



**Docket: LR23021**  
**Order: LR23-13**

**IN THE MATTER** of an appeal, under section 25 of the *Rental of Residential Property Act* (the "Act"), filed by Ashley Bridges, against Order LD23-105 issued by the Director of Residential Rental Property, dated March 21, 2023.

**BEFORE THE COMMISSION ON** Wednesday, April 26, 2023.

Panel Chair - Erin T. Mitchell, Commissioner  
M. Douglas Clow, Vice-Chair

Hearing Date: Tuesday, April 25, 2023

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# ORDER

Compared and Certified a True  
Copy

(Sgd.) Susan Jefferson  
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Commission Administrator  
Corporate Services and Appeals

This appeal asks the Commission to determine whether the Director of Residential Rental Property (the “Director”) erred in finding that an eviction notice was valid.

## **BACKGROUND**

Ashley Bridges (“Ms. Bridges”) rents 489 North Market Street, Summerside, PE (the “Premises”), from Bruce Palmer (the “Landlord”).

On January 6, 2023 Ms. Bridges was served with a Notice of Termination by Lessor of Rental Agreement for pursuant to subsection 15(1)(a) of the *Act* (the “Form 4”). The effective date of the Form 4 was March 6, 2023.

On March 6, 2023, the Landlord filed an application seeking an order that possession of the Premises be surrendered to the Lessor and directing the Sheriff to put the Landlord in possession (the “Application”).

In Order LD23-105 dated March 21, 2023, the Director found that the Application was valid and ordered that the rental agreement be terminated effective May 31, 2023 at 11:59 p.m. and a certified of the Order could be filed with the Supreme Court and enforced by Sheriff Services as permitting by the *Act*.

Ms. Bridges appealed the Order.

The Commission heard the appeal by way of telephone conference call on April 25, 2023. Ms. Bridges did not appear. Krystal MacKenzie appeared on behalf of the Landlord.

## **Disposition**

The appeal is dismissed.

## **Analysis**

Commission staff advised Ms. Bridges of the date, time and method of participation by emails dated April 13 and April 24, 2023. At the start of the hearing at 1:30 p.m. April 25, 2023, Ms. Bridges’ absence was noted and Commission staff attempted to call Ms. Bridges (the call went to voicemail) and sent a further email. The hearing then commenced at 1:40 p.m. and concluded at 1:44 p.m.

The Commission is satisfied that Ms. Bridges was made aware of the date, time and method of participation. As Ms. Bridges failed to participate in her appeal hearing, the Commission deems her appeal abandoned.

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

## **IT IS ORDERED THAT**

1. The appeal is dismissed.
2. Director’s Order LD23-105 is confirmed.

**DATED** at Charlottetown, Prince Edward Island, this 26th day of April, 2023.

**BY THE COMMISSION:**

(sgd. Erin T. Mitchell)

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Panel Chair - Erin T. Mitchell, Commissioner

(sgd. M. Douglas Clow)

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M. Douglas Clow, Vice-Chair

**NOTICE**

Subsections 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.