

Residential Tenancies Board

Determination Order

Ref: DR0220-60320

In the matter of Jeanette Hickey, Jonathan Hickey [Applicant Landlords] and Mark Hurley [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 2nd January 2020, served by the Applicant Landlords on the Respondent Tenant in respect of the tenancy of the dwelling at 10 Five Oaks Village, Dublin Road, Drogheda, Co. Louth, is valid.
2. The Respondent Tenant, and any other person/s residing in the above dwelling, shall vacate and give up possession of the above dwelling within 21 days of the date of issue of this Order.
3. The Respondent Tenant shall pay the sum of €5,200 to the Applicant Landlords, by way of 5 consecutive monthly instalments at the rate of €1,040 per month, to be paid on or before the 28th day of each month, commencing in the month immediately following the month of issue of this Order.
4. The enforcement of this Order for such payment of €5,200 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 Applicant Landlords, on each due date, until such time as the total sum of €5,200 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 Applicant Landlords.
6. The Respondent Tenant shall also pay any further rent outstanding from 26th February 2020, being the date of the Adjudication Hearing, to the Applicant Landlords, at the rate of €1,150 per month or proportionate part thereof at the rate of €37.81 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 him and any other person/s residing therein.

7. The Applicant Landlords shall refund the security deposit of €850 to the Respondent Tenant, 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 12 May 2021.

Ciara Cronin

Ciara Cronin

Higher Executive Officer

Duly authorised to sign on behalf of the Director