

Residential Tenancies Board

Determination Order

Ref: DR0518-43998

In the matter of Lisa Whelan [Applicant Landlord] and Stephen Hamilton, Laura Higgins [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 23rd April 2018 by the Applicant Landlord on the Respondent Tenants in respect of the tenancy of the dwelling at 3 The Crescent, Miltree Park, Ratoath, Co Meath is valid;
2. The Respondent Tenants and all persons residing in the above dwelling shall vacate and give up possession of the above dwelling within 28 days of the date of issue of this Order;
3. The Respondent Tenants shall pay the total sum of €8,100 to the Applicant Landlord, in 16 equal consecutive installments at the rate of €500 per calendar month, on the 28th day of each month, followed by one further installment of €100 in the immediately succeeding month commencing the next month after the issue of the Order. This sum represents rent arrears, in respect of the tenancy of the above dwelling;
4. The Respondent Tenants shall also pay any further rent outstanding from 26th June 2018, being the date of the Adjudication hearing, at the rate of €1,200 per month or proportional part thereof at the rate of €39.45 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 Respondent Tenants vacate the above dwelling;
5. The enforcement of this Order for such payment of €8,100 will be deferred and the total sum owing reduced by the cumulative sum paid in the monthly installments made by the Respondent Tenants to the Applicant Landlord on each due date until such time as the total sum of €8,100 has been paid in full;
6. For the avoidance of doubt, any default in the payment of any of the monthly installments 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.

This Order was made by the Residential Tenancies Board on 16 August 2018.



Emer Morrissey

Higher Executive Officer

Duly authorised to sign on behalf of the Director