

## Residential Tenancies Board

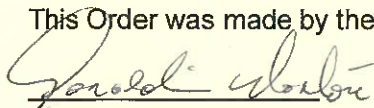
### Determination Order

**Ref: DR0621-70427**

In the matter of John Quirke [Applicant Landlord] and Rashid Kilbaga, Sakima Fundikima [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 the service date of 16 May 2021 and served by the Applicant Landlord on the Respondent Tenants in respect of the tenancy of the dwelling at 1 Bridge Street, Milltown, Co. Kerry V93V9XP, is valid.
2. The Respondent Tenants and all other persons residing in the above dwelling shall vacate and give up possession of that dwelling within 14 days of the date of issue of this Determination Order.
3. The Respondent Tenant shall pay the total sum of €11,495.27 to the Applicant Landlord by way of 24 equal consecutive monthly instalments at the rate of €478.97 per calendar month, on or before the 28th day of each month, commencing the next month after the issue of this Determination Order. This sum represents rent arrears in respect of a tenancy of the above dwelling.
4. The enforcement of this Determination Order for such payment of €11,495.27 will be deferred and a total sum owing reduced by the accumulative sum paid in the monthly instalments made by the Respondent Tenants to the Applicant Landlord on each due date until such time as the total sum of €11,495.27 has been paid in full.
5. For the avoidance of any 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 pay any further rent outstanding from 13 September 2021, being the date of the Adjudication Hearing, at the rate of €161.53 per week, or a proportion part thereof at the rate of €23.08 per day, unless varied, and any overcharges as provided under the terms of the Tenancy Agreement for each month/week or part thereof, until such time as the above dwelling is vacated by the Respondent Tenants and any other persons residing there.

This Order was made by the Residential Tenancies Board on 08 December 2021.



Geraldine Norton

Higher Executive Officer

Duly authorised to sign on behalf of the Director