

## Residential Tenancies Tribunal

Application 2025 No. 245NL

John R. Cook  
Adjudicator

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### Introduction

1. The hearing was called at 1:49 PM on 02 July 2025 via teleconference.
2. The applicant, [REDACTED], hereinafter referred to as “the landlord”, participated in the hearing. The respondents, [REDACTED] and [REDACTED], hereinafter referred to as “the tenants”, were also in attendance.

### Issues before the Tribunal

3. The landlord is seeking an order for vacant possession of the rented premises.

### Legislation and Policy

4. The jurisdiction of the Director of Residential Tenancies is outlined in sections 46 and 47 of the *Residential Tenancies Act, 2018*.
5. Also relevant and considered in this case are sections 18 and 34 of the *Residential Tenancies Act, 2018*.

### Issue 1: Vacant Possession of Rented Premises

#### Relevant Submissions

##### The Landlord's Position

6. The landlord stated that he had entered into a 1-year, fixed-term lease with the tenants in August 2014. After that lease expired, the tenancy continued to run on a month-to-month basis. The current rent is set at \$2500.00 per month, and the

landlord stated that a security deposit of \$1425.00 was paid when the tenants moved in.

7. The landlord stated that he intends to sell the rental property, and on 24 March 2025 he issued the tenants with a termination notice, a copy of that notice was submitted with his application. The notice was sent to the tenants by e-mail, and a copy of the notice was also posted to the door of the rented premises. That notice was issued under section 18 of the *Residential Tenancies Act, 2018* and it had an effective termination date of 30 June 2025.
8. The tenants have not yet vacated the property as required. The landlord stated that he was willing to allow the tenants to stay at the unit until 31 July 2025, and he is seeking an order for vacant possession for that date.

### The Tenant's Position

9. The tenants acknowledged receiving the termination notice.
10. They pointed out that they have 3 young children, and that they have been good tenants. They stated that it has been difficult finding a new place to live and they requested that they be granted an extension.

### **Analysis**

11. The relevant subsections of s.18 of the *Residential Tenancies Act, 2018* state:

#### ***Notice of termination of rental agreement***

***18. (2) A landlord shall give the tenant notice that the rental agreement is terminated and the tenant is required to vacate the residential premises***

...

***(b) not less than 3 months before the end of a rental period where the residential premises is rented from month to month; and***

...

***(9) In addition to the requirements under section 34, a notice under this section shall***

***(a) be signed by the person providing the notice;***

***(b) be given not later than the first day of a rental period;***

***(c) state the date, which shall be the last day of a rental period, on which the rental agreement terminates and the tenant intends***

*to vacate the residential premises or the date by which the tenant is required to vacate the residential premises; and*

*(d) be served in accordance with section 35*


12. Section 18 of the *Act* allows a landlord to terminate a rental agreement, on 3 month's notice, without having to provide reasons to either the tenant or this Board.
13. As the termination notice was properly served and as it meets all the requirements set out in section 18 and 34 of the *Act*, I find that it is a valid notice. Although the notice has a move-out date of 30 June 2025, the tenants are required to vacate by 31 July 2025, as per the landlord's request.

### **Decision**

14. The landlord's claim for an order for vacant possession of the rented premises succeeds. The tenants shall vacate the rented premises by 31 July 2025.
15. The tenants shall pay to the landlord any costs charged to the landlord by the Office of the High Sheriff should the landlord be required to have the Sheriff enforce the attached Order of Possession.

04 July 2025

\_\_\_\_\_  
Date

  
\_\_\_\_\_  
John R. Cook  
Residential Tenancies Tribunal