

Residential Tenancies Board

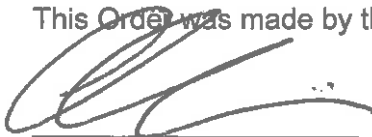
Determination Order

Ref: DR0718-45756

In the matter of Clonmel Enterprises Ltd [Applicant Landlord] and Richard Peters, Patricia McDermott [Respondent Tenants] the Residential Tenancies Board, in accordance with section 121 of the Residential Tenancies Act 2004, determines that:

1. The Notice of Termination served on the 5th June 2018 by the Applicant Landlord on the Respondent Tenants in respect of the tenancy of the dwelling at The Malt House, Canal Harbour, Monasterevin, Co. Kildare is valid.
2. The Respondent Tenants and all 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 this Order.
3. The Respondent Tenants shall pay the total sum of €7,820.58 to the Applicant Landlord, in 3 equal consecutive installments at the rate of €2,000.00 per calendar month, on the 28th day of each month, followed by one further installment of €1,820.58 in the immediately succeeding month commencing the next month after the issue of this Order. This sum represents rent arrears in respect of the tenancy of the dwelling at the above address;
4. The Respondent Tenants shall also pay any further rent outstanding from the date of the adjudication hearing on 15th August 2018, at the rate of €750.00 per month or proportional part thereof at the rate of €24.66 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 Respondent Tenants vacate the above dwelling.
5. The enforcement of this Order for such payment of €7,820.58 will be deferred and the total sum owing reduced by the cumulative 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 €7,820.58 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.

This Order was made by the Residential Tenancies Board on 28 September 2018.



Claire Diggin

Higher Executive Officer

Duly authorised to sign on behalf of the Director