

INTRODUCTION

- [1] This decision determines an application filed with the Residential Tenancy Office (the "Rental Office") under the *Residential Tenancy Act* (the "Act").
- [2] The Landlord wants to dispose of the personal property (the "Personal Property") left by the Tenants in the Unit stated in the inventory list (the "Inventory").

DISPOSITION

- [3] The Landlord may dispose of any of the Personal Property that is unsanitary or unsafe as of the date of this Order.
- [4] The Landlord may dispose of the remaining Personal Property in the Inventory on or after November 24, 2025.

BACKGROUND

- [5] The Unit is a two-bedroom, one-bathroom apartment in a four-unit building that the Landlord owns.
- [6] In November 2024, the parties entered into an oral month-to-month tenancy agreement for the Unit. Rent of \$1,200.00 was due on the first day of the month. A security deposit of \$1,000.00 was paid around December 4, 2024.
- [7] Around June 26, 2025, Sheriff Services removed the Tenants from the Unit in accordance with Order LD25-211.
- [8] On October 7, 2025, the Landlord filed a *Form 2(B) Landlord Application to Determine Dispute* with the Rental Office, requesting an order permitting the Landlord to dispose of the Personal Property that was left behind by the Tenants (the "Application"). The Landlord also provided the Rental Office with a copy of the Inventory and photographs of the Personal Property.
- [9] On October 16, 2025, the Rental Office sent the parties notice of a teleconference hearing scheduled for October 28, 2025. The Rental Office also called the Tenants and left a voicemail indicating that the notice of hearing had been sent.
- [10] On October 23, 2025, the Rental Office sent the parties a 65-page evidence package. The Rental Office telephoned the Tenants and left a voicemail indicating the evidence package had been sent.
- [11] On October 28, 2025, the Landlord and the Landlord's witness joined the teleconference hearing. I telephoned the Tenants and left a voicemail message. I also emailed the Tenants and advised them that the hearing would be proceeding. The hearing proceeded in the Tenants' absence ten minutes after the scheduled time.

ISSUE

- A. Can the Landlord dispose of the Personal Property in the Inventory?

ANALYSIS

- [12] The Landlord stated that the Tenants were removed from the Unit by Sheriff Services on or around June 26, 2025, due to a Rental Office Order. When the Tenants moved out of the Unit, they left behind the Personal Property. The Landlord submitted an Inventory and photographs of the Personal Property as evidence. He stated the Personal Property is still stored in the Unit.

- [13] The Landlord stated that he and the Landlord's witness have contacted the Tenants on several occasions about retrieving their Personal Property.
- [14] The Landlord stated that on October 23, 2025, one of the Tenants attended the Unit and retrieved some of the Personal Property. The Tenants have not responded to the Landlord since October 23, 2025, to state whether they wish to retrieve the remaining Personal Property.
- [15] Subsections 43(1) and (7) of the Act state:
(1) A tenant is not entitled to leave the tenant's personal property in the rental unit after the tenancy agreement is terminated.
(7) The Director may, on application by a landlord under section 75, authorize the landlord to dispose of personal property referred to in subsection (2) prior to the end of the applicable storage period required under subsection (4) where the Director believes on reasonable grounds that
(a) the personal property has no monetary value;
(b) the cost of removing, storing or selling the personal property would be more than the proceeds of the sale; or
(c) the storage of the personal property would be unsanitary or unsafe.
- [16] I have reviewed the Inventory, documents and testimony provided by the Landlord. I find that the Personal Property has no monetary value; the cost of removing, storing, or selling the Personal Property would be more than the proceeds of the sale; and that the continued storage of some of the personal property would be unsanitary or unsafe, such as spoiled food, garbage, and drug paraphernalia.
- [17] As a result, the Application for the disposal of the Personal Property in the Inventory is valid.
- [18] The Landlord may dispose of any of the Personal Property that is unsanitary or unsafe as of the date of this Order.
- [19] The Landlord may dispose of the remaining Personal Property contained in the Inventory on or after the timeline below.

IT IS THEREFORE ORDERED THAT

1. The Landlord may dispose of any of the Personal Property that is unsanitary or unsafe as of the date of this Order.
2. The Landlord may dispose of the remaining Personal Property in the Inventory on or after November 24, 2025.

DATED at Charlottetown, Prince Edward Island, this 3rd day of November, 2025.(sgd.) Mitch King

Mitch King
Residential Tenancy Officer

NOTICE**Right to Appeal**

This Order can be appealed to the Island Regulatory and Appeals Commission (the "Commission") by serving a Notice of Appeal with the Commission and every party to this Order within **20 days of this Order**. If a document is sent electronically after 5:00 p.m., it is considered received the next day that is not a holiday. If a document is sent by mail, it is considered served on the third day after mailing.