

Residential Tenancies Board

Determination Order

Ref: TR1018-003303/DR0618-45503

In the matter of Beata Staskiewicz [Appellant Tenant] and Lesley Maher, Oliver Maher [Respondent Landlord(s)] 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 Respondent Landlords on 13 December 2017 on the Appellant Tenant in respect of the tenancy of the dwelling at 87 Red Arches Road, Baldoyle, Dublin 13, is valid.
2. The Appellant Tenant 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 Appellant Tenant shall pay the total sum of €12,907.96 to the Respondent Landlords, in 60 equal consecutive installments at the rate of €215.00 per calendar month, on the 28th day of each month, followed by one further installment of €7.96 in the immediately succeeding month commencing the next month after the issue of this Order. This sum represents rent arrears for the period from 01 March 2018 to 28 November 2018.
4. The enforcement of this Order for such payment of €12,907.96 will be deferred and the total sum owing reduced by the cumulative sum paid in the monthly instalments made by the Appellant Tenant to the Respondent Landlords on each due date until such time as the total sum of €12,907.96 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 Appellant Tenant shall also pay any further rent outstanding from 28th November 2018 to the Respondent Landlords at the rate of €1,447.00 per month or proportionate part thereof at the rate of €47.57 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 she vacates the above dwelling.
7. The Respondent Landlords shall refund the entire of the security deposit of €1,300 to the Appellant Tenant, upon the Appellant Tenant 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 24 January 2019.

A handwritten signature in blue ink, consisting of a large, stylized 'C' followed by a horizontal line.

Carolyn O'Brien

Higher Executive Officer

Duly authorised to sign on behalf of the Director