

Residential Tenancies Board

Determination Order

Ref: DR0819-56402

In the matter of Thomas Horan [Applicant Landlord] and Naser Sarhan, Djaouida Maache [Respondent Tenants] the Residential Tenancies Board, in accordance with section 121 of the Residential Tenancies Act 2004, determines that:

1. The Notice of Termination dated 29th March 2019 served by the Applicant Landlord on the Respondent Tenants in respect of the tenancy of the dwelling at Apartment 1, 203 South Circular Road, Dublin 8, is valid.
2. The Respondent Tenants and all persons residing in the above dwelling shall vacate and give up possession of the above dwelling on or before 2nd January 2020 or within 7 days of the date of issue of this Order, compliance only being required with whichever date is later.
3. The Respondent Tenants shall pay the total sum of €120.00 to the Applicant Landlord, in 12 consecutive weekly payments of €10.00, on the Friday of each week, commencing on the Friday of the week immediately following the date of issue of this Order, being a sum of €120.00 arising from the Lease, in respect of the tenancy of the above dwelling.
4. The enforcement of this Order for such payment of €120.00 will be deferred and the total sum owing reduced by the cumulative sum paid in the weekly instalments made by the Respondent Tenants to the Applicant Landlord on each due date until such time as the total sum of €120.00 has been paid in full.
5. For the avoidance of doubt, any default in the payment of any of the weekly instalments shall act to cancel any further deferral and the balance due at the date of default of any such weekly payment shall immediately become due and owing to the Applicant Landlord.
6. The Respondent Tenants shall also pay any further rent outstanding from 2nd September 2019, being the date of the Adjudication hearing, at the rate of €290.00 per week or proportional part thereof at the rate of €41.43 per day, unless lawfully varied, and any other charges as set out in the terms of the tenancy agreement for each week or part thereof, until such time as the Respondent Tenants vacate the above dwelling.
7. The Applicant Landlord shall refund the entire of the security deposit of €1,000.00 to the Respondent Tenants, upon the Respondent Tenants vacating and giving up possession of the above dwelling, less any amounts properly withheld in accordance with the provisions of the Act.

This Order was made by the Residential Tenancies Board on 24 October 2019.

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

Geraldine Norton

Higher Executive Officer

Duly authorised to sign on behalf of the Director