

Residential Tenancies Board

Determination Order

Ref: DR0820-64126

In the matter of James O'Connell [Applicant Landlord] and Angela Miah, Alexander Udeajah [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 a date-of-service of 2nd March 2020 served by the Applicant Landlord on the Respondent Tenants in respect of the tenancy of the dwelling at 17 Weaver Court, Neilstown, Dublin 22, is valid.
2. The Respondent Tenants, and any other person/s residing in the above dwelling, shall vacate and give up possession of the dwelling within 28 days of the date of issue of this Order.
3. The Respondent Tenants shall pay the total sum of €2874.97 to the Applicant Landlord, by way of 9 consecutive monthly instalments at the rate of €300 per month, to be paid on or before the 28th day of each month, followed by one further instalment of €174.97, to be paid on or before the 28th day of the 10th month, commencing in the month immediately following the month of issue of this Order. This sum represents rent arrears of €2874.97 in respect of the tenancy of the above dwelling.
4. The enforcement of this Order for such payment of €2874.97 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 €2874.97 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 payment shall immediately become due and owing to the Applicant Landlord.
6. The Respondent Tenants shall also pay any further rent outstanding from 2nd October 2020, being the date of the adjudication hearing, to the Applicant Landlord, at the rate of €847 per month or proportionate part thereof at the rate of €27.84 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 any other person/s currently residing therein.
7. The Applicant Landlord shall refund the security deposit of €700 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 03 February 2021.

A handwritten signature in black ink, appearing to read "Geraldine Norton", followed by a horizontal line and a dash.

Geraldine Norton

Higher Executive Officer

Duly authorised to sign on behalf of the Director