

Residential Tenancies Board

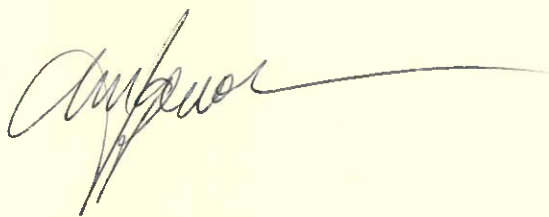
Determination Order

Ref: TR1022-005755/DR0422-76900

In the matter of Patrick Cooney and Maria Therese Martin [Appellant Landlords] and Anthony Quinlan and Siobhain Quinlan [Respondent Tenants], the Residential Tenancies Board, in accordance with section 121 of the Residential Tenancies Act 2004, determines that:

1. The Notice of Termination dated 12th of April 2022 and served on the 13th of April 2022 by the Appellant Landlords on the Respondent Tenants in respect of the tenancy of the dwelling at Cooney's Bridge Garage, Rochfortbridge, Co. Westmeath N91XD3H 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 56 days of the date of issue of this Determination Order.
3. The Respondent Tenants shall pay the sum of €1,000.00 to the Appellant Landlords by way of 4 consecutive instalments at the rate of €250.00 per calendar month, on or before the 28th day of each month, commencing the next month after the date of issue of this Determination Order. The sum of €1,000.00 represents €1,200.00 rent arrears due and owing in respect of the tenancy in the said dwelling up to and including the rent payment due on the 1st day of December 2022 less €200.00 damages in respect of the Appellant Landlords' obligations under the Act and in particular Section 12(1)(b) thereof in respect of the tenancy in the above dwelling.
4. The enforcement of this Determination Order for such payment of €1,000.00 will be deferred and the total sum owing will be reduced by the cumulative sum paid, in monthly instalments, by the Respondent Tenants to the Appellant Landlords, on each due date, until such time as the total sum of €1,000.00 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 continue to pay rent at the rate of €800.00 per month or proportionate part thereof at the rate of €26.30 per day from and including the 1st day of January 2023, unless lawfully varied, and any other charges as set out in the terms of the tenancy agreement for each month or part thereof from the 16th day of December 2022, being the date of the Tribunal Hearing, until such time as they vacate and give up possession of the above dwelling.
7. The Appellant Landlords shall refund the security deposit of €650.00 to the Respondent Tenants, on gaining 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 15 February 2023.



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