

Residential Tenancies Tribunal

Application 2025-0382-NL

Michael Reddy
Adjudicator

Introduction

1. The hearing was called at 9:11 AM on 3 June 2025 via teleconference.
2. The applicant, [REDACTED], was represented by [REDACTED], hereinafter referred to as the tenant's authorized representative, participated in the hearing.
3. The respondent, [REDACTED], hereinafter referred to as the landlord, participated in the hearing.

Preliminary Matters

4. The tenant submitted an affidavit (T#1) along with his application indicating the tenant's representative personally served the landlord at 2:30 PM on 22 May 2025. The landlord did not dispute service. In accordance with the *Residential Tenancies Act, 2018*, this is considered good service, and the hearing proceeded.
5. The tenant has resided in the premises since November 2024. There is a written monthly rental agreement (T#2). Rent is set at \$1200.00 and due on the 29th of each month. There was no security deposit collected on the tenancy.
6. The tenant's authorized representative amended the application and was seeking \$20.00 hearing expenses.

Issues before the Tribunal

7. The tenant is seeking:
 - Validity of termination notice
 - Hearing expenses of \$20.00

Legislation and Policy

8. The jurisdiction of the Director of Residential Tenancies is outlined in Sections 46 and 47 of the *Residential Tenancies Act, 2018* (the *Act*).
9. Also, relevant and referred to in this decision are Sections 34 and 35 of the *Act*.

Issue 1: Validity of Termination Notice

Relevant Submission

10. The tenant submitted a copy of a termination notice (T#3). The tenant's authorized representative testified the landlord issued the termination notice on 2 April 2025 by placed it on the door of the rental premises which requested for the tenant to vacate by 12 April 2025.

Tenant Position

11. The tenant's authorized representative testified he and the tenant questioned the termination notice issued, and the tenant is seeking to determine the validity of this notice.

Landlord Position

12. The landlord did not dispute he issued the tenant the termination notice by placing it on the door of the rental premises on 2 April 2025. The landlord testified this was issued in relation to the tenant's non-payment of rent.

Analysis

13. This decision will determine the validity of the termination notice in relation to Sections 34 of the *Act* as specified below:

Requirements for notices

34. A notice under this Act shall

- (a) be in writing in the form prescribed by the minister;
- (b) contain the name and address of the recipient;
- (c) identify the residential premises for which the notice is given; and
- (d) state the section of this Act under which the notice is given.

14. Upon review of T#3, the name and address of the recipient and the residential premises for which the notice is given are not contained. Furthermore, the section of the *Act* under which the notice is given is not indicated.

15. The requirements of Section 34 are not met.

Decision

16. The termination notice issued by the landlord on 2 April 2025 to the tenant is therefore not a valid notice.

Issue 2: Hearing expenses

Relevant Submission

17. The tenant claims \$20.00 hearing expenses. Along with his application, the tenant supplied a receipt for hearing expenses (T#4).

Analysis

18. In accordance with Section 12-001 of the Residential Tenancies Policy Manual: Costs, the director has the authority to order "*an unsuccessful party to an application to pay the costs to a successful party to an application*". As the tenant was successful in their application, hearing expenses will be awarded.

Decision

19. The tenant's claim for hearing expenses succeeds in the amount of \$20.00

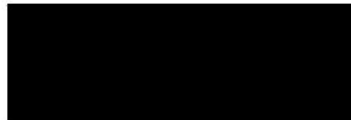
Summary of Decision

20. The termination notice issued to the tenant on 2 April 2025 is not a valid notice.

21. The landlord shall pay \$20.00 to the tenant for the hearing expenses.

17 July 2025

Date



Michael Reddy, Adjudicator
Residential Tenancies Office