

Residential Tenancies Board

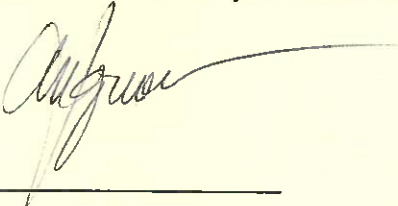
Determination Order

Ref: TR0622-005535/DR0322-76135

In the matter of Luxmidevi Untoo and Jayraj Untoo [Appellant Tenants] and Irish Residential Properties REIT Plc [Respondent Landlord], the Residential Tenancies Board, in accordance with section 121 of the Residential Tenancies Act 2004, determines that:

1. The Notice of Termination dated 16 July 2021 and served on the Appellant Tenants in respect of the tenancy of the dwelling at 804 The Maple, Beacon South Quarter, Sandymount, Dublin 18 is valid.
2. The Appellant Tenants, and all other persons residing in the above dwelling, shall vacate and give up possession of that dwelling within 28 days of the date of issue of this Determination Order.
3. The Appellant Tenants are in breach of their obligations pursuant to section 16(a) of the Act to pay rent and shall pay the total sum of €36,941.35 to the Respondent Landlord, in twelve equal consecutive monthly instalments at the rate of €3,078.45 per month, on the 1st 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 above dwelling from 01 June 2019 to 09 November 2022.
4. The enforcement of this Determination Order for such payment of €36,941.35 will be deferred and the total sum owing reduced by the cumulative sum paid in the monthly instalments made by the Appellant Tenants to the Respondent Landlord on each due date until such time as the total sum of €36,941.35 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 Respondent Landlord.
6. The Appellant Tenants shall continue to pay rent as it falls due, from 9 November 2022 in the sum of €2,184.00 per month, or proportionate part thereof, unless lawfully varied, for as long as they continue to reside in the above dwelling.
7. The Respondent Landlord shall refund the entire of the security deposit of €2,100 to the Appellant Tenants, upon the Appellant 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 18 January 2023.



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