



Date Issued: June 15, 2026
Dockets: LR26029
Type: Rental Appeal

INDEXED AS: Barb Dobson and William Dobson v. PEI Housing Corporation
2026 PEIRAC 35 (CanLII)
Order No: LR26-25

BETWEEN:

Barb Dobson and William Dobson aka Geoffrey Dobson (the "Tenants")

Appellants

AND:

PEI Housing Corporation (the "Landlord")

Respondent

ORDER

Panel Members:

Gordon MacFarlane, Commissioner
Kerri Carpenter, Vice Chair

Compared and Certified a True Copy

(Sgd.) Michelle Walsh-Doucette

Commission Clerk

Island Regulatory and Appeals Commission

A. INTRODUCTION

1. This was an appeal of Order LD26-261 of the Residential Tenancy Office (“Rental Office”). The appeal was set for hearing by the Commission on June 4, 2026. The Tenants did not attend the appeal hearing and the appeal was therefore deemed abandoned by the Panel at the hearing. This Order follows that decision.

B. BACKGROUND

2. This appeal concerns a rental unit located at Unit 212 – 9 Champion Court, Charlottetown, PEI (the “Rental Unit”).
3. The Rental Unit is a one-bedroom, one-bathroom apartment in a 63-unit building (the “Residential Property”).
4. On December 16, 2021, the parties entered into a written, monthly tenancy agreement. Rent in the amount of \$405.00 is payable on the first day of the month. No security deposit was required.
5. The parties were involved in an earlier Rental Office eviction dispute.
6. On October 19, 2023, the Rental Office issued Order LD23-489, which is included in the evidence. The Tenants appealed Order LD23-489 to the Island Regulatory and Appeals Commission (the “Commission”).
7. On December 18, 2023, the Commission issued Order LR23-79, allowing the appeal and ordering the tenancy agreement would continue, which is included in the evidence.
8. On April 13, 2026, the Landlord served the Tenants with a *Form 4(A) Eviction Notice* with a vacate date of May 31, 2026 for behaviour disturbing others, putting the property at significant risk, illegal activity and failing to comply with a material term of the tenancy agreement (the “Notice”). The Notice was posted to the Rental Unit’s front door on April 13, 2025 at 12:43 p.m. The particulars of termination state:

“Ongoing breaches of the lease agreement, including allowing guests whose conduct has made other residents feel unsafe, with illicit drug use documented on video, repeatedly refusing lawful entry to inspections, and preventing treatment of a cockroach infestation traced to the unit. The tenants have also failed to remove unregistered vehicles from parking lot (violation of established housing policies) despite repeated requests.”

9. On April 16, 2026, the Landlord filed a *Form 2(B) Landlord Application to Determine Dispute* (the “Application”) seeking vacant possession of the Rental Unit, for the Sheriff to put the Landlord in possession, and earlier termination of the tenancy. The Application was posted to the Rental Unit’s front door on April 16, 2026 at 3:21 p.m.

10. On April 24, 2026, the Rental Office e-mailed the Landlord notice of a teleconference hearing scheduled for May 12, 2026. The Landlord posted the notice of hearing on the Rental Unit's front door on April 24, 2026 at 2:49 p.m.
11. On May 4, 2026, the Rental Office e-mailed the Landlord a 132-page PDF and 1-video-recording evidence package. The Landlord posted the evidence package with a USB drive on the Rental Unit's front door on May 4, 2026 at 2:55 p.m.
12. On May 12, 2026, the Landlord's representative (the "Representative"), the Landlord's witness ("DT") and one of the Tenants participated in the tele-hearing on behalf of the Tenants. The parties confirmed that they received the evidence package and all evidence submitted to the Rental Office was included.
13. On May 13, 2026, the Rental Office issued Order LD26-151 which ordered that the Tenancy between the parties will terminate effective 5:00 pm on May 31, 2026.
14. The Tenants appealed order LD26-151 on May 20, 2026.
15. On May 29, 2026, Commission staff called the Tenant, Barb Dobson, (the "Tenant") to advise the Appellant's that there was material for the hearing to be picked up, the package included instructions with respect to the hearing, the Notice of Hearing, general correspondence and exhibits for the hearing. The Tenant, Barb Dobson, picked up this material at approximately 3:50 pm on May 29, 2026. The correspondence and the Notice of Hearing provide the date and time of the hearing which is June 3, 2026, 10:00 am.
16. On June 3, 2026 at 2:35 pm, Commission staff called the Tenant, Barb Dobson, to advise here that the Landlord had submitted additional documents to be included as exhibits at the hearing. The Tenant indicated that she would do her best to try and pick them up before the end of the day so that she would have them for the hearing the following day.
17. When the hearing began June 4, 2026. at 10:00 a.m., the neither of the Tenants were on the telephone conference line. Commission staff made two attempts to reach the Tenants by telephone but the calls were not answered. The Commission noted the absence of the Appellant on the record, in accordance with Rule 29 of the Commission's Rules of Practice and Procedure, the Commission deemed the appeal abandoned because the Appellant failed to appear at the hearing, despite receiving notice of the date, time and method of participation for the appeal hearing.
18. In coming to this conclusion, the Commission notes that when parties are given a Notice of Hearing by Commission staff, it is accompanied by a copy of the Commission's Scheduling, Rescheduling, and Adjournment Policy. That Policy states that if a party needs to reschedule a hearing, **they must contact the Commission and the other parties in writing within 2 business days of receiving the Notice of Hearing and** must provide two alternative dates that are within 2 weeks of the scheduled date. The policy further provides that last minute adjournments are meant for extraordinary circumstances. Last minute adjournments are granted at the discretion of the Commission.
19. In the present case, the Commission did not receive a request for rescheduling from the Tenant in accordance with the Policy.

C. DISPOSITION

20. The appeal is deemed abandoned in accordance with Rule 29(1)(d) of the Commission's Rules of Practice and Procedure.

IT IS ORDERED THAT

1. The appeal is deemed abandoned in accordance with Rule 29(1)(d) of the Commission's Rules of Practice and Procedure.
2. Order LD26-151 of the Rental Office remains in force and effect.
3. The tenancy between the parties is terminated effective June 29, 2026.

DATED at Charlottetown, Prince Edward Island, 15th day of June, 2026.

BY THE COMMISSION:

[sgd. Gordon MacFarlane]

Gordon MacFarlane

[sgd. Kerri Carpenter]

Kerri Carpenter

NOTICE

Subsections 89 (9), (10) and (11) of the *Residential Tenancy Act* provides as follows:

89. (9) A landlord or tenant may, within 15 days of the decision of the Commission, appeal to the Court of Appeal in accordance with the *Island Regulatory and Appeals Commission Act* R.S.P.E.I. 1988, Cap. I-11, on a question of law only.

(10) Where the Commission has confirmed, reversed or varied an order of the Director, the landlord or tenant may file the order with the Supreme Court.

(11) Where an order is filed under subsection (10), it may be enforced as if it were an order of the Supreme Court.