



PRINCE EDWARD ISLAND

Regulatory & Appeals Commission

Commission de réglementation et d'appels

ÎLE-DU-PRINCE-ÉDOUARD

**Date Issued:** July 2, 2026  
**Dockets:** LR26031  
**Type:** Rental Appeal

INDEXED AS: Kyle Manning v VIDA Living (Ducks) Inc. dba VIDA  
2026 PEIRAC 39 (CanLII)  
Order No: LR26-30

**BETWEEN:**

Kyle Manning (the “Tenant”)

**Appellant**

**AND:**

VIDA Living (Ducks) Inc. dba VIDA (the “Landlord”)

**Respondent**

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## ORDER

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Panel Members:

Gordon MacFarlane, Commissioner  
Pamela J. Williams, Chair

Compared and Certified a True Copy

(Sgd.) Michelle Walsh-Doucette

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Commission Clerk  
Island Regulatory and Appeals Commission

## A. INTRODUCTION

1. This was an appeal of Order LD26-148 of the Residential Tenancy Office (“Rental Office”). The appeal was set for hearing by the Commission on June 16, 2026. The Tenant 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. The “Residential Property” contains 24 rental units, 16 of which were the subject of these Applications. The Landlord has owned the Residential Property since 2023.
3. On November 28, 2025, the Landlord served the Tenants with 16 *Form 8 Notice of Annual Allowable Rent Increase* and 16 *Form 9 Landlord Application to Request Additional Rent Increase* (the “Applications”).
4. On November 28, 2025, the Landlord filed 15 Applications with the Rental Office; however, the Landlord did not file the Application for Unit 21 until February 6, 2026.
5. The current rents and proposed rents are as follows:

| Unit | Current Rent | Proposed Rent |
|------|--------------|---------------|
| 1    | \$865.46     | \$908.73      |
| 2    | \$847.04     | \$889.39      |
| 3    | \$898.19     | \$943.10      |
| 5    | \$763.16     | \$801.32      |
| 6    | \$738.61     | \$775.54      |
| 7    | \$903.31     | \$948.48      |
| 10   | \$891.03     | \$935.58      |
| 11   | \$849.09     | \$891.54      |
| 12   | \$843.98     | \$886.18      |
| 13   | \$871.60     | \$915.18      |
| 15   | \$935.00     | \$981.75      |
| 16   | \$983.10     | \$1,032.26    |
| 17   | \$955.48     | \$1,003.25    |
| 18   | \$911.49     | \$957.06      |
| 23   | \$925.82     | \$972.11      |
| 21   | \$831.70     | \$873.29      |

6. On December 17, 2025, the Rental Office sent the parties notice of a teleconference hearing scheduled for February 2, 2026.
7. On January 28, 2026, the Rental Office notified the parties that the hearing would be postponed to allow the Tenants adequate time to review the Landlord’s evidence.

8. On February 6, 2026, the Landlord re-served the Tenant in Unit 21 with a *Form 8 Notice of Annual Allowable Rent Increase* and a *Form 9 Landlord Application to Request Additional Rent Increase* and filed the Form 9 with the Rental Office on February 6, 2026. This additional application forms part of the Applications.
9. On February 6, 2026, the Rental Office sent the parties notice of a rescheduled teleconference hearing for February 24, 2026.
10. On February 13, 2026, the Rental Office sent the parties a 713-page PDF evidence package via TitanFile.
11. On February 24, 2026, due to a weather-related closure of the Rental Office, the hearing was automatically rescheduled to February 25, 2026.
12. On February 25, 2026, the Landlord's representative (the "Representative"), two Tenants, and a Tenant witness participated in a teleconference hearing before the Rental Office. The parties confirmed receipt of the evidence package and that it included all submitted materials. One additional Tenant provided a written submission but did not participate in the hearing.
13. On March 10, 2026, the Landlord submitted additional evidence (22 PDF documents and 17 spreadsheets), including an amended *Form 10 Landlord Statement of Income and Expenses* (the "Statement").
14. On March 31, 2026, the Rental Office shared the Landlord's additional evidence with the Tenants via TitanFile, with a response deadline of April 15, 2026.
15. On April 20, 2026, one Tenant submitted additional questions and submissions to the Landlord. On April 22, 2026, the Landlord responded to the Tenant's questions and submissions. No further submissions were received after April 22, 2026.
16. On May 13, 2026, the Rental Office issued Order LD26-151 which ordered that the maximum allowable rents for the Units are:

| Unit | Rent       |
|------|------------|
| 1    | \$908.73   |
| 2    | \$889.39   |
| 3    | \$943.10   |
| 5    | \$801.32   |
| 6    | \$775.54   |
| 7    | \$948.48   |
| 10   | \$935.58   |
| 11   | \$891.54   |
| 12   | \$886.18   |
| 13   | \$915.18   |
| 15   | \$981.75   |
| 16   | \$1,032.26 |
| 17   | \$1,003.25 |

|    |          |
|----|----------|
| 18 | \$957.06 |
| 23 | \$972.11 |
| 21 | \$873.29 |

17. The Tenant, Kyle Manning, appealed order LD26-148 on June 1, 2026.
18. On June 9, 2026, Commission staff emailed the parties with a Notice of Hearing, scheduled for June 16, 2026, beginning at 1:30 p.m. The email also included general correspondence and the exhibit list for the scheduled hearing along with instructions to connect to the telephone hearing. The parties were invited to submit any additional evidence to be included in the final exhibit package.
19. On June 12, 2026, Commission staff emailed the parties with the exhibit list and exhibits for the hearing along with the instructions to connect to the telephone hearing.
20. When the hearing began on June 16, 2026, at 1:30 pm, the Tenant, Kyle Manning, was not on the telephone conference line. Commission staff made an attempt to reach the Tenant by telephone but the call was not answered. Commission staff left a voice mail. Commission staff also emailed the Tenant. 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.
21. 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.
22. In the present case, the Commission did not receive a request for rescheduling from the Tenant in accordance with the Policy.

### **C. DISPOSITION**

23. 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 LD26-148 of the Rental Office remains in force and effect.

**DATED** at Charlottetown, Prince Edward Island, 2<sup>nd</sup> day of July, 2026.

## BY THE COMMISSION:

[sgd. Gordon MacFarlane]

Gordon MacFarlane

[sgd. Pamela J. Williams, K.C.]

Pamela J. Williams, K.C.

## 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.