

INTRODUCTION

- [1] This decision addresses an application filed by the Landlord with the Residential Tenancy Office (the "Rental Office") under the *Residential Tenancy Act*, cap. R-13.11 (the "Act").
- [2] The Landlord seeks an order requiring the Tenants to pay rent owing and to keep the Tenants' security deposit.

BACKGROUND

- [3] The Tenants moved into the Unit on March 1, 2026, under a written, fixed-term tenancy agreement. Rent in the amount of \$1,300.00 is payable on the first day of the month. A \$1,300.00 security deposit was paid prior to the Tenants moving into the Unit.
- [4] On April 11, 2026, the Landlord served the Tenants with the first *Form 4(A) Eviction Notice* with a vacate date of May 1, 2026 (the "First Notice") for non-payment of rent, in the amount of \$1,300.00.
- [5] On April 17, 2026, one of the Tenants filed with the Rental Office a *Form 2(A) Tenant Application to Determined Dispute* on behalf of the Tenants disputing the First Notice. This application is determined in Order LD26-156.
- [6] On April 29, 2026, the Rental Office e-mailed the parties notice of a tele-hearing scheduled for May 14, 2026.
- [7] On May 4, 2026, the Landlord served the Tenants with the second *Form 4(A) Eviction Notice* with a vacate date of May 24, 2026 (the "Second Notice") for non-payment of rent, in the amount of \$1,300.00.
- [8] Collectively, the First Notice and the Second Notice are referred to as the "Notices."
- [9] On May 5, 2026, the Landlord filed with the Rental Office a *Form 2(B) Landlord Application to Determine Dispute* (the "Application") seeking rent owing and to keep the Tenants' security deposit.
- [10] On May 8, 2026, the Rental Office sent the parties a 15-page PDF evidence package.
- [11] On May 14, 2026, the Tenants and the Landlord participated in the tele-hearing. The Tenants confirmed that they received the evidence package and all evidence submitted to the Rental Office was included. The Landlord did not appear to know about the evidence package. The Landlord described receiving only the notice of hearing and accompanied documents. I e-mailed the evidence package to the Landlord at the beginning of the hearing.

DISPOSITION

- [12] The Tenants must pay the Landlord \$2,222.58 by the timeline below.

ISSUE

- A. Do the Tenants owe the Landlord rent?

ANALYSIS & FINDINGS

- [13] In Order LD26-156, I found that the tenancy ends on May 22, 2026 due to non-payment of rent.

- [14] I find that the evidence establishes that the Tenants owe the Landlord April 2026 rent, in the amount of \$1,300.00 and pro-rated May 2026 rent, in the amount of \$922.58 (22 days divided by 31 days multiplied by \$1,300.00).
- [15] The Application is allowed.
- [16] The Tenants must pay the Landlord rent owing, in the amount of \$2,222.58 (\$1,300.00 + \$922.58) by the timeline below.
- [17] In the event the Tenants' outstanding rent remains unpaid by May 22, 2026, the Landlord may, at their option, keep the Tenants' security deposit to offset the amount of rent owing.

IT IS THEREFORE ORDERED THAT

1. The Tenants must pay the Landlords \$2,222.58 by June 15, 2026.
2. In the event the Tenants' outstanding rent remains unpaid by May 22, 2026, the Landlord may, at their option, keep the Tenants' security deposit to offset the amount of rent owing.

DATED at Charlottetown, Prince Edward Island, this 15th day of May, 2026.

(sgd.) Cody Burke

Cody Burke
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.