

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 served an eviction notice to the Tenant seeking to end the tenancy for behaviour and the Landlord filed an application seeking vacant possession of the Unit.

BACKGROUND

- [3] The Unit is a one-bedroom, one-bathroom row-house, owned by the Landlord since 2024.
- [4] On August 1, 2025 the parties entered into an oral, monthly tenancy agreement for the Unit. Rent in the amount of \$1,125.00 is due on the first day of the month. A \$1,125.00 security deposit was paid to the Landlord at the beginning of the tenancy.
- [5] On April 10, 2026 the Landlord's representative (the "Representative") served the Tenant with a *Form 4(A) Eviction Notice* effective May 31, 2026 for behaviour which has disturbed others (the "Notice"). The Notice was posted to the Unit's front door. The particulars of termination stated:

"Tenant has been harassing the neighbours."
- [6] On June 2, 2026 the Representative filed a *Form 2(B) Landlord Application to Determine Dispute* with the Rental Office seeking vacant possession of the Unit (the "Application"). On June 2, 2026 the Representative served the Tenant with the Application by placing it in the Tenant's vehicle.
- [7] On June 4, 2026 the Tenant text messaged the Representative about receiving the Application.
- [8] On June 16, 2026 the Rental Office mailed and e-mailed the parties notice of a tele-hearing scheduled for July 7, 2026.
- [9] On June 25, 2026 the Rental Office e-mailed the Representative and registered mailed the Tenant a 25-page PDF evidence package.
- [10] On July 7, 2026 the Representative and the Tenant participated in the tele-hearing. The parties confirmed that they received the evidence package and the Representative confirmed that all evidence submitted to the Rental Office was included in the evidence package. The Tenant did not submit any documents into evidence.

DISPOSITION

- [11] The Notice is valid. The Tenant and all occupants must vacate the Unit by the timeline below.

ISSUE

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

ANALYSIS & FINDINGS

- [12] The Landlord's reason for terminating the tenancy is under clause 61(1)(d) of the Act, which states:

A landlord may end a tenancy by giving a notice of termination where one or more of the following applies:

- (d) the tenant or a person permitted on the residential property by the tenant has*
 - (i) significantly interfered with or unreasonably disturbed another occupant or the landlord of the residential property,*
 - (ii) seriously jeopardized the health or safety or a lawful right or interest of the landlord or another occupant, or*
 - (iii) put the landlord's property at significant risk;*

- [13] The Landlord's evidence includes written submissions from a former tenant who moved out due to the Tenant's disruptive behaviour and neighbouring tenants who have complained about the Tenant's behaviour.

- [14] The Representative stated that the Tenant has complained about the behaviour of other tenants. The Representative stated that after investigation, the other tenants have also complained about the Tenant's behaviour. The Representative stated that the police were called throughout some of the disputes between tenants; however, the police could not determine fault of any one party.

- [15] The Representative stated that he decided to evict the Tenant because the Tenant does not have any evidence against the other tenants and the other tenants all have similar complaints against the Tenant, regarding the Tenant's behaviour.

- [16] The Tenant disputed the Landlord's evidence, particularly the written submissions of the complaining tenants.

- [17] The Tenant acknowledged receiving the Notice on the same day it was posted to the Unit's front door. The Tenant also acknowledged receiving the Application.

- [18] The Tenant stated that she is actively seeking a new rental unit but needs additional time. The Tenant does not want to be evicted and that the Landlord has not proven any of the allegations against her.

- [19] I find that there are no procedural errors with the Notice.

- [20] I further find that the Tenant was served the Notice in accordance with section 100 of the Act.

- [21] The Tenant did not file an application with the Rental Office to dispute the Notice under subsection 61(5) within ten days after the date the Tenant received the Notice.

- [22] Subsection 61(6) of the Act sets out what happens if a tenant does not make an application to the Rental Office in accordance with subsection 61(5):

Where a tenant who has received a notice of termination under this section does not make an application to the Director in accordance with subsection (5), the tenant

- (a) is deemed to have accepted that the tenancy ends on the effective date of the notice of termination; and*
- (b) shall vacate the rental unit by that date.*

- [23] Therefore, I find that the Tenant is deemed to have accepted the Notice and shall vacate the Unit by the timeline below.

- [24] The Notice is valid and the Application is allowed.

Tenancy Agreement

- [25] I note that for all tenancy agreements commencing on or after April 8, 2023, landlords are **required** to prepare written tenancy agreements in accordance with sections 10 and 11 of the *Act*.
- [26] The standard form tenancy agreement (*Form 1 – Standard Form of Tenancy Agreement*) is available on the Rental Office's website. The Landlord must ensure that all mandatory information is included in the tenancy agreements.

IT IS THEREFORE ORDERED THAT

1. The tenancy between the parties will terminate effective **5:00 p.m. on July 20, 2026**.
2. The Tenant and all occupants must vacate the Unit by this time and date.
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 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 **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.