Residential Tenancies Board
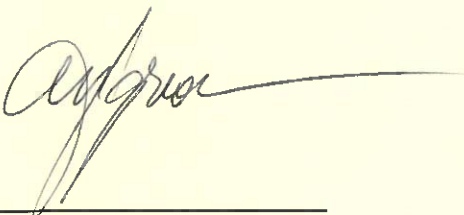
Determination Order

Ref TR0822-005660 /Ref No: 0422-76663

In the matter of Ciaran O'Toole [Applicant Landlord] and Edward Sherlock and Bernadette Nolan [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 on the Respondent Tenants on 21 February 2022 in respect of the dwelling at 67 Kylemore Drive, Ballyfermot, Dublin 10, D10 EE71 is valid.

2. The Respondent Tenants, and all other persons residing in the above dwelling, shall vacate and give up possession of that dwelling within 30 days of the date of issue of this Determination Order.

3. The Respondent Tenants shall pay the total sum of €10,541.93 to the Applicant Landlord, in eighteen equal consecutive monthly instalments at the rate of €585.66 per month, on the 1st day of each month, commencing the next month after the issue of this Determination Order. This sum represents rent arrears in respect of the above dwelling.

4. The enforcement of this Determination Order for such payment of €10,541.93 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 Applicant Landlord on each due date until such time as the total sum of €10,541.93 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 Applicant Landlord.

6. The Respondent Tenants shall continue to pay rent as it falls due, from 6 July 2022 in the sum of €1,775.99 per month, or proportionate part thereof, for as long as they continue to reside in the above dwelling.

This Order was made by the Residential Tenancies Board on 15 February 2023.

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