

Residential Tenancies Board

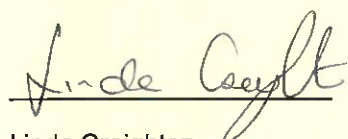
Determination Order

Ref: TR0122-005250/DR0821-72112

In the matter of Georgian Razvan Toma and Argyro Georgaki [Appellant Tenants] and Patrick Carrigan [Respondent Landlord], 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 Landlord on 10th August 2021 on the Appellant Tenants in respect of the tenancy of the dwelling at 43 Oak Way, Clondalkin, Dublin 22, D22W6H3 is valid. The Appellant Tenants and all persons residing in the said dwelling shall vacate and give up vacant possession of the above dwelling within 28 days of the date of issue of this Determination Order.
2. The Appellant Tenants shall pay the total sum of €12,600 to the Respondent Landlord, in 20 equal consecutive instalments at the rate of €630 per calendar month, on the 28th day of each month, commencing the next month after the issue of this Determination Order. This sum represents rent arrears in respect of the tenancy of the above dwelling for the period from and including 1st October 2021 to 1st April 2022, the date of the Tribunal hearing.
3. The enforcement of this Determination Order for such payment of €12,600 will be deferred and the total sum owing reduced by the cumulative sum paid in the monthly instalments made by the Appellant Tenants to the Respondent Landlord on each due date until such time as the total sum of €12,600 has been paid in full.
4. 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 Landlord.
5. The Appellant Tenants shall also pay any further rent outstanding from 1st April 2021, being the date of the Tribunal hearing, at the rate of €1,800 per month or proportional part thereof at the rate of €59.18 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 and give up vacant possession of the above dwelling.
6. The Landlord shall refund the entire of the security deposit of €1,800 to the Appellant Tenants, upon the Appellant 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 4th May 2022



Linda Creighton

Higher Executive Officer

Duly authorised to sign on behalf of the Director