

Residential Tenancies Board

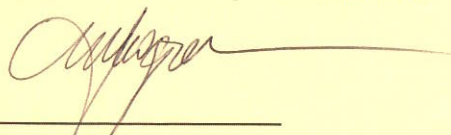
Determination Order

Ref: TR0224-007241/DR0124-92327

In the matter of Ava Ellen Rose Moloney and Jeffrey Patrick Ryan [Applicant Tenants] and Gregory Rynne [Respondent Landlord] the Residential Tenancies Board, in accordance with section 121 of the Residential Tenancies Act 2004, determines that:

1. The Applicant Tenants shall pay the total sum of €6870.65 to the Respondent Landlord, by way of three consecutive instalments at the rate of €2,290.21 per calendar month, on or before the 28th day of each month, commencing the next month after the issue of this Determination Order. This sum represents rent arrears of €7,870.65 for the period from 07 November 2023 to 24 May 2024, having deducted €1,000.00 damages for breach of landlord's obligation pursuant to S.12 (1) (b) (i) of the Act in respect of the tenancy of the dwelling at Skivillen House, Caherfenick, Cree, Kilrush, Co. Clare V15 WF96 ("the Dwelling").
2. The enforcement of this Determination Order for such payment of €6870.65 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 €6,870.65 has been paid in full.
3. For the avoidance of doubt, any default in the payment of any of the monthly instalments or any further rent due 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.
4. The Notices of Termination with dates of service of 03 April 2024 served by the Respondent Landlord on the Applicant Tenants on the grounds of a breach of s.16 (a) of the Act and a breach of s.16 (c) of the Act respectively, in respect of the tenancy of the Dwelling are valid.
5. The Applicant Tenants and any other persons residing in the above dwelling shall vacate and give up possession of the above dwelling within 21 days of the date of issue of this Determination Order.
6. The Applicant Tenants shall continue to pay any further rent outstanding to the Respondent Landlord from 24 May 2024, being the date of the Tribunal Hearing, at the rate of €1,200.00 per month, or proportionate part thereof at the rate of €39.45 per day, unless lawfully varied, and any other charges as set out in the terms of the tenancy agreement, for each month/week or part thereof, until such time as the above dwelling is vacated by the Applicant Tenants and any other persons residing therein.
7. The Notices of Termination served on 07 February 2024 and 03 April 2024 (the latter on the grounds of a breach of the tenancy agreement) in respect of the Dwelling are invalid.

This Order was made by the Residential Tenancies Board on 10 July 2024.



Emilia Zagrean
Higher Executive Officer
Duly authorised to sign on behalf of the Director