

INTRODUCTION

- [1] This decision addresses an application the Landlord filed 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 alleging that the Tenant and all occupants engaged in behaviour that disturbed others, damage to the Unit and for non-payment of rent. The Landlord seeks earlier termination of the tenancy.

BACKGROUND

- [3] The Unit is a five-bedroom, two-bathroom single-family dwelling owned by the Landlord.
- [4] On March 18, 2024, the parties entered into a written, fixed-term tenancy agreement, which at the end of the fixed-term, continued on a monthly basis. Rent in the amount of \$2,200.00 was due on the first day of the month. A \$2,200.00 security deposit was paid on March 21, 2024.
- [5] Sometime during the tenancy, the Tenant entered into three separate subletting agreements.
- [6] The Unit was occupied by the Tenant, the Tenant’s partner and three subtenants.
- [7] On September 28, 2026, the Tenant vacated the Unit without telling the Landlord.
- [8] On October 4, 2026, the Landlord served the Tenant and all occupants with a *Form 4(A) Eviction Notice* with a vacate date of October 24, 2026 for non-payment of rent, behaviour disturbing others and damage (the “Notice”). The particulars of termination state:

“[The Tenant] has told me the willingness of termination on October 3, 2026 but I still cannot take over the house because one of her roommates is still occupying the house, who has caused damages to the house already.”

- [9] On October 8, 2026, the Landlord e-mailed the Tenant and the Rental Office a *Form 2(B) Landlord Application to Determine Dispute* seeking earlier termination of the tenancy.
- [10] On October 9, 2026, the Landlord e-mailed the Tenant and the Rental Office an amended *Form 2(B) Landlord Application to Determine Dispute* (the “Application”).
- [11] On October 13, 2026, the Rental Office provided the parties with notice of a tele-hearing scheduled for October 22, 2026.
- [12] On October 15, 2026, the Landlord provided the Tenant and the Rental Office with 37-pages of evidence contained in four PDFs and one e-mail submission.
- [13] On October 22, 2026, the Landlord and the Tenant participated in the hearing. The parties confirmed that they had received the evidence and that all evidence submitted to the Rental Office was included.

DISPOSITION

- [14] The parties have agreed that the Notice is valid and that the tenancy will end by the timeline below.
- [15] The Tenant and all occupants must vacate the Unit, in accordance with the timeline below.

ISSUE

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

ANALYSIS & FINDINGS

- [16] The Tenant did not dispute the Landlord's grounds for ending the tenancy in the Notice.
- [17] The Tenant stated that she vacated the Unit on September 28, 2026, without giving the Landlord notice. The Tenant stated that two of the three subtenants have vacated the Unit; however, one subtenant remains occupying the Unit. The Tenant stated that the remaining subtenant has caused damages to the Unit.
- [18] I find that the evidence presented establishes that there is a valid reason for ending the tenancy under clause 61(1)(d) of the *Act* and that the evidence warrants an earlier termination date, as permitted under subsection 61(8) of the *Act*.
- [19] Therefore, the Application is allowed. The tenancy agreement will terminate in accordance with the timeline below. The Tenant and all occupants must vacate the Unit by the timeline below. This is the minimum period before this Order would be enforceable by Sheriff Services under sections 85 and 89 of the *Act*.

IT IS THEREFORE ORDERED THAT

1. The tenancy between the parties will terminate effective 5:00 p.m. on October 29, 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 22nd day of October, 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.