

Residential Tenancies Board

Determination Order

Ref: DR0619-54779

In the matter of Oonagh Plunkett [Applicant Landlord] and Paulina Rząd, Tomasz Szlezak [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 service date of 26th April 2019, and served by the Applicant Landlord upon the Respondent Tenants in respect of the tenancy of the dwelling at 3 Marine Villas, Harbour Road, Howth, Co. Dublin, is valid.
2. The Respondent Tenants, and any other person/s 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 €9,505.05 to the Applicant Landlord, by way of 15 consecutive monthly instalments at the rate of €600 per month, to be paid on or before the 28th day of each month, followed by one further instalment of €505.05, to be paid on or before the 28th day of the 16th month, commencing in the month immediately following the month of issue of this Order. This sum represents rent arrears in respect of the tenancy of the above dwelling.
4. The enforcement of this Order for such payment of €9,505.05 will be deferred and the total sum owing will be reduced by the cumulative sum paid in the monthly instalments by the Respondent Tenants to the Applicant Landlord, on each due date, until such time as the total sum of €9,505.05 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 Landlord.
6. The Respondent Tenants shall also pay any further rent outstanding from 25th June 2019, being the date of the Adjudication hearing, to the Applicant Landlord, at the rate of €1,200 per month or proportionate part thereof at the rate of €39.45 per day, unless lawfully varied, together with any other charges provided for under the terms of the tenancy agreement, for each month or part thereof, until such time as they vacate and give up possession of the above dwelling.

This Order was made by the Residential Tenancies Board on 22 August 2019.

A handwritten signature in black ink, appearing to read 'Claire Diggin', written over a horizontal line.

Claire Diggin

Assistant Director

Duly authorised to sign on behalf of the Director