

Residential Tenancies Board

Determination Order

Ref: DR1020-65847

In the matter of The Iveagh Trust [Applicant Landlord] and Ciara Flynn, Patrick Higgins [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 29th May 2019, served by the Applicant Landlord on the Respondent Tenant, in respect of the tenancy of the dwelling at 15D Iveagh Trust Flats, Patrick Street, Dublin 8, is valid.
2. The Respondent Tenants and any other persons residing in the above dwelling shall vacate and give up possession of that dwelling. Pursuant to the Residential Tenancies Act 2020 the Respondent Tenants and all other persons residing in the above dwelling shall not be required to vacate the dwelling during the emergency period as defined in section 2 of the Residential Tenancies Act 2020 ("the Emergency Period") or as extended by order under section 31A of the Health Act 1947. The Respondent Tenants and all other persons residing in the above dwelling shall vacate and give up possession of that dwelling within 28 days of the expiration of the Emergency Period, or within 28 days of the date of issue of this Determination Order, whichever is the later.
3. The Respondent Tenants shall pay the sum of €3,932.86 to the Applicant Landlord, within 70 days of the date of issue of this Determination Order, being rent arrears in respect of the tenancy of the above dwelling up to the 1st of February 2021.
4. The Respondent Tenants shall also pay any further rent outstanding from 12th February 2021, being the date of the Adjudication Hearing, at the rate of €52.05 per week or proportionate part thereof at the rate of €7.44 per day, unless lawfully varied, and any other charges as provided for under the terms of the tenancy agreement for each month/week or part thereof, until such time as the above dwelling is vacated by the Respondent Tenants and any other persons residing therein.
5. The Applicant Landlord shall refund any security deposit that may have been paid to the Respondent Tenants, on gaining 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 06 May 2021.



Ciara Cronin

Higher Executive Officer

Duly authorised to sign on behalf of the Director