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 seeks a monetary order against the Tenants for rent owing, in the amended amount of $3,716.80.

BACKGROUND

[3] The parties have agreed to the facts below.

[4] On February 10, 2025 the parties signed a written, fixed-term tenancy agreement, which at the end continued on a monthly basis. Rent in the amount of $1,830.90 is due on the first day of the month. The Tenants paid the Landlord a $1,795.00 security deposit at the beginning of the tenancy.

[5] On September 5, 2026 the Landlord served the Tenants with a *Form 4(A) Eviction Notice* dated September 4, 2026 and effective September 24, 2026 for non-payment of rent, in the amount of $1,855.90 (the "Notice").

[6] I note that the effective date of the Notice is automatically corrected to September 25, 2026 under subsection 54(1) of the *Act*.

[7] On October 8, 2026 the Landlord e-mailed the Tenant and the Rental Office a *Form 2(B) Landlord Application to Determine Dispute* requesting the Sheriff to put the Landlord in possession of the Unit, which is determined in Order LD26-409 (the "Application"). The Application also seeks a monetary order for rent owing, which is determined in this decision.

[8] On October 15, 2026 the Rental Office provided the parties with notice of a tele-hearing scheduled for November 3, 2026.

[9] On October 21, 2026 the Rental Office provided the parties with a 20-page PDF evidence package. The Landlord also e-mailed the Tenant and the Rental Office 4-pages of additional evidence.

[10] On November 3, 2026 the Landlord's representative (the "Representative") and one of the Tenants (the "Tenant"), representing the Tenants, participated in the hearing. The parties confirmed that they received the evidence package and the additional evidence and the Representative confirmed that all evidence submitted to the Rental Office was included.

DISPOSITION

[11] The Tenants must pay the Landlord $2,618.26 by the timeline below.

ISSUE

A. Must the Tenants pay the Landlord outstanding rent?

EVIDENCE & ANALYSIS

[12] In Order LD26-409, the tenancy ends effective November 12, 2026.

[13] The evidence establishes that the Tenants owe the Landlord October 2026's rent, plus NSF fees ($1,860.90) and prorated November 2026's rent, plus NSF fees ($732.36) (12 days / 30 days x $1,830.90 + $25.00).

[14] I find that the Tenants owe the Landlord a total amount of $2,618.26.

[15] The parties have agreed that the Tenants made a $1,200.00 payment on November 1, 2026. I am not including this deduction in my calculations as the evidence did not establish the amount cleared as of the hearing date.

[16] I note that the parties are open to settling the matter, which the parties may agree to continue the tenancy, which the Tenants would then be responsible for the rent for each day they occupy the Unit.

[17] I further 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.

[18] If the Tenants' outstanding rent remains unpaid as of November 12, 2026, then the Landlord may, at the Landlord's option, keep the security deposit funds that the Tenants paid to offset part of the outstanding rent.

[19] The Application is allowed.

IT IS THEREFORE ORDERED THAT

1. The Tenants must pay the Landlord the total amount of $2,618.26 by December 4, 2026.

2. If the Tenants' outstanding rent remains unpaid as of November 12, 2026, then the Landlord may, at the Landlord's option, keep the security deposit funds that the Tenants paid to offset part of the outstanding rent.

DATED at Charlottetown, Prince Edward Island, this 4th day of November, 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.