

## **Residential Tenancies Board**

### **Determination Order**

**Ref: DR0219-52395**

In the matter of Geraldine McGlynn [Applicant Landlord] and Louise Hickey, Richard Stirling [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 16th January 2019, on behalf of the Applicant Landlord on the Respondent Tenants, in respect of the tenancy of the dwelling at 4 Keenan's Lane, Castledermot, Co. Kildare, is valid.
2. The Respondent Tenants and all 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 €2895.89 to the Applicant Landlord, by way of 14 consecutive monthly instalments at the rate of €200.00 per month, to be paid on or before the 28th day of each month, followed by a final instalment of €95.89, to be paid on or before the 28th day of the 15th month, payment commencing in the month immediately following the month of issue of this Order. This sum of €2895.89 being rent arrears up to 19th January 2019, being the date of the adjudication hearing, in respect of their tenancy of the above dwelling.
4. The enforcement of this Order for such payment of €2895.89 will be deferred and the total sum owing will be 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 €2895.89 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 the 20th March 2019, to the Applicant Landlord, at the rate of €900.00 per month or proportional part thereof at the rate of €29.59 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 dwelling is vacated by them and any other occupant/s.
7. The Applicant Landlord shall refund the entire of the security deposit of €600.00 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 23 May 2019.



Emer Morrissey

Higher Executive Officer

Duly authorised to sign on behalf of the Director