

Residential Tenancies Board

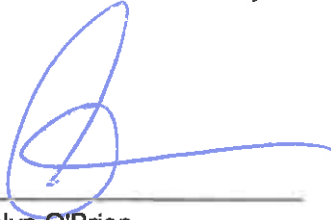
Determination Order

Ref: TR0219-003529/DR1018-49533

In the matter of Philippe Aritz, Daniele Aritz [Appellant Tenants] and Mary Kennedy [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 by the Respondent Landlord on the Appellant Tenants on the 15 August 2018 with respect of the tenancy of the dwelling at 12 Moyglare Abbey, Maynooth, County Kildare is valid.
2. The Appellant Tenants and all persons residing at the aforesaid dwelling shall give up vacant possession to the Respondent Landlord within 14 days of the date of issue of this order.
3. The Appellant Tenants shall pay the total sum of €20,000.00 to the Respondent Landlord, in 10 equal consecutive instalments at the rate of €2,000.00 per calendar month, on the 28th day of each month. This sum represents rent arrears, the maximum rent arrears the Tribunal can award, pursuant to the Act, in the circumstances of the appeal, in respect of the tenancy of the above dwelling.
4. The enforcement of this Order for such payment of €20,000.00 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 €20,000.00 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 Respondent Landlord.
6. The Respondent Landlord shall refund the Appellant Tenants security deposit of €2,000.00 upon them vacating and giving up vacant possession of the above dwelling, less any amounts properly withheld in accordance with the provisions of the act.
7. The Appellant Tenants shall continue to pay any further rent outstanding from the date of the hearing, at the rate of €65.75 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 they vacate the above dwelling. The daily rate referred to above is calculated as follows:
$$€2,000.00 \text{ per month} \times 12 \text{ months} / 365 \text{ days} = €65.75 \text{ per day.}$$

This Order was made by the Residential Tenancies Board on 02 May 2019.

A handwritten signature in blue ink, consisting of a large loop followed by a horizontal stroke and a small upward tick at the end.

Carolyn O'Brien

Higher Executive Officer

Duly authorised to sign on behalf of the Director