

Residential Tenancies Board

Determination Order

Ref: DR0321-68289

In the matter of Sean Webb, (Acting in capacity as Receiver over the certain assets of Peter Crossan, Landlord) [Applicant] and Jean Franco Bastiantelli, Rachel Sheeran [Respondent Tenants] 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 12th December 2019 served by the Applicant on the Respondent Tenants, in respect of the tenancy of the dwelling at 11 Aughrim Hall, Aughrim, Co Wicklow, Y14AD83 is valid.
2. The Respondent Tenants and any other persons residing in the dwelling shall vacate and give up possession of the above dwelling within 14 days of the date of issuance of this Determination Order.
3. The Respondent Tenants shall pay the total sum of €18,715.61 to the Applicant, by way of 9 consecutive instalments at the rate of €2,000 per calendar month, on or before the 28th day of each month, followed by one further instalment of €715.61 in the immediately succeeding month commencing the next month after the issue of this Determination Order. This sum represents rent arrears owed as of 12th May 2021 in respect of the tenancy of the above dwelling.
4. The Respondent Tenants shall also pay any further rent outstanding from 12th May 2021 being the date of the Adjudication Hearing, at the rate of €800 per month or proportionate part thereof at the rate of €26.30 per day, unless lawfully varied, and any other charges as 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 the Respondent Tenants and any other persons residing therein.
5. The enforcement of this Determination Order for such payment of €18,715.61 will be deferred and the total sum owing will be reduced by the cumulative sum paid, in monthly instalments, by the Respondent Tenants to the Applicant, on each due date, until such time as the total sum has been paid in full.

6. 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.

This Order was made by the Residential Tenancies Board on 14 July 2021.



Ciara Cronin

Higher Executive Officer

Duly authorised to sign on behalf of the Director

