

## **Residential Tenancies Board**

### **Determination Order**

**Ref: DR0919-56866**

In the matter of K&P Nyhan Holdings Limited [Applicant Landlord] and Grzegorz Brezezinski and Marzanna Waszkowska [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 by the Applicant Landlord on 15th July 2019 on the Respondent Tenants in respect of the tenancy of the dwelling at 49 Parkview, Verdemont, Snugborough Road, Blanchardstown, Dublin 15 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 €3,151.94 to the Applicant, in 15 equal consecutive instalments at the rate of €200.00 per week, on Friday of each week, followed by one further instalment of €151.94 in the immediately succeeding week, commencing the next week after the issue of this Order. This sum represents rent arrears of €3,751.94 in respect of the tenancy of the above dwelling having deducted the sum of €600.00 paid by the Respondent Tenant to the Landlord's agent at the adjudication hearing.
4. The enforcement of this Order for such payment of €3,151.94 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 €3,151.94 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 3rd October 2019, being the date of the Adjudication hearing, at the rate of €1,260.00 per month or proportional part thereof at the rate of € 41.42 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
7. The Applicant Landlord shall refund the entire of the security deposit of €990.00 to the Respondent Tenants, upon the Respondent Tenants vacating and giving up vacant 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 22 November 2019.

Grace mcm

Grace McCormack Macken

Higher Executive Officer

Duly authorised to sign on behalf of the Director