

INTRODUCTION

- [1] This decision determines an application filed with the Residential Tenancy Office (the "Rental Office") under the *Residential Tenancy Act* (the "Act").
- [2] In Order LD25-283, the Landlord established that the Tenant owes rent in the amount of \$2,728.67.

DISPOSITION

- [3] I find that the Landlord has established a claim for rent owing in the amount of \$2,728.67.
- [4] The Landlord will keep the Tenant's security deposit, including interest, in the amount of \$508.88.
- [5] The Tenant will pay the Landlord the rent owing balance of \$2,219.79 by the timeline below.

BACKGROUND

- [6] The Unit is a room in a multi-unit building (the "Residential Property").
- [7] On November 16, 2024, the parties entered into a written, fixed-term tenancy agreement for the Unit from November 16, 2024, to November 16, 2025. A security deposit of \$500.00 was paid at the beginning of the tenancy. Rent is \$1,127.85, due on the first day of the month.
- [8] On June 3, 2025, the Landlord served the Tenant with a *Form 4(A) Eviction Notice* with a vacate date of June 25, 2025 (the "Notice") for non-payment of rent for June 2025, repeatedly late rent payments, and behaviour.
- [9] The Notice's particulars of termination stated:
- "Late for rent 3+ times. Unappropriate behaviour + harassment and swearing at others (tenants + staff)."*
- [10] On June 19, 2025, the Landlord filed a *Form 2(B) Landlord Application to Determine Dispute* (the "Application") with the Rental Office seeking vacant possession of the Unit and for the Sheriff to put the Landlord in possession.
- [11] On July 10, 2025, the Rental Office emailed the Landlord notice of a teleconference hearing scheduled for July 22, 2025. The Landlord was to serve the notice of hearing to the Tenant; however, proof of notice of service was not received before the hearing date. The hearing was postponed.
- [12] On July 23, 2025, the Rental Office emailed the Landlord notice of a rescheduled teleconference hearing for August 5, 2025. The Landlord served the notice of hearing to the Tenant.
- [13] On July 31, 2025, the Rental Office shared a 17-page PDF and four audio recordings (the "Evidence Package") with the Landlord via TitanFile. The Landlord served the Tenant with a copy of the Evidence Package.
- [14] On August 4, 2025, the Tenant submitted 10 pages of additional evidence, which were forwarded to the Landlord.
- [15] On August 5, 2025, the Landlord's representative (the "Representative") and the Tenant participated in a teleconference hearing to determine the Application. The parties confirmed that they had received a copy of the Evidence Package and the additional evidence, and that all evidence that they had submitted to the Rental Office was included.

ISSUE

- A. Does the Tenant owe rent to the Landlord? Can the Landlord keep the Tenant's security deposit?

ANALYSIS AND CONCLUSION

- [16] In Order LD25-283, the Landlord established that the Tenant owes the Landlord rent for June and July 2025, totalling \$2,255.70.
- [17] The tenancy agreement is terminated effective August 13, 2025. The Tenant must also pay the Landlord rent for August 1 to 13, 2025, in the amount of \$472.97 (13 days divided by 31 days multiplied by \$1,127.85).
- [18] The total amount of rent owing is \$2,728.67.
- [19] I find that the Landlord will keep the Tenant's security deposit, including interest, of \$508.88, for rent owing.
- [20] I find that the Tenant must pay the Landlord the rent owing balance of \$2,219.79 by the timeline below.

IT IS THEREFORE ORDERED THAT

1. The Landlord will keep the Tenant's security deposit, including interest, of \$508.88 for rent owing.
2. The Tenant must pay the Landlord the amount of \$2,219.79 by September 8, 2025.

DATED at Charlottetown, Prince Edward Island, this 6th day of August, 2025.

(sgd.) Mitch King

Mitch 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.