

INTRODUCTION

- [1] On April 11, 2024 the Tenant filed a *Tenant Application to Determine Dispute* (Form 2(A)) (the "Application") with the Residential Tenancy Office (the "Rental Office") disputing an *Eviction Notice* (Form 4(A)) dated March 28, 2024 for effect on April 27, 2024 (the "Notice"). The Notice was served pursuant to section 61 of the *Residential Tenancy Act*.
- [2] On June 20, 2024 the Rental Office mailed and emailed the parties notice of a teleconference hearing scheduled for 1:00 p.m. on July 9, 2024, along with a copy of the Application.
- [3] On July 4, 2024 the Rental Office emailed a 41-page evidence package and two recordings to the parties.
- [4] On July 9, 2024 a teleconference hearing was held with the parties before the Residential Tenancy Officer (the "Officer") for determination of the Application. The Tenant, the Tenant's representative, the Landlord's representative and the Landlord's two witnesses joined the teleconference hearing. At the beginning of the hearing the Landlord's two witnesses were excluded and the parties reached a settlement of the Application.

BACKGROUND

- [5] The Unit is a one-bedroom, one-bathroom rental unit located in an 18-unit building that the Landlord has operated for 35 years.
- [6] The Landlord and the Tenant entered into a written, month-to-month tenancy agreement that commenced on September 15, 2022. Rent in the amount of \$574.00 is due on the first day of the month. A security deposit of \$150.00 was paid on September 15, 2022.

SETTLEMENT

- [7] At the beginning of the hearing the parties reached an agreement regarding the Application on the following terms:
- The tenancy between the parties shall terminate effective 5:00 p.m. on July 31, 2024. The Tenant and all occupants must vacate the Unit by this time and date.
 - A certified copy of this Order may be filed in the Supreme Court and enforced by Sheriff Services as permitted by the *Act*.
- [8] The agreement of the parties is ordered below.

IT IS THEREFORE ORDERED THAT

1. The tenancy between the parties shall terminate effective **5:00 p.m. on July 31, 2024**. The Tenant and all occupants must vacate the Unit by this time and date.
2. A certified copy of this Order may be filed in the Supreme Court and enforced by Sheriff Services as permitted by the *Act*.

DATED at Charlottetown, Prince Edward Island, this 9th day of July, 2024.

(sgd.) Andrew Cudmore
Andrew Cudmore

Residential Tenancy Officer

NOTICE

Right to Appeal

The parties may seek to appeal this Order to the Island Regulatory and Appeals Commission (the "Commission") by serving a Notice of Appeal with the Commission and every party to this Order within **7 days of this Order**. If a document is sent electronically after 5:00 p.m., it is considered received the next day that is not a holiday. If a document is sent by mail, it is considered served on the third day after mailing.

Filing with the Court

If no appeal has been made within the noted timelines, this Order can be filed with the Supreme Court of Prince Edward Island and enforced as if it were an order of the Court.