

Residential Tenancies Board

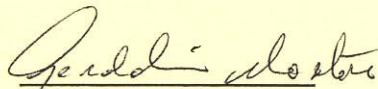
Determination Order

Ref: DR0322-75785

In the matter of Denis Bergin [Applicant Landlord] and Joanne Bracken, Stephen Buckley [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 the 6th August 2021, served on behalf of the Applicant Landlord, on the Respondent Tenants, in respect of the tenancy of the dwelling at 16 Carraig Court, Blackrock, Co. Dublin, is valid.
2. The Respondent Tenants and any persons residing in the above dwelling shall vacate and give up possession within 14 days of the issue of this Determination Order.
3. The Respondent Tenants shall pay the total sum of €8,861.32 to the Applicant Landlord, in 17 consecutive monthly payments of €500.00 on the 28th day of each month, followed by 1 payment of €361.32 in the immediately following month, commencing the next month after the issue of this Determination Order, being rent arrears accrued over the course of the tenancy, in respect of the tenancy of the above dwelling.
4. The enforcement of this Determination Order for such payment of €8,861.32 shall be deferred and the total sum owing reduced by the cumulative sum paid in the monthly instalments made by the Respondent Tenants to the Applicant Landlord on each due date until such time as the total sum of €8,861.32 has been paid in full.
5. For the avoidance of doubt, any default in the payment 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 continue to pay rent outstanding from the 18th July 2022, being the date of the Virtual Adjudication, to the Applicant Landlord at the rate of €1,424.00 per month and/or €46.82 per day, unless lawfully varied, and any other charges as set out in 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 all persons residing therein.
7. The Applicant Landlord shall refund the entire of the security deposit of €1,875.00 to the Respondent Tenants, upon the Respondent Tenants vacating and giving up 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 31 August 2022.



Geraldine Norton

Higher Executive Officer

Duly authorised to sign on behalf of the Director