

Residential Tenancies Board

Determination Order

Ref: TR1117-002675/DR0717-35779

In the matter of Amjad Farooq, Wajida Azran [Appellant Tenants] and Farid Khan, Noor Jehan Bubrakzai Khan [Respondent Landlords] 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 Respondent Landlords on the Appellant Tenants on the 16 February 2017 requiring the Appellant Tenants to vacate the dwelling in respect of the tenancy at 4 Warren Avenue, Warren Park, Castleknock, Dublin 15 is valid.
2. The Appellant Tenants and all persons residing in the above dwelling shall vacate and give up possession of the dwelling within 28 days of the date of the issue of this Order by the Board.
3. The Appellant Tenants shall pay the total sum of €12,370.89 to the Respondent Landlords in 24 consecutive monthly payments of €500 on the 28th day of each month followed by one further instalment of €370.89 on the 28th day of the immediately succeeding month commencing on the 28th day of the month immediately following the date of the issue of this Order. This sum represents rent arrears of €12,370.89, in respect of the tenancy of the above dwelling.
4. The enforcement of the Order for such payment of €12,370.89 will be deferred and the total sum owing will be reduced by the cumulative sum paid in the monthly instalments made by the Appellant Tenant on each due date until the total sum of €12,370.89 has been paid in full.
5. For the avoidance of doubt any default in the payment of the monthly instalment 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 Landlords.
5. The Appellant Tenants shall also pay any further rent outstanding from 9 January 2018, being the date of the Tribunal hearing, at the rate of €1,000 per month or proportional part thereof at the rate of €32.88 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 Appellant Tenants vacate the above dwelling.
6. The Respondent Landlords shall refund the entire of the security deposit of €1,000 to the Appellant Tenants, upon the Appellant Tenants vacating and giving up possession of the above dwelling, less any amounts properly withheld in accordance with the provisions of the Act.

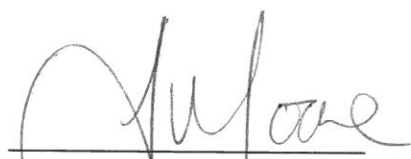
This Order was made by the Residential Tenancies Board on 23 January 2017

A handwritten signature in black ink, appearing to be 'Tim Ryan', written over a horizontal line.

Tim Ryan

Board Member

Duly authorised to sign on behalf of the Board

A handwritten signature in black ink, appearing to be 'Joanne Moore', written over a horizontal line.

Joanne Moore

Higher Executive Officer

Duly authorised to sign on behalf of the Board