

INTRODUCTION

- [1] This decision determines an application filed with the Residential Tenancy Office (the “Rental Office”) under the *Residential Tenancy Act* (the “Act”).
- [2] The Landlord seeks an Order for vacant possession of the Unit and for the Sheriff to put the Landlord in possession.

DISPOSITION

- [3] The parties settled the Application and agreed that the tenancy will terminate in accordance with the timeline below.

BACKGROUND

- [4] The Unit is an apartment in a six-unit building owned by the Landlord (the “Residential Property”).
- [5] On November 1, 2024, the parties entered into a written, fixed-term tenancy agreement for the Unit, commencing November 1, 2024, and ending November 1, 2025. The tenancy then continued on a monthly basis. Rent in the amount of \$1,550.00 is due on the first day of the month. A \$1,550.00 security deposit was paid at the beginning of the tenancy.
- [6] On November 17, 2025, the Landlord served the Tenant with a *Form 4(A) Eviction Notice* effective December 17, 2025, for failing to pay rent in the amount of \$1,550.00 and for repeatedly making late rent payments. The Tenant stated he received a copy of the Notice only in late December 2025, as he was living away from the Unit.
- [7] On January 6, 2026, 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, which is determined in this decision. The Landlord Representative stated she served the Application to the Tenant on January 6, 2026, by posting it to the Unit’s door.
- [8] The Landlord also seeks an Order for rent owing and disposal of the Tenant’s personal property, which is determined in Order LD26-037.
- [9] On January 12, 2026, the Rental Office emailed the parties notice of a teleconference hearing scheduled for January 29, 2026.
- [10] On January 23, 2026, the Rental Office sent the parties a 12-page PDF evidence package.
- [11] On January 28, 2026, two Landlord Representatives and the Tenant participated in a teleconference hearing. The parties confirmed receipt of the evidence package, and the Landlord Representatives confirmed that all evidence submitted to the Rental Office was included. The Tenant did not submit any documents to the Rental Office.

ISSUE

- A. Must the Tenant and all occupants vacate the Unit?

SETTLEMENT

[12] At the teleconference hearing, the parties settled the Application on the following terms:

- a. The tenancy between the parties will terminate effective February 27, 2026, at 5:00 p.m.
- b. The Tenant and all occupants must vacate the Unit by this date and time.

IT IS THEREFORE ORDERED THAT

1. The tenancy between the parties will terminate effective February 27, 2026, at 5:00 p.m.
2. The Tenant and all occupants must vacate the Unit by this date and time.
3. 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 30th day of January, 2026.

(sgd.) Mitch King

Mitch King
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.