

Residential Tenancies Board

Determination Order

Ref: DR0318-42070

In the matter of Ken Fennell (Receiver over the certain assets of Pdraig Tierney, Mary Tierney) [Applicant Landlord] and Florin-Avram Hulusan, Simona Hulusan [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 14 November 2017, by the Applicant Landlord on the Respondent Tenants, in respect of the tenancy of the dwelling at 28 Glenville Green, Clonsilla, Dublin 15, is valid.

2. The Respondent Tenants, and any other 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 Order.

3. The Respondent Tenants shall pay the total sum of €6262.23 to the Applicant Landlord, in 6 consecutive monthly installments at the rate of €1,000.00 per month, payable on the 1st day of each month, followed by one further installment of €262.23 payable on the 1st day of the 7th month, payment commencing in the month immediately following the month of issue of this Order. This sum represents rent arrears of €6,262.23 in respect of the tenancy of the above dwelling.

4. The enforcement of this Order for such payment of €6,262.23 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 €6,262.23 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 10 April 2018, being the date of hearing, to the Applicant Landlord, at the rate of €1,900.00 per month or proportionate part thereof at the rate of €62.47 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 €1,900.00 to the Respondent Tenants, upon the Respondent Tenants vacating and giving up 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 28 June 2018.



Justin O'Brien
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