

Residential Tenancies Board

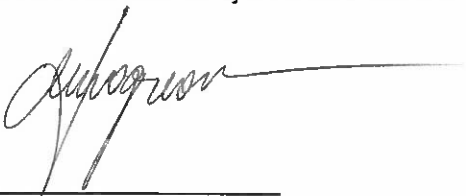
Determination Order

Ref: TR1122-005799/DR0822-79123

In the matter of Carolina Hennessy [Appellant Tenant] and Thomas Duffy and Dolly Duffy [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 on 2 September 2021 on the Appellant Tenant in respect of the tenancy in the dwelling at 279 Collins Avenue, Dublin 9, is valid.
2. The Appellant Tenant, and all persons, residing in the dwelling at 279 Collins Avenue, Dublin 9, shall vacate and give up possession of the dwelling within a period of 42 days of the date of issue of this Determination Order.
3. The Notice of Termination served on 15 August 2022 on the Appellant Tenant in respect of the tenancy in the dwelling at 279 Collins Avenue, Dublin 9, is invalid.
4. The Appellant Tenant shall pay the total sum of €24,711.91, being the total of the rent arrears of €25,211.91 in respect of the tenancy of the dwelling at 279 Collins Avenue, Dublin 9, less damages of €500 for breach of Landlord obligations under Section 12(1) of the Residential Tenancies Act, 2004, to the Respondent Landlords, in 29 equal consecutive instalments at a rate of €850 per month on the 28th day of each month, followed by one further instalment of €61.91 in the immediately succeeding month, which instalments are to commence the next month after the date of issue of this Determination Order.
5. The enforcement of this Determination Order for such payment of €24,711.91 will be deferred and the total sum owing reduced by the cumulative sum paid in the monthly instalments made by the Appellant Tenant to the Respondent Landlords on each due date until such time as the total sum of €24,711.91 has been paid in full.
6. 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 Landlords.
7. The Appellant Tenant shall continue to pay rent at the rate of €1,700 per month or proportional part thereof at the rate of €55.89 per day, and any other charges as set out in the terms of the tenancy agreement for each month or part thereof until such a time as the Appellant Tenant and all other persons vacate the dwelling at 279 Collins Avenue, Dublin 9.

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



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