

Residential Tenancies Board

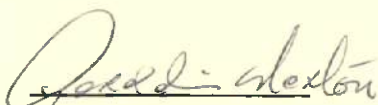
Determination Order

Ref: DR0522-77032

In the matter of Kathleen Fitzpatrick, Margaret McDermott [Applicant Landlords] and Harry Falkenburg, Dorothea Aenlle [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 14th October 2021, served by the Applicant Landlords on the Respondent Tenants, in respect of the tenancy of the dwelling at 80 Richmond Park, Monkstown, Blackrock, Dublin, A94T954, Ireland, is valid.
2. The Respondent Tenants and any other persons residing in the above dwelling shall vacate and give up possession of the above dwelling within 14 days of the date of issue of this Order.
3. The Respondent Tenants shall pay the total sum of €52,800.00 to the Applicant Landlords, by way of 26 consecutive instalments at the rate of €2000.00 per calendar month, on or before the 28th day of each month, followed by one further instalment of €800.00 on or before the 28th day of the immediately succeeding month, commencing the next month after the issue of this Order. This sum represents rent arrears of €52,800.00, in respect of the tenancy of the dwelling at 80 Richmond Park, Monkstown, Blackrock, Dublin, A94T954, Ireland.
4. The enforcement of this Order for such payment of €52,800.00 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 Landlords, on each due date, until such time as the total sum of €52,800.00 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 Landlords.
6. The Respondent Tenants shall also pay any further rent outstanding from the 21st October 2022, being the date of the Adjudication Hearing, at the rate of €2200.00 per month or proportionate part thereof at the rate of €72.32 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.

This Order was made by the Residential Tenancies Board on 17 May 2023.



Geraldine Norton

Higher Executive Officer

Duly authorised to sign on behalf of the Director