

## **Residential Tenancies Board**

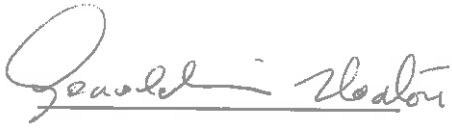
### **Determination Order**

**Ref: DR0120-60255**

In the matter of Majella Casey & Peter Casey [Applicant Landlords] and Kimberely Devlin [Respondent Tenant], 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 agent of Applicant Landlord on 11th day of December 2019 on the Respondent Tenant in respect of the tenancy of the dwelling at Grange, Athenry, Co. Galway is valid.
2. The Respondent Tenant and all other persons residing in the dwelling shall vacate and give up possession of the above dwelling within 28 days of the date of issue of this Order.
3. The Respondent Tenant shall pay the total sum of €4,115.60 to the Applicant Landlords, in 9 equal instalments at the rate of €400 per calendar month, on the 2nd of each month, followed by one further instalment of €515.60 in the immediately succeeding month commencing the next month after the issue of this Order. This sum represents rent arrears of €3,915.60 together with the sum of €200 awarded in respect of damages as a result of the Tenant's failure to comply with her legal obligations to discharge rent in accordance with Section 16 of the Act and in failing to vacate the rented property after the service of a valid Notice of Termination.
4. The enforcement of this Order for such payment of €4,115.60 will be deferred and the total sum owing reduced by the cumulative sum paid in the monthly instalments of €400 or €515.60 with respect to the tenth and final instalment made by the Respondent Tenant to the Applicant Landlord on each due date until such time as the total sum of €4,115.60 has been paid in full.
5. The Respondent Tenant shall also pay any further rent outstanding from the 9th day of February 2020 (being the day after the hearing date), at the rate of €1,200 per month or proportional part thereof at the rate of €39.45 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 the Respondent Tenant vacates the above dwelling.
6. The Applicant Landlords shall refund the security deposit received of €1,200 to the Respondent Tenant, upon the Respondent Tenant 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 17 February 2021.

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

Geraldine Norton

Higher Executive Officer

Duly authorised to sign on behalf of the Director