



**THE ISLAND REGULATORY AND  
APPEALS COMMISSION**

Prince Edward Island  
Île-du-Prince-Édouard  
CANADA

**Docket: LR20033**

**Order: LR20-30**

**IN THE MATTER** of an appeal, under Section 25 of the Rental of Residential Property Act (the “**Act**”) by Emma Johnstone against Orders **LD20-242 and LD20-243** issued by the Director of Residential Rental Property dated September 15, 2020 and September 17, 2020 respectively.

Compared and Certified a True  
Copy

(Sgd.) Susan Jefferson

Commission Administrator  
Corporate Services and Appeals

**BEFORE THE COMMISSION ON**

Friday, October 2, 2020.

Panel Chair - M. Douglas Clow, Vice-Chair

Jean Tingley, Commissioner

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# ORDER

**WHEREAS** this matter was scheduled for tele-hearing before the Commission on October 2, 2020 commencing at 10:00 a.m.;

**AND WHEREAS** the Appellant failed to appear at the tele-hearing;

**AND WHEREAS** the record confirms that the Appellant received notice of the date, time and instructions for the tele-hearing of the hearing by the following:

- September 29, 2020 email with Notice of Appeal Hearing providing the date and time of the tele-hearing, file materials and instructions on the tele-hearing process;
- October 1, 2020 email with an additional exhibit and a reminder of the tele-hearing date and time with instructions on the tele-hearing process;

**AND WHEREAS** the Commission is satisfied that the Appellant received notice of the date, time and instructions for the tele-hearing;

**AND WHEREAS** pursuant to Rule 27 of the *Rules of Practice and Procedure for Hearings*, the Commission is empowered to deem an appeal abandoned where an appellant or applicant fails to attend a hearing;

**IT IS ORDERED THAT:**

1. **The proceeding is hereby dismissed as abandoned.**
2. **Director's Orders LD20-242 and LD20-243 remain in full force and effect.**

**DATED** at Charlottetown, Prince Edward Island, **Friday, October 2, 2020.**

**BY THE COMMISSION:**

(sgd. M. Douglas Clow)

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Panel Chair - M. Douglas Clow, Vice-Chair

(sgd. Jean Tingley)

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Jean Tingley, Commissioner

**NOTICE**

Sections 26(2), 26(3), 26(4) and 26(5) of the ***Rental of Residential Property Act*** provides 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.