

Residential Tenancies Board

Determination Order

Ref: DR1117-38990

In the matter of Monica Byrnes [Applicant Landlord] and Kellie Maloney, Kevin Barry [Respondent Tenants] the Residential Tenancies Board, in accordance with section 121 of the Residential Tenancies Act 2004, determines that:

1. The Notice of Termination dated 23 October 2017 by the Applicant Landlord on the Respondent Tenants in respect of the tenancy of the dwelling at 67 Carn Na Ree, Old Singland Road, Limerick City 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 this Order.
3. The Respondent Tenants shall pay the total sum of €1,457.50 to the applicant landlord, in 2 equal instalments at the rate of €500.00 per month, on the 25th day of each month which will then be followed by one further instalment of €457.50 in the immediately succeeding month commencing the next month after the issue of this Order. This sum represents rent arrears of €1,457.50.
4. The enforcement of this Order for such payment will be deferred and the total sum owing will be reduced by the number of monthly instalments of €500.00 or €457.50 with respect to the third and final instalment made to the Applicant Landlord on each due date until the sum of €1,457.50 has been paid in full.
5. For the avoidance of doubt any default in the payment of the monthly instalments of €500.00 or €457.50 with respect to the third and final instalment shall act to cancel any further deferral and the balance due at the date of default shall immediately become due and owing to the Applicant Landlord.
6. The Respondent Tenants shall also pay any further rent outstanding from the hearing, at the rate of €800.00 per month or proportional part thereof at the rate of €26.30 per day 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.

This Order was made by the Residential Tenancies Board on 13 February 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