

## **Residential Tenancies Board**

### **Determination Order**

**Ref: DR0120-59799**

In the matter of Abyna Twomey and Sean Twomey [Applicants] (As executors of the estate of Peter Twomey, Landlord) and Justyna Czyzewska [Respondent Tenant] the Residential Tenancies Board, in accordance with section 121 of the Residential Tenancies Act 2004, determines that:

1. The Notice of Termination with a date-of-service of 22 May 2019 as served by the Applicants on the Respondent Tenant in respect of the tenancy of the dwelling at 88 Castledawson, Maynooth, Co Kildare, is valid.
2. The Respondent Tenant, and all other persons residing in the above dwelling, shall vacate and give up possession of the dwelling within 14 days of the date of issue of this Order.
3. The Respondent Tenant shall pay the total sum of €3,553.12 to the Applicants, by way of 7 consecutive monthly instalments at the rate of €500.00 per month, to be paid on or before the 28th day of each month, followed by one further instalment of €53.12, to be paid on or before the 28th day of the 8th month, commencing in the month immediately following the month of issue of this Order. This sum represents rent arrears of €3,553.12 in respect of the tenancy of the above dwelling.
4. The enforcement of this Order for such payment of €3,553.12 will be deferred and the total sum owing will be reduced by the cumulative sum paid in the monthly instalments, by the Respondent Tenant to the Applicants, on each due date, until such time as the total sum of €3,553.12 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 instalment shall immediately become due and owing to the Applicants.
6. The Respondent Tenant shall also pay the Applicants any further rent outstanding from 14 February 2020, being the date of the adjudication hearing, at the rate of €1,100.00 per month or proportional part thereof at the rate of €36.16 per day, unless lawfully varied, together with any other charges provided for under the terms of the tenancy agreement, for each month or part thereof, until such time as the above dwelling is vacated by her and all other persons residing therein.
7. The Applicants shall refund the entire of the security deposit of €1,000.00 to the Respondent Tenant, upon the Respondent Tenant 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 25 June 2020.

Ciara Cronin

Ciara Cronin

Higher Executive Officer

Duly authorised to sign on behalf of the Director