

Residential Tenancies Board

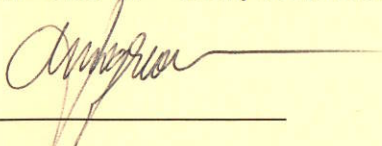
Determination Order

Ref: TR0123-005921/DR1022-80500

In the matter of Ifeanyi Agwu and Ioana Pastravanu [Applicant Tenants] and Lex 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 with a date of service of 14 July 2022, served by the Respondent Landlord on the Applicant Tenants, in respect of the tenancy of the dwelling at 19 Grosvenor Lodge, Leinster Road, Rathmines, Dublin D06 NF55 ("the Dwelling") is valid.
2. The Applicant Tenants and any other persons residing in the Dwelling shall vacate and give up possession of the above dwelling within 28 days of the date of issue of this Determination Order.
3. The Notice of Rent Review dated the 07 July 2021 and served by the Respondent Landlord on the Applicant Tenants, in respect of the tenancy of the Dwelling, is valid. The new rent is €1,636.00 per month, effective from 12 March 2022.
4. The Applicant Tenants shall pay the total sum of €2,207.05 to the Respondent Landlord, by way of 4 consecutive instalments at the rate of €500.00 per calendar month, on or before the 28th day of each month, followed by one further instalment of €207.05 in the immediately succeeding month, commencing the next month after the date of issue of this Determination Order. This sum represents rent arrears of €2,207.05 for the period from 12 March 2022 to 20 April 2023, in respect of the tenancy of the above Dwelling.
5. The Applicant Tenants shall continue to pay any further rent outstanding to the Respondent Landlord from 20 April 2023, being the date of the Tribunal Hearing, at the rate of €1,636.00 per month, or proportionate part thereof at the rate of €53.79 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 the above dwelling is vacated by the Applicant Tenants and any other persons residing therein.
6. The enforcement of this Determination Order for such payment of €2,207.05 will be deferred and the total sum owing will be reduced by the cumulative sum paid, in monthly instalments, by the Applicant Tenants to the Respondent Landlord, on each due date, until such time as the total sum of €2,207.05 has been paid in full.
7. 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.
8. The Respondent Landlord shall refund the security deposit of €1,100.00 to the Applicant Tenants, upon the Applicant 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 7 June 2023.



Emilia Zagrean

Higher Executive Officer

Duly authorised to sign on behalf of the Director