

## **Residential Tenancies Board**

### **Determination Order**

**Ref: DR0619-55134**

In the matter of Stephen Tennant and Nicholas O Dwyer (As Receivers over the certain assets of Philip Wrenn and Natalie Wrenn, [Applicant Receivers] and Umair Benjamin, Margareta Pruteanu [Respondent Tenants] the Residential Tenancies Board, in accordance with section 121 of the Residential Tenancies Act 2004, determines that:

1. The Notices of Termination served on 1 November 2018, by the Applicant Receivers on each of the Respondent Tenants, in respect of the tenancy of the dwelling at Apartment 38, Block B, Thornhill Court, Celbridge, Co. Kildare, W23FW01, are 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 60 days of the date of issue of this Order.
3. The Respondent Tenants shall pay the total sum of €10,019.52 to the Applicant Receivers, by way of 24 consecutive monthly instalments at the rate of €400.00 per month, to be paid on or before the 28th day of each month, followed by one further instalment of €419.52, to be paid on or before the 28th day of the 25th month, commencing in the month immediately following the month of issue of this Order. This sum represents rent arrears of €10,019.52 in respect of the tenancy of the above dwelling.
4. The enforcement of this Order for such payment of €10,019.52 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 Receivers, on each due date, until such time as the total sum of €10,019.52 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 instalment shall immediately become due and owing to the Applicant Receivers.
6. The Respondent Tenants shall also pay any further rent outstanding from 9 July 2019, being the date of the Adjudication Hearing, to the Applicant Receivers, at the rate of €1,140.00 per month or proportional part thereof at the rate of €37.48 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 05 September 2019.



Emer Morrissey

Higher Executive Officer

Duly authorised to sign on behalf of the Director