

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 Landlords seek an Order against the Tenant for rent owing.

BACKGROUND

- [3] The Unit is a one-bedroom, one-bathroom apartment in a three-unit building that the Landlords have owned since 2023.
- [4] The Landlords and the Tenant entered into a written, fixed-term tenancy agreement from April 2, 2026 to April 2, 2027. A security deposit of \$1,300.00 was paid on April 1, 2026. Rent in the amount of \$1,300.00 is due on the first day of the month.
- [5] On June 10, 2026 the Landlords served the Tenant with a *Form 4(A) Eviction Notice* with an effective date of June 30, 2026 (the "Notice") for non-payment of rent.
- [6] On July 6, 2026 the Landlords filed a *Form 2(B) Landlord Application to Determine Dispute* (the "Application") with the Rental Office seeking rent owing, which is determined in this decision. The Application also seeks vacant possession of the Unit and for the Sheriff to put the Landlords in possession, which is determined in Order LD26-265.
- [7] On July 13, 2026 the Rental Office emailed the parties notice of a tele-hearing scheduled for July 28, 2026.
- [8] On July 22, 2026 the Rental Office telephoned the Tenant but there was no response and it was not possible to leave a voicemail message.
- [9] On July 23, 2026 the Rental Office emailed the parties a 33-page PDF evidence package.
- [10] On July 28, 2026 the Landlords joined the tele-hearing. I telephoned the Tenant but there was no response and I could not leave a voicemail message. I emailed the Tenant an additional copy of the hearing instructions and informed the Tenant that the hearing would proceed. The hearing proceeded in the Tenant's absence about ten minutes after the scheduled time.

DISPOSITION

- [11] The Tenant must pay the Landlords rent owing in the amount of \$2,267.74 by the timeline below.

ISSUE

- A. Does the Tenant owe rent to the Landlords?

ANALYSIS

- [12] The Landlords' evidence establishes that the Tenant owes \$800.00 for June 2026 rent and the Tenant did not pay any July or August rent. The Tenant did not return the Unit's keys to the Landlords and the Tenant has been non-responsive to the Landlords' communications in early July of 2026.
- [13] I find that the Tenant owes the Landlords partial June and full July rent, in the total amount of \$2,100.00 (\$800.00 plus \$1,300.00).

- [14] In Order LD26-265 the tenancy is terminated effective August 4, 2026. Therefore, the Tenant must also pay the Landlords prorated August rent, in the amount of \$167.74 (4 days divided by 31 days multiplied by \$1,300.00).
- [15] The Application is valid. The Tenant must pay the Landlords rent owing in the total amount of \$2,267.74 by the timeline below.
- [16] 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.
- [17] If the Tenant's outstanding rent remains unpaid as of August 4, 2026, then the Landlords may, at the Landlords' option, keep the Tenant's security deposit to offset part of the outstanding rent.

IT IS THEREFORE ORDERED THAT

1. The Tenant must pay the Landlords the total amount of \$2,267.74 by August 28, 2026.
2. If the Tenant's outstanding rent remains unpaid as of August 4, 2026, then the Landlords may, at the Landlords' option, keep the Tenant's security deposit to offset part of the outstanding rent.

DATED at Charlottetown, Prince Edward Island, this 28th day of July, 2026.

(sgd.) Andrew Cudmore

Andrew Cudmore
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.