

Residential Tenancies Board

Determination Order

Ref: DR1119-58969

In the matter of Alan Reilly and Jennifer Reilly [Applicant Landlords] and Lisa Bickmore and Paul O'Leary [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 22 November 2019 served by the Applicant Landlords on the Respondent Tenants in respect of the tenancy of the dwelling at 13 Village Park, Kilbreck, Stamullen, Co. Meath, K32 AP60, is valid.
2. The Respondent Tenants, and any other person/s 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 €5,041.10 to the Applicant Landlords, by way of 5 consecutive monthly instalments at the rate of €1,000.00 per month, on or before the 28th day of each month, followed by one further instalment of €41.10, on or before the 28th day of the 6th month, commencing in the month immediately following the month of issue of this Order. This sum represents rent arrears of €4,541.10 plus damages of €500.00 for the consequences of failing to pay the agreed rent on the due dates, in respect of the tenancy of the above dwelling.
4. The enforcement of this Order for such payment of €5,041.10 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 €5,041.10 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 15 January 2020, being the date of the Adjudication Hearing, to the Applicant Landlords, at the rate of €1,300.00 per month or proportionate part thereof at the rate of €42.74 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 them and any other persons residing therein.
7. The Applicant Landlords shall refund the security deposit of €1,300.00 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 13 February 2020.

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

Geraldine Norton

Higher Executive Officer

Duly authorised to sign on behalf of the Director