

## Residential Tenancies Board

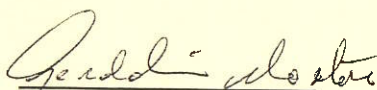
### Determination Order

Ref: DR0523-85068

In the matter of Darren Bates, Carly Colgan [Applicant Landlords] and Ahmad Najbullah Hadi Bin Hasan [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 1/02/2023, served by the Applicant Landlords on the Respondent Tenant, in respect of the tenancy of the dwelling at 1 Abbeyvale Gardens, Lucan, Co Dublin, is valid.
2. The Respondent Tenant and any other 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 the Determination Order.
3. The Respondent Tenant shall pay the total sum of €6,448.00 to the Applicant Landlords, by way of 12 consecutive instalments at the rate of €500.00 per calendar month, followed by one final payment of €448.00. Payment shall be on or before the 19th day of each month, commencing the next month after the issue of the Determination Order. This sum represents rent arrears of €6,448.00 in respect of the tenancy of the above the dwelling.
4. The Respondent Tenant shall continue to pay any further rent outstanding to the Applicant landlords from 19/10/2023, being the date of the Adjudication Hearing, at the rate of €2,112.00 per month, or proportionate part thereof at the rate of €69.43 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 Tenant and any other persons residing therein.
5. The enforcement of the Determination Order for such payment of €6,448.00 will be deferred and the total sum owing will be reduced by the cumulative sum paid, in monthly instalments by the Respondent Tenant to the Applicant Landlords, on each due date, until such time as the total sum of €6,448.00, 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 Landlord.
7. The landlords are entitled to retain the security deposit of €2,000.00 and set it off against rent arrears.

This Order was made by the Residential Tenancies Board on 03 January 2024.



Geraldine Norton

Higher Executive Officer

Duly authorised to sign on behalf of the Director