



**THE ISLAND REGULATORY AND
APPEALS COMMISSION**

Prince Edward Island
Île-du-Prince-Édouard
CANADA

**Docket LR12013
Order LR12-16**

IN THE MATTER of an appeal under section 25 of the Rental of Residential Property Act, by Stacey Lynn Arsenault against Order LD12-164 dated June 29, 2012 issued by the Director of Residential Rental Property.

BEFORE THE COMMISSION
on Tuesday, the 24th day of July, 2012.

John Broderick, Commissioner
Leonard Gallant, Commissioner
Ferne MacPhail, Commissioner

Order

IN THE MATTER of an appeal under section 25 of the Rental of Residential Property Act, by Stacey Lynn Arsenault against Order LD12-164 dated June 29, 2012 issued by the Director of Residential Rental Property.

Order

On July 12, 2012 the Commission received a Notice of Appeal filed by the Appellant Stacey Lynn Arsenault (the Appellant).

On July 13, 2012, Commission staff mailed a Notice of Appeal Hearing and a cover letter to the Appellant and to Angela Campbell, representing the Respondent Canada Mortgage & Housing Corporation (the Respondent). Both the Notice and the cover letter informed the parties that a hearing would be held at the Commission's offices [a full address was provided] on Tuesday, July 24, 2012 at 9:30 a.m.

On July 24, 2012 the hearing proceeded as scheduled. The Appellant was not present. Angela Campbell and Peter MacDonald were present to represent the Respondent.

During the hearing, Commission staff checked with the Commission's receptionist to see if any last minute messages were left by the Appellant. There were no such messages.

The Commission finds that the Appellant has abandoned her appeal and Director's Order LD12-164 remains in full force and effect.

NOW THEREFORE, pursuant to the *Island Regulatory and Appeals Commission Act* and the *Rental of Residential Property Act*

IT IS ORDERED THAT

1. **The Appellant has abandoned her appeal.**
2. **Director's Order LD12-164 remains in full force and effect.**

DATED at Charlottetown, Prince Edward Island, this 24th day of July, 2012.

BY THE COMMISSION:

John Broderick, Commissioner

Leonard Gallant, Commissioner

Ferne MacPhail, Commissioner

NOTICE

Sections 26.(2), 26.(3), 26.(4) and 26.(5) of the ***Rental of Residential Property Act*** provide as follows:

26.(2) A lessor or lessee may, within fifteen days of the decision of the Commission, appeal to the court on a question of law only.

(3) The rules of court governing appeals apply to an appeal under subsection (2).

(4) Where the Commission has confirmed, reversed or varied an order of the Director and no appeal has been taken within the time specified in subsection (2), the lessor or lessee may file the order in the court.

(5) Where an order is filed pursuant to subsection (4), it may be enforced as if it were an order of the court.

NOTICE: IRAC File Retention

In accordance with the Commission's Records Retention and Disposition Schedule, the material contained in the official file regarding this matter will be retained by the Commission for a period of 2 years.

IRAC141y-SFN(2009/11)