

October 2, 2026

Dawn Binns
Executive Director
Independent Review of the Island Regulatory and Appeals Commission
Email: dbinns@iracreview.ca

Re Response to Interim Report – RTO Directions for Change

Dear Ms. Binns,

I write in response to the Interim Report of the Review Commission dated September 18, 2026.

The Residential Tenancy Office (RTO) appreciates the feedback provided and our response is focused on the six (6) Directions for Change action items for the RTO outlined at page 45 of the Interim Report. Our response summarizes the actions taken to date, work currently in progress, planned next steps, and what is needed to fully achieve the action items.

- (1) Establish and publish rules of procedure for proceedings under Parts 5 and 6, as required by section 7(2)(d) of the Residential Tenancy Act, rather than continuing to operate under a modified version of IRAC rules.*

The RTO has established and published rules of procedure under Part 6 – investigations, administrative penalties, and compliance matters ([Website link](#)).

The RTO has established rules of procedure under Part 5 –adjudication, which have been substantially completed and are expected to be published once finalized.

- (2) Develop and publish service standards, in particular timelines from application to hearing and from hearing to Order, and report annually on performance against them.*

I agree that service standards should be developed, published and reported on annually.*

*The three-year average for the period 4/1/2023 to 3/31/2026 as provided to the Review Commission indicate: average days from application to hearing was 59 days; average days from hearing to order was 14 days; average days from application to Order was 67 days.

Note that additional RTO resources will be needed to meet published service standards; and that there are valid reasons why some matters take longer periods of time between

application and hearing and hearing to order date including but not limited to: adjournment requests; additional time requests to settle, mediate or resolve the dispute; additional time to determine value of a loss claimed; and additional evidence requested at the hearing.

- (3) *Make use of the RTO's existing authority to decide matters without a hearing, as a priority uncontested cases of non-payment of rent or reimbursement of damage deposits, reserving evidentiary hearings for serious damage to property or serious breaches of the Act or of a tenancy agreement.*

I agree, however, we are limited by the legislation as section 86 provides the types of matters where a party can obtain an Order without a hearing. It does not include evictions and monetary Orders for non-payment of rent.

Note that if an Order is issued under section 86, there is still a twenty-day appeal period in subsection 89(4) before Sheriff Services would enforce the Order. Legislative changes would need to be made for quicker enforcement otherwise, there may remain a comparable length of time before an Order is enforceable, whether or not a hearing is held.

Also note that Section 55 of British Columbia's *Residential Tenancy Act* authorizes streamlined eviction Orders for landlords for numerous types of evictions without a hearing, not just non-payment of rent, when a tenant has not filed an application disputing the eviction. Section 55 also authorizes Orders for payment of rent without a hearing. There is no equivalent section in PEI's *Residential Tenancy Act*.

- (4) *Expand the options for hearings beyond teleconference and allow parties to request the format best suited to their circumstances.*

This is already the case. Section 80(1) allows the Director to require a hearing to heard in a specific manner. While parties do not have the right to determine the method of hearing, they may request the format best suited to their needs which will continue to be addressed on a case by case basis. The Rental Office has determined that the most efficient method is tele-hearing which is the default position of the RTO.

Note that other jurisdictions hold rental hearings predominantly by telephone.

- (5) *Review the length and complexity of the Office's forms, beginning with the twenty-six-page standard rental agreement.*

I agree that the Forms need to be reviewed and that review is in progress with a condensed Form 1, standard tenancy agreement ready to be published once finalized.

- (6) *Actively promote the compliance and complaints process so that the public and tenants know a route exists to report non-compliance with the Act or an Order without filing an application for dispute resolution.*

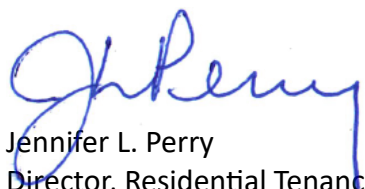
I agree. Active promotion of the compliance/investigation unit will require additional resources for compliance staffing. With promotion comes more complaints, more investigation requests and more resources will be needed to service the expected demand.

Please note that the compliance/investigation unit is not limited to the public and tenants. Landlords may also file a complaint.

The Residential Tenancy Office remains committed to continuous improvement and appreciates the detailed work undertaken by the Review Commission as suggested in the Interim Report's Direction for Change action items.

If you have questions, concerns, or should you require any additional information, please reach out.

Sincerely,



Jennifer L. Perry
Director, Residential Tenancy Office