

Residential Tenancies Board

Determination Order

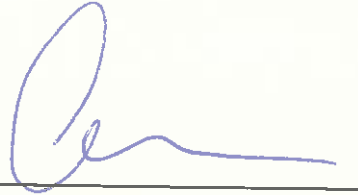
Ref: TR0818-003170/DR0718-45629

In the matter of Roy Doyle [Appellant Landlord(s)] and Magdalena Zurawska, Lukasz Zurawski [Respondent Tenant(s)] the Residential Tenancies Board, in accordance with section 121 of the Residential Tenancies Act 2004, determines that:

1. The Notice of Termination served on 18 May 2018 by or on behalf of the Landlord on the tenant in respect of the tenancy of the dwelling at 65 Ard Cluain, Main Street, Clonee, Co. Meath, Ireland 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 21 days of the date of issue of this Order;
3. The Respondent Tenants shall pay the total sum of €9,000 to the Appellant Landlord, in 12 consecutive monthly payments of €750 each, on the 28th day of each month, commencing on the 28th day of the month immediately following the date of issue of this Order, being rent arrears of €8,280.90 and damages of €719.10, in respect of the tenancy of the dwelling at 65 Ard Cluain, Main Street, Clonee, Co. Meath, Ireland.
4. The enforcement of the Order for such payment of €9,000 will be deferred and the total sum owing will be reduced by the cumulative sums paid in the monthly instalments by the Respondent Tenants to the Appellant Landlord, on each due date, until such time as the entire €9,000 has been paid in full.
5. For the avoidance of doubt, any default in the payment of the monthly instalments shall act to cancel any further deferral and the balance due at the date of default shall immediately become due and owing to the Appellant Landlord.
6. For the avoidance of doubt, the Respondent Tenants shall continue to pay rent from the 8th November 2018 (the date of the hearing), at the rate of €1,250 per month, or proportionate part thereof at the daily rate of € 41.10, 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 Appellant Landlord shall refund the entire of the security deposit of €1,250.00 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 16 January 2019.

A handwritten signature in blue ink, appearing to be 'Carolyn O'Brien', written over a horizontal line.

Carolyn O'Brien
Higher Executive Officer
Duly authorised to sign on behalf of the Director