

Residential Tenancies Board

Determination Order

Ref: DR0718-46342

In the matter of Jimmy Murphy (Receiver Over Certain Assets Of Ian Woods and Robert Boyers) [Applicant Landlord] and Nicola Fay, Tara Fay [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 16th February 2018, by the Applicant Landlord on the Respondent Tenants, in respect of the tenancy of the dwelling at 308 Premier Square, Glasnevin, Dublin 9, is valid.
2. The Notice of Termination served on the 14th May 2018, by the Applicant Landlord on the Respondent Tenants, in respect of the tenancy of the above dwelling is valid.
3. The Respondent Tenants, and any other person/s residing in the above dwelling, shall vacate and give up possession of the dwelling within 14 days of the date of issue of this Determination Order.
4. The Respondent Tenants shall pay the total sum of €1,383.95 to the Applicant Landlord, by way of 5 consecutive monthly payments of €250.00, on the 28th day of each month, followed by one further payment of €133.95 on the 28th day of the 6th month, payment commencing on the 28th day of the month immediately following the month of issue of this Determination Order. This sum of €1,383.95 being rent arrears, in respect of the tenancy of the above dwelling, from the 12th January 2018 to the 15th October 2018.
5. The enforcement of this Determination Order for such payment of €1,383.95 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 €1,383.95 has been paid in full.
6. For the avoidance of doubt, any default in the payment of any monthly instalment 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 Respondent Tenants shall also pay any further rent outstanding from the 15th October 2018, being the date of the Adjudication hearing, to the Applicant Landlord, at the rate of €900.00 per month or proportionate part thereof at the rate of €29.59 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 the above dwelling is vacated by the Respondent Tenants and all persons residing therein.

This Order was made by the Residential Tenancies Board on 04 December 2018.

A handwritten signature in dark ink, appearing to read 'Gary Byrne', is written over a horizontal line.

Gary Byrne

Higher Executive Officer

Duly authorised to sign on behalf of the Director