

Residential Tenancies Board

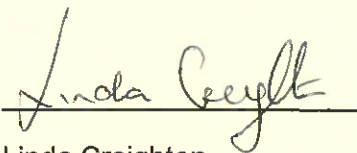
Determination Order

Ref: TR0122-005254/DR0721-71128

In the matter of Mark Boda and Esther Hellenbarth [Appellant Tenants] and Crescere Limited [Respondent Landlord], 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 11 June 2021 by the Respondent Landlord on the Appellant Tenants in respect of the tenancy of the dwelling at 64 Bruach na Sionna, Castleconnell, Co. Limerick is valid.
2. The Appellant Tenants and all persons residing within the above Dwelling shall vacate and give up vacant possession of the Dwelling within 28 days of the date of issue of this Determination Order.
3. The Appellant Tenants shall continue to pay rent as it falls due and any other charges as set out in the terms of the tenancy agreement for each month or part thereof, at the rate of €1,000 per month or €32,88 per day unless lawfully varied, until such time as they vacate and hand back vacant possession of the Dwelling to the Respondent Landlord.
4. The Appellant Tenants shall pay the Respondent Landlord €4,100, in 8 equal consecutive instalments at the rate of €500 per calendar month, on the 28th day of each month commencing the next month after the issue of this Determination Order, and one final payment of €100 on the 28th day of the next month. This sum represents rent arrears of €9,100 less damages in the amount of €5,000, in respect of the tenancy of the above Dwelling.
5. The enforcement of this Determination Order for such payment of €4,100 will be deferred and the total sum owing reduced by the cumulative sum paid in the monthly instalments made by the Appellant Tenants to the Respondent Landlord on each due date until such time as the total sum of €4,100 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 Respondent Landlord.

This Order was made by the Residential Tenancies Board on 18th May 2022.



Linda Creighton

Higher Executive Officer

Duly authorised to sign on behalf of the Director

