

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 a monetary order against the Tenants for rent owing.

BACKGROUND

- [3] On October 6, 2025 the parties entered into a written, fixed-term tenancy agreement. Rent in the amount of \$1,800.00 is due on the first day of the month. An \$1,800.00 security deposit was paid at the beginning of the tenancy.
- [4] On May 20, 2026 the Landlord's representative (the "Representative") served the Tenants with a *Form 4(A) Eviction Notice* effective June 10, 2026 for non-payment of rent, in the amount of \$5,000.00 and repeatedly late rent payments (the "Notice"). The Notice was posted to the Unit's front door and e-mailed to one of the Tenants.
- [5] On May 27, 2026 the Landlord e-mailed one of the Tenants and the Rental Office a *Form 2(B) Landlord Application to Determine Dispute* seeking vacant possession of the Unit, which is determined in Order LD26-224. The Landlord is also seeking a monetary order for rent owing, which is determined in this decision.
- [6] On June 18, 2026 the Landlord posted to the Unit's front door an amended *Form 2(B) Landlord Application to Determine Dispute* (the "Application"). The Application named the Tenants as respondents.
- [7] On June 18, 2026 the Rental Office registered mailed and e-mailed the parties notice of a tele-hearing scheduled for July 7, 2026. The Representative also posted the notice of hearing to the Unit's front door.
- [8] On June 23, 2026 the Rental Office e-mailed the parties a 68-page PDF evidence package.
- [9] On July 7, 2026 the Representative participated in the tele-hearing. The Tenants did not join the tele-hearing at the scheduled time. I telephoned and e-mailed one of the Tenants but received no response. The hearing proceeded ten minutes after the scheduled time in the Tenants' absence.

DISPOSITION

- [10] The Tenants must pay the Landlord \$10,470.96 by the timeline below.

ISSUE

- A. Do the Tenants owe rent to the Landlord?

ANALYSIS & FINDINGS

- [11] The Representative stated that the Tenants had outstanding rent in the amount of \$500.00 from December 2025. The Tenants did not pay any further rent other than two payments: \$900.00 on April 10, 2026 and \$800.00 on April 29, 2026.
- [12] In Order LD26-224 the tenancy is terminated effective July 15, 2026. Therefore, the Tenants must also pay the Landlord pro-rated July 2026 rent, in the amount of \$870.96 (15 days divided by 31 days multiplied by \$1,800.00).

- [13] The Landlord's evidence establishes that the Tenants owe \$10,470.96 in outstanding rent, calculated as follows:

Item	Amount
December 2025 rent	\$500.00
January 2026 rent	\$1,800.00
February 2026 rent	\$1,800.00
March 2026 rent	\$1,800.00
April 2026 rent	\$100.00
May 2026 rent	\$1,800.00
June 2026 rent	\$1,800.00
Pro-rated July 2026 rent (15 days)	\$870.96
Total	\$10,470.96

- [14] I note that subsection 40(2) of the *Act* authorizes a landlord to keep from a security deposit an amount that the Rental Office has ordered a tenant to pay to the landlord and that remains unpaid at the end of the tenancy.
- [15] If the Tenants' outstanding rent remains unpaid as of July 15, 2026, then the Landlord may, at the Landlord's option, keep the Tenants' security deposit plus interest to offset part of the outstanding rent.
- [16] For clarity, if the Landlord chooses to keep the security deposit plus interest, the security deposit plus interest calculated to July 15, 2026 is \$1,836.36.

IT IS THEREFORE ORDERED THAT

1. The Tenants must pay the Landlord the total amount of \$10,470.96 by August 17, 2026.
2. If the Tenants' outstanding rent remains unpaid as of July 15, 2026, then the Landlord may, at the Landlord's option, keep the Tenants' security deposit plus interest to offset part of the outstanding rent.

DATED at Charlottetown, Prince Edward Island, this 8th day of July, 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.