

Residential Tenancies Board

Determination Order

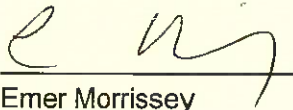
Ref: DR0920-64988

In the matter of Yoon Wah Hoo, Said Aich [Applicant Landlords] and David Shora, Luiza Maria Matla [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 Landlords with a service date of 28 September 2020 on the Respondent Tenants in respect to the tenancy of the dwelling at 37 Alverno Drive, Willow Park, Athlone, Co. Westmeath 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 14 days of the date of issue of this Order.
3. The Respondent Tenants shall pay the total sum of €5250.00 to the Applicant Landlords, by way of 5 consecutive instalments at the rate of €1000.00 per calendar month, on or before the 28th day of each month, followed by one further instalment of €250.00 in the immediately succeeding month commencing the next month after the issue of this Order. This sum represents rent arrears of €5250.00 in respect of the above tenancy.
4. The enforcement of this Order for such payment of €5250.00 will be deferred and the total sum owing will be reduced by the cumulative sum paid, in monthly instalments, by the Respondent Tenants to the Applicant Landlords, on each due date, until such time as the total sum of €5250.00 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 Landlords.
6. The Respondent Tenants shall also pay any further rent outstanding from 19 January 2021 to the Applicant Landlords at the rate of €1100.00 per month or proportionate part thereof at the rate of €36.16 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 they vacate the above dwelling.

7. The Applicant Landlords shall refund the entire of the security deposit of €1100.00 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 14 April 2021.

A handwritten signature in black ink, appearing to read 'Emer Morrissey', written over a horizontal line.

Emer Morrissey

Assistant Director

Duly authorised to sign on behalf of the Director