

Residential Tenancies Board

Determination Order

Ref: TR1217-002729/DR0617-34990

In the matter of Mel Kilrane [Appellant Landlord] and Dorian Oprea, Ruja Oprea [Respondent Tenant] the Residential Tenancies Board, in accordance with section 121 of the Residential Tenancies Act 2004, determines that:

1. The Notices of Termination served by the Appellant Landlord with a service date of the 28 April 2017 and sent by post to each of the Respondent Tenants, on the 27 April 2017 requiring the Respondent Tenants to vacate the dwelling on the 1 June 2017 in respect of the tenancy at Apartment 1, Park Springs, 7/9 Nephin Road, Cabra, Dublin 7 are valid.
2. The Respondent Tenants and all persons residing in the above dwelling shall vacate and give up possession of the dwelling within 21 days of the date of the issue of this Order.
3. The Respondent Tenants shall pay the total sum of €9,526.45 to the Appellant Landlord in 19 consecutive monthly payments of €500 on the 28th day of each month followed by one further instalment of €26.45 in the immediately succeeding month commencing on the 28th day of the month immediately following the date of the issue of the Determination Order by the Board. This sum represents rent arrears of €9,526.45 , in respect of the tenancy of the dwelling at Apartment 1, Park Springs, 7/9 Nephin Road, Cabra, Dublin 7. The enforcement of the Order for such payment of €9,526.45 will be deferred and the total sum owing will be reduced by the cumulative sum paid in the monthly instalment(s) made by the Respondent Tenants on each due date until the total sum of €9,526.45 has been paid in full.
4. For the avoidance of doubt any default in the payment of the monthly instalment 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 Appellant Landlord.
5. The Respondent Tenants shall continue to pay rent from the 29 May 2018 (date of Hearing) at the monthly rate of €950, or proportionate part thereof at the daily rate of €31.23 unless lawfully varied, and any other charges set out in the terms of the tenancy agreement, for each month or part thereof, until such time as they vacate the above dwelling.
6. The Appellant Landlord shall refund the entire of the security deposit of €875 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 28 June 2018.



Paul White
Board Member
Duly authorised to sign on behalf of the Board



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