

## **Residential Tenancies Board**

### **Determination Order**

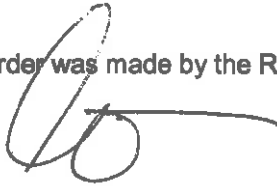
**Ref: TR0518-002956/DR 0218-41039**

In the matter of Michael Dardis [Applicant Landlord] and Tezaur Bitá and Alina Nistor [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 on the 29th December 2017 by the Applicant Landlord on the Respondent Tenants in respect of the tenancy of the dwelling at 4 Veldon Place, Kentstown, Co. Meath is valid.
2. The Respondent 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 Respondent Tenant shall pay the total sum of €6,569.00 to the Applicant Landlord, in 10 equal consecutive installments at the rate of €656.90 per calendar month, on the 28th day of each month, commencing the next month after the issue of this Order. This sum represents rent arrears of €5,569 together with damages of €1,000 for causing damage in excess of normal wear and tear to the dwelling and for breach of the Respondent Tenant's obligations pursuant to Section 16(f) of the Residential Tenancies Act, 2004, in respect of the tenancy of the dwelling at 4 Veldon Place, Kentstown, Co. Meath.
4. The Respondent Tenants shall also pay any further rent outstanding from 26th March 2018 being the date of the Adjudication hearing, at the rate of €1,400 per month or proportional part thereof at the rate of €46.03 per day and any other charges as set out in the terms of the tenancy agreement for each month or part thereof, until such time as the Respondent Tenants vacate the above dwelling.
5. The enforcement of this Order for such payment of €6,569 will be deferred and the total sum owing reduced by the cumulative sum paid in the monthly instalments made by the Respondent Tenant to the Applicant Landlord on each due date until such time as the total sum of €6,569 has been paid in full.
6. 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 Landlord.

7. The Applicant Landlord shall refund the entire of the security deposit of €1,300 to the Respondent Tenant, upon the Respondent Tenant 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 the 11 September 2018.

A handwritten signature in black 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