

INTRODUCTION

[1] The Landlord seeks an Order that the Tenant owes the Landlord rent totaling \$5,695.00.

DISPOSITION

[2] I find that the Tenant must pay rent to the Landlord in the amount of \$4,361.67.

BACKGROUND

- [3] The parties entered into a written, fixed-term tenancy agreement for the Unit for the period of August 1, 2024, to July 31, 2025. Rent in the amount of \$2,500.00 is due on the first day of the month. A \$2,500.00 security deposit was paid at the beginning of the tenancy.
- [4] On September 4, 2024, the Landlord served the Tenant with a *Form 4 (A) Eviction Notice* (the "Notice") for non-payment of rent in the amount of \$3,570.00. The effective date in the Notice was September 24, 2024. The Notice was served by email.
- [5] On October 15, 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 included a monetary claim for rent owing, which is the subject of this decision. A copy was emailed to the Tenant.
- [6] 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 LD24-379**.
- [7] On October 23, 2024, the Rental Office mailed and emailed the parties notice of a teleconference hearing scheduled for November 5, 2024, along with a copy of the Application.
- [8] On October 31, 2024, the Rental Office emailed the parties an evidence package.
- [9] On November 5, 2024, two Landlord representatives (the "Representatives") and the Tenant participated in a teleconference hearing. The Representatives confirmed they received the evidence package and all submitted documents were included.
- [10] The Tenant stated she did not receive the evidence package. I offered to postpone the hearing to allow the Tenant time to review the evidence package. The Tenant did not want to postpone the hearing and she stated she would review the evidence package after the hearing.
- [11] After the hearing I re-sent the Tenant a copy of the evidence package. The Tenant was given until November 6, 2024, to provide further submissions. No additional submissions were received.

ISSUE

- A. Does the Tenant owe rent to the Landlord?

ANALYSIS

- [12] The Representatives stated that the Tenant owes \$5,695.00 in outstanding rent, which includes November 2024. A copy of the Tenant's rental ledger and messages between the parties were submitted into evidence.
- [13] The Tenant agreed that she owes \$5,695.00 in rent and she is trying to pay the rental arrears as soon as she can.
- [14] I find that the Representatives have established that the Tenant owes the Landlord outstanding rent totaling \$3,195.00 up to October 31, 2024. As the tenancy agreement is terminated in Order LD24-379 effective on November 14, 2024, I find that the Tenant must also pay the Landlord prorated rent for November 2024, in the amount of \$1,166.67 (14 days divided by 30 days and multiplied by \$2,500.00).
- [15] The Tenant must pay the Landlord unpaid rent, in the total amount of \$4,361.67 (\$3,195.00 plus \$1,166.67), by the timeline below.

IT IS THEREFORE ORDERED THAT

1. The Tenant must pay the Landlord unpaid rent, in the total amount of \$4,361.67, by November 30, 2024.

DATED at Charlottetown, Prince Edward Island, this 7th day of November, 2024.

(sgd.) Mitchell King

Mitchell King
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.