

## Residential Tenancies Board

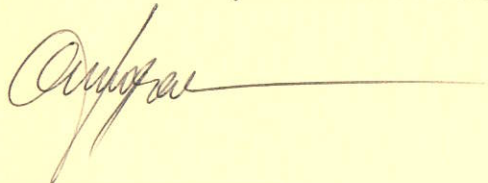
### Determination Order

**Ref: TR0323-006069/DR1022-80503**

In the matter of Michael Crudge and Amber Harisson-Crudge [Appellant Landlords] and Anna Batruch and Michael Batruch [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 Landlords on 28 May 2022 on the Respondent Tenants in respect of the tenancy of the dwelling at 1 Lakeview, Rostellan, Midleton, Co. Cork, P25HD21 is valid.
2. The Respondent Tenants and all persons residing in the above 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 Respondent Tenants shall pay the total sum of €4,074.01 to the Appellant Landlord, in 6 equal consecutive instalments at the rate of €679.00 per calendar month, on the 28th day of each month, commencing the next month after the date of issue of this Determination Order. This sum represents rent arrears in respect of the tenancy of the dwelling at 1 Lakeview, Rostellan, Midleton, Co. Cork for the period from 01 October 2019 to 25th July 2023.
4. The enforcement of this Determination Order for such payment of €4,074.01 will be deferred and the total sum owing reduced by the cumulative sum paid in the monthly instalments made by the Respondent Tenants to the Appellant Landlords on each due date until such time as the total sum of €4,074.01 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 Landlords.
6. The Respondent Tenants shall also pay any further rent outstanding from 26 July 2023, being the date of the Tribunal hearing, at the rate of €1,400.00 per month or proportional part thereof at the rate of €46.02 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 Appellant Landlords shall refund the entire of the security deposit of €1,400.00 to the Respondent Tenants, upon the Respondent 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 8 November 2023.



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