants in respect of the tenancy of the dwelling at 28 Clearwater Court, South Royal Canal Park, Dublin 15 is valid.
2. The Appellant 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 this Order.
3. The Appellant Tenants shall pay the total sum of €2,896.06 to the Respondent Landlord, in ten consecutive monthly payments of €275 on the 28th day of each month, followed by one payment of €146.06 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 €2,896.06, in respect of the tenancy of the above dwelling.
4. The enforcement of this Order for such payment of €2,896.06 will be deferred and the total sum owing reduced by the cumulative sum paid in the monthly instalments made by the Appellant Tenants to the Respondent Landlord on each due date until such time as the total sum of €2,896.06 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 become immediately due and owing to the Respondent Landlord.
6. The Appellant Tenants shall also pay any further rent outstanding from 28 September 2015, at the rate of €950 per month or proportionate part thereof, where a whole month does not apply, at the rate of €31.23 per day, unless lawfully varied, and any other charges set out in the terms of the tenancy agreement, for each month or part thereof, until such time as they vacate and give up possession of the above dwelling.
7. The Respondent Landlord shall refund the entire of the security deposit of €1,200 to the Appellant Tenants, upon the Appellant 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 Private Residential Tenancies Board on 6 November 2015.



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