

INTRODUCTION

- [1] The Tenants filed an application disputing an *Eviction Notice (Form 4 (A))* and the Landlords filed an application seeking an order to end the tenancy.

DISPOSITION

- [2] The parties' claims regarding the end of the tenancy have been settled on the terms provided below.

BACKGROUND

- [3] The Landlords and the Tenants entered into an oral, month-to-month tenancy agreement for the Unit that commenced around November 2023. Rent in the amount of \$2,000.00 is due on the first day of the month.
- [4] A security deposit of \$2,000.00 was paid near the beginning of the tenancy. The Landlords stated that part of the security deposit funds, in the amount of \$1,000.00, was credited towards rent for December 2023 and the remaining security deposit is \$1,000.00.
- [5] On December 9, 2024 the Tenants filed a *Form 2(A) Tenant Application to Determine Dispute* (the "Tenant Application") with the Residential Tenancy Office (the "Rental Office"). The Tenant Application was accompanied by an *Eviction Notice (Form 4(A))* dated November 17, 2024 for effect on December 31, 2024 (the "Notice") served under sections 60 and 61 of the *Residential Tenancy Act*. The end of tenancy matter is addressed in this decision. The Tenant Application contained additional claims regarding a rent reduction, which are addressed in Order LD25-006.
- [6] On December 17, 2024 the Rental Office emailed the parties notice of a teleconference hearing scheduled for January 9, 2025, along with a copy of the Tenant Application.
- [7] On January 2, 2025 the Landlords filed a *Form 2 (B) Landlord Application to Determine Dispute* (the "Landlord Application") with the Rental Office seeking vacant possession of the Unit and for the Sheriff to put the Landlords in possession, which is addressed in this decision. The Landlord Application also claimed for rent owing, which is addressed in Order LD25-006.
- [8] On January 3, 2025 the Rental Office emailed the parties an amended notice of a teleconference hearing for the Tenant Application and the Landlord Application scheduled for January 9, 2025.
- [9] On January 6, 2025 the Rental Office sent the parties an evidence package.
- [10] On January 7, 2025 additional evidence from the Landlords was received by the Rental Office and sent to the Tenants.
- [11] On January 9, 2025 the Landlords, the Landlords' witness and the Tenants joined the teleconference hearing. At the beginning of the hearing one of the Tenants ("T2") advised that the other Tenant ("T1") would be representing both Tenants at the hearing. T2 then disconnected from the teleconference. The Landlords stated that they had previously arranged for the documents for this proceeding to also be taped to the Unit's door.

SETTLEMENT

- [12] At the beginning of the hearing the parties reached an agreement regarding the end of tenancy claims in the Tenant Application and the Landlord Application on the following terms:
- The tenancy between the parties will terminate at **5:00 p.m. on January 20, 2025**. The Tenants 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*.

IT IS THEREFORE ORDERED THAT

1. The tenancy between the parties will terminate at **5:00 p.m. on January 20, 2025**. The Tenants 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 10th day of January, 2025.

(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.