

Residential Tenancies Tribunal

Application 2025-0961-NL

Pamela Pennell
Adjudicator

Introduction

1. Hearing was called at 1:59 p.m. on 10-November-2025.
2. The applicant, [REDACTED], hereinafter referred to as “the tenant”, attended by teleconference.
3. The respondent, [REDACTED], hereinafter referred to as “the landlord”, did not attend.

Preliminary Matters

4. The landlord was not present or represented at the hearing and I was unable to reach her at the start of the hearing. This Tribunal’s policies concerning notice requirements and hearing attendance have been adopted from the *Rules of the Supreme Court, 1986*. According to Rule 29.05(2)(a) respondents to an application must be served with the claim and notice of hearing 10 clear days prior to the hearing date and, where the respondent fails to attend the hearing, Rule 29.11(1) states that the hearing may proceed in the respondent’s absence so long as she has been properly served. The tenant submitted an affidavit with his application stating that he had served the landlord with the notice of hearing electronically by email to; [REDACTED] on 28-October-2025 (TT#1). The tenant submitted proof of service (TT#2). In accordance with the *Residential Tenancies Act, 2018* this is good service. As the landlord was properly served, and as any further delay in these proceedings would unfairly disadvantage the tenant, I proceeded with the hearing in her absence.
5. There is a written month-to-month rental agreement which commenced on or about 6-June-2021. Rent is \$750.00 per month due on the first day of each month. A security deposit of \$500.00 was paid on or about 6-July-2021 and is in the landlord’s possession.

Issues before the Tribunal

6. The tenant is seeking:
 - To have the validity of the termination notice determined
 - Hearing expenses \$20.00

Legislation and Policy

7. The jurisdiction of the Director of Residential Tenancies is outlined in sections 46 and 47 of the *Residential Tenancies Act, 2018*.
8. Also, relevant and considered in this decision are the following sections of the *Residential Tenancies Act, 2018*: Section 34: requirements of notices. Also, relevant and considered in this decision is the following section of the *Residential Tenancies Policy Manual*: Section 12-1: Recovery of costs.

Issue # 1: Validity of Termination Notice

Relevant Submission

9. The tenant submitted a copy of a termination notice that was sent to him via *Facebook Messenger* on 3-October-2025 to vacate on 14-October-2025 (TT#3).

Analysis

10. Section 34 of the *Residential Tenancies Act, 2018* states:

Requirements of 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 was given.

11. In accordance with Section 34 of the *Act* as stated above, I find that the landlord failed to comply with the requirements of notices and failed to identify the tenant in full, failed to identify the residential premises and failed to state the Section of the *Act* under which the notice was given. In addition, the landlord did not attend the hearing to present her case as to why she issued a notice with cause. For those reasons, I find that the termination notice is an invalid notice.

Decision

12. The termination notice dated 3-October-2025 is not a valid notice.

Issue # 2: Hearing expenses \$20.00

Analysis

13. The tenant paid an application fee of \$20.00 to *Residential Tenancies* and submitted a copy of the receipt to support the claim (TT#4). In accordance with Section 12-1 of the *Residential Tenancies Policy Manual*, claimable costs may include the filing fee. As the tenant's claim has been successful, I find that the landlord is responsible for the hearing expenses.

Decision

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

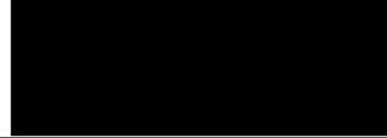
Summary of Decision

15. The termination notice dated 3-October-2025 is not a valid notice.

16. The landlord shall pay the tenant \$20.00 to cover the cost of hearing expenses.

November 12, 2025

Date



Pamela Pennell, Adjudicator
Residential Tenancies Office