

Residential Tenancies Board

Determination Order

Ref: TR0219-003560/DR0119-51267

In the matter of Consdorf Investment ICAV, [Applicant Landlord] and Daniel Afrasinei, Andrea Friciu [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 by the Applicant Landlord on the Respondent Tenants on the 30th January 2019, in respect of the tenancy of the dwelling at Apartment 6, The Shopping Centre, Main Street, Kinnegad, Co. Westmeath is valid.
2. The Respondent Tenants and all persons residing in the dwelling shall vacate and give up possession of the dwelling within 90 days of the date of issue of this Order.
3. The Respondent Tenants shall pay the total sum of €2,769.80 to the Applicant Landlord, in twelve equal consecutive instalments at the rate of €225 per calendar month, on the 28th day of each month, followed by one further instalment of €69.80 in the immediately succeeding month, commencing the next month after the issue of the Order . This sum represents rent arrears.
4. The enforcement of this Order for the payments due by the Respondent Tenants will be deferred and the total sum owing reduced by the cumulative sums paid in the monthly instalments made by the Respondent Tenants to the Applicant Landlord on each due date until such time as the total sum of €2,769.80 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 Applicant Landlord
6. The Respondent Tenants shall continue to pay the rent from the 11th April 2019, being the date of the Tribunal hearing, at the rate of €1,000 per month or proportional part thereof at the rate of €32.88 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 Respondent Tenants vacate and give up possession of the above dwelling.

7. The Landlord shall refund the entire of the security deposit of €1,000 to the Respondent Tenants, upon the Respondent Tenants vacating and giving up vacant 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 10 May 2019.



Carolyn O'Brien

Higher Executive Officer

Duly authorised to sign on behalf of the Director