

Residential Tenancies Board

Determination Order

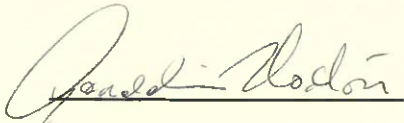
Ref: TR0821-005060/DR0421-69341

In the matter of AG Morag Homes Limited [Appellant Landlord] and Alan McGovern and Ciara Kennedy [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 Respondent Tenants on the 6 April 2021 requiring the Respondent Tenants to vacate the dwelling in respect of the tenancy at 7, Dunsoghly Way, Ratoath Road, Finglas, Dublin 11 is valid.
2. The Respondent Tenants and all persons residing in the above dwelling shall vacate and give up vacant possession of the dwelling within 28 days of the date of the issue of this Determination Order.
3. The Respondent Tenants shall pay the total sum of €4,058.07 to the Appellant Landlord in 20 consecutive monthly payments of €200 on the 28th day of each month, followed by one further instalment of €58.07 on the 28th day the immediately succeeding month, commencing on the 28th day of the month immediately following the date of the issue of this Determination Order. This sum represents rent arrears of €4,058.07 in respect of the tenancy of the dwelling at 7, Dunsoghly Way, Ratoath Road, Finglas, Dublin 11.
4. The enforcement of this Order for such payment of €4,058.07 will be deferred and the total sum owing will be reduced by the cumulative sum paid in the monthly instalment(s) made by the Respondent Tenants on each due date until the total sum of €4,058.07 has been paid in full.
5. For the avoidance of doubt any default in the payment 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 also pay from the 29 November 2021, being the date of the Tribunal hearing, any further rent outstanding at the rate of €2,200 per month or proportional part thereof at the rate of €72.33 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 the above dwelling.
7. The Appellant Landlord shall refund the entire of the security deposit of €2,200 to the Respondent Tenants, upon the Respondent 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 02 February 2022.

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