

**INTRODUCTION**

- [1] The Landlord seeks a monetary Order against the Tenants for unpaid rent, in the amount of \$6,619.35.

**DISPOSITION**

- [2] I find that the Tenants must pay the Landlord the total amount sought.

**BACKGROUND**

- [3] The Unit is a three-bedroom, one-bathroom building that the Landlord has owned since April of 2017. The Landlord also owns a four-unit building and a cottage located nearby.
- [4] In June of 2024 the parties entered into an oral tenancy agreement for the Unit. Rent in the amount of \$1,900.00 is due on the first day of the month. A \$1,900.00 security deposit was required but only \$900.00 was paid.
- [5] On July 25, 2024 the Landlord served the Tenants with a *Form 4 (A) Eviction Notice* (the "Notice") effective on August 15, 2024. The Notice was served for non-payment of rent and part of the security deposit.
- [6] On August 30, 2024 the Landlord filed a *Form 2 (B) Landlord Application to Determine Dispute* (the "Application") with the Residential Tenancy Office (the "Rental Office"). The Application seeks a monetary Order for rent owing. The Landlord posted the Application to the Unit's front door.
- [7] The Application also seeks an Order for vacant possession of the Unit and for the Sheriff to put the Landlord in possession, which is the subject of Order LD24-329.
- [8] The Landlord filed additional applications on September 5, 2024 and September 11, 2024 with updated rent owing amounts. The Landlord taped these additional applications to the Unit's door.
- [9] On September 18, 2024 the Rental Office emailed the parties notice of a teleconference hearing scheduled for 9:00 a.m. on October 3, 2024 (the "Notice of Hearing") along with a copy of the Application.
- [10] On September 19, 2024 the Rental Office mailed the Notice of Hearing and the Application to the parties. The Rental Office also telephoned the Tenants and left a voicemail message with the teleconference hearing information.
- [11] On October 1, 2024 the Rental Office emailed the parties a nine-page evidence package.
- [12] On October 2, 2024 the Rental Office telephoned the Tenants again and left a further voicemail message with the teleconference hearing information.
- [13] On October 3, 2024 the Landlord joined the teleconference hearing but the Tenants did not join. I telephoned the Tenants but no one answered. I left a voicemail message for one of the Tenants with the teleconference information. At 9:10 a.m. I proceeded with the hearing in the absence of the Tenants.

**ISSUE**

- [14] Do the Tenants owe rent to the Landlord?

**ANALYSIS**

- [15] The Landlord's undisputed evidence establishes that the Tenants paid \$900.00 of the \$1,900.00 security deposit for the Unit. As the tenancy agreement is terminated in Order LD24-329 effective on October 15, 2024, I would not order the Tenants to pay the Landlord the \$1,000.00 remaining balance of the security deposit in this decision.
- [16] The Landlord's undisputed evidence establishes that the Tenants currently occupy the Unit but have not paid the rent for July, August, September and October of 2024. The Tenants owe the Landlord three full months' rent, in the amount of \$5,700.00, plus pro-rated October 2024 rent up to October 15, 2024, in the amount of \$919.35.
- [17] The Tenants must pay the Landlord unpaid rent, in the total amount of \$6,619.35, by the timeline below.

**IT IS THEREFORE ORDERED THAT**

- 1. The Tenants must pay the Landlord unpaid rent, in the total amount of \$6,619.35, by October 28, 2024.

**DATED** at Charlottetown, Prince Edward Island, this 4th day of October, 2024.

\_\_\_\_\_  
(sgd.) Andrew Cudmore

Andrew Cudmore  
Residential Tenancy Officer

**NOTICE**

**Right to Appeal**

This Order can be appealed 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 **20 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.