

Residential Tenancies Board

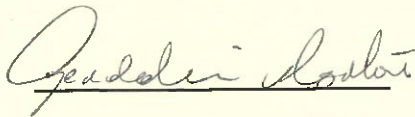
Determination Order

Ref: TR0321-004781/DR1020-65959

In the matter of Nineteen Anemone S.A.R.L [Appellant Landlord] and Niculina Velic and Hani Showky [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 Appellant Landlord on the 1st September 2020 on the Respondent Tenants in respect of the tenancy of the dwelling at Apartment 155, Abbot Court, Cualanor, Dun Laoghaire, Co. Dublin is valid.
2. The Respondent Tenants and all persons residing in the above dwelling shall vacate and give up vacant possession of the above dwelling within a period of 28 days of the date of issue of this Determination Order.
3. The Respondent Tenants shall pay the total sum of €37,505.70 to the Appellant Landlord by way of fifteen consecutive instalments at the rate of €2,500.38 per calendar month, on or before the 1st day of each month, commencing on the next month after the date of issue of this Determination Order. The sum represents rent arrears of €37,505.70 in respect of the tenancy at Apartment 155, Abbot Court, Cualanor, Dun Laoghaire, Co. Dublin.
4. The enforcement of this Determination Order for such payment of €37,505.70 will be deferred and the total sum owing will be reduced by the cumulative sum paid, in monthly instalments, by the Respondent Tenants to the Appellant Landlord, on each due date, until such time as the total sum of €37,505.70 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 Appellant Landlord.
6. The Respondent Tenants shall pay all rent and charges falling due at the rate of €2,526.00 per month or proportional part thereof at the rate of €83.05 per day and any other charges as agreed in the terms of the tenancy agreement for each month or part thereof, until such time as the Respondent Tenants vacate the above dwelling.
7. The Appellant Landlord shall refund the entire of the security deposit to the Respondent Tenants, upon gaining vacant possession of the dwelling, less any amounts properly withheld in accordance with the provisions of the Act.

This Order was made by the Residential Tenancies Board on 11 August 2021.

A handwritten signature in dark ink, appearing to read 'Geraldine Norton', is written over a horizontal line.

Geraldine Norton

Higher Executive Officer

Duly authorised to sign on behalf of the Director