

INTRODUCTION

- [1] This decision addresses an application filed by the Tenant with the Residential Tenancy Office (the "Rental Office") under the *Residential Tenancy Act* (the "Act").
- [2] The Tenant seeks a return of three months of rent and \$1,300.00 in compensation due to the Landlord's alleged breach of the Act and the condition of the Unit.

BACKGROUND

- [3] The Unit is an apartment in a four-unit building (the "Residential Property") owned by the Landlord.
- [4] The parties entered into a written, fixed-term tenancy agreement for the Unit effective March 1, 2026 to February 28, 2027. Rent of \$1,400.00 is due on the first day of the month. The Tenant paid a \$1,000.00 security deposit on February 24, 2026.
- [5] On August 6, 2026, the Landlord served the Tenant with a first *Form 4(A) Eviction Notice* (the "First Notice") with a vacate date of August 26, 2026, for failing to pay rent of \$1,400.00 for August 2026. The First Notice was served electronically and by posting a copy on the Unit's door. The particulars of termination state:

"No rent paid for August 2026."

- [6] On August 7, 2026, the Landlord served the Tenant with a second *Form 4(A) Eviction Notice* (the "Second Notice") with a vacate date of September 30, 2026, for disturbing and endangering others or putting the Landlord's property at significant risk, and engaging in illegal activity on the property. The Second Notice was served electronically and by posting a copy on the Unit's door. The particulars of termination state:

"1. Stealing building materials and tools, 2. Eve-teasing, 3. Fire hazard, 4. Smoking."

- [7] On August 7, 2026, the Landlord filed with the Rental Office a *Form 2(B) Landlord Application to Determine Dispute* (the "Landlord Application") seeking vacant possession of the Unit and earlier termination of the tenancy agreement, which is determined in Order LD26-301. A copy was posted to the Unit's door.
- [8] On August 12, 2026, the Tenant filed a *Form 2(A) Tenant Application to Determine Dispute* (the "Tenant Application"), disputing the First Notice and Second Notice, and seeking compensation, which is determined in this Order. The Tenant Application was served electronically.
- [9] On August 13, 2026, the Rental Office e-mailed the parties notice of a tele-hearing scheduled for August 20, 2026. The Landlord also posted a copy to the Unit's door.
- [10] The evidence submission deadline was August 18, 2026, at 1:00 pm. The parties were instructed to serve the other party with any evidence and provide a copy to the Rental Office.
- [11] On August 19, 2026, the Landlord's evidence was shared with the parties via TitanFile (the "Evidence Package"). The Tenant submitted no evidence.
- [12] On August 20, 2026, at 1:00 p.m., the Landlord's representative (the "Representative"), and four Landlord witnesses participated in the tele-hearing. I telephoned the Tenant and emailed him an additional copy of the tele-hearing notice but received no response. The tele-hearing proceeded ten minutes after the scheduled time in the Tenant's absence. I am satisfied that the Tenant was properly notified of the tele-hearing date and time.

- [13] The Representative confirmed that all documentary evidence submitted was included in the Evidence Package.

DISPOSITION

- [14] The Tenant Application is denied.

ISSUE

- A. Must the Landlord compensate the Tenant?

ANALYSIS & FINDINGS

- [15] In compensation matters, the party making the claims bears the onus of proving their claims on the civil standard of a balance of probabilities.
- [16] The Tenant provided no evidence in support of his compensation claims and did not participate in the hearing. The Landlord disputed all of the Tenant's compensation claims.
- [17] In the absence of evidence supporting the Tenant's claims, I am unable to find that the Tenant has established that the Landlord must compensate the Tenant.
- [18] The Tenant's compensation claims are denied.

IT IS THEREFORE ORDERED THAT

1. The Tenant Application is denied.

DATED at Charlottetown, Prince Edward Island, this 20th day of August, 2026.

(sgd.) Mitch King

Mitch King
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.