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 behind in the Unit in the inventory list provided to the Rental Office on March 17, 2026 (the "Inventory List").

DISPOSITION

[3] The Landlord can dispose of the Personal Property in the Inventory List on the terms provided below.

BACKGROUND

[4] The Unit is located in a ten-unit building (the "Residential Property") that the Landlord has owned since July of 2022.

[5] The Landlord and the Tenant entered into a written, monthly tenancy agreement that started on August 1, 2024. Rent in the amount of $350.00 was due on the first day of the month. A security deposit was not required.

[6] On October 9, 2025 the Landlord's representative (the "Representative") posted to the Unit's door and text-messaged the Tenant a *Form 4(A) Eviction Notice* with a vacate date of November 30, 2025 (the "Notice").

[7] On December 9, 2025 the Landlord filed an earlier *Form 2(B) Landlord Application to Determine Dispute* with the Rental Office seeking vacant possession of the Unit.

[8] On January 6, 2026 the Representative participated in a Rental Office hearing. The Tenant did not participate. Order LD26-002 was issued, which ordered as follows:

> *"IT IS THEREFORE ORDERED THAT*
>
> *1. The tenancy between the parties will terminate effective 5:00 p.m. on January 16, 2026.*
>
> *2. The Tenant and all occupants must vacate the Unit by this time and date.*
>
> *3. A certified copy of this Order may be filed in the Supreme Court and enforced by Sheriff Services as permitted by the Act."*

[9] On January 22, 2026 the Tenant vacated the Unit.

[10] On March 17, 2026 the Landlord filed another *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 in the Unit (the "Application"), which is the subject of this decision.

[11] On March 17, 2026 the Landlord emailed the Tenant and the Rental Office the Inventory List.

[12] On May 21, 2026 the Rental Office sent the parties a first email regarding a tele-hearing date. The Rental Office attached a copy of the Application and the Inventory List to the email.

[13] On May 21, 2026 the Rental Office sent the parties a second email with notice of a tele-hearing scheduled for May 25, 2026, along with a copy of the Application.

[14] On May 25, 2026 the Representative participated in a tele-hearing for determination of the Application. I telephoned the Tenant but the Tenant did not answer my call. I emailed the Tenant informing that the hearing would proceed ten minutes after the scheduled time. The hearing proceeded in the Tenant's absence.

ISSUE

A. Can the Landlord dispose of the Personal Property?

ANALYSIS

[15] The Tenant vacated the Unit and left behind the Personal Property. I note that the Tenant was required to remove the Personal Property under subsection 43(1), which states:

> *A tenant is not entitled to leave the tenant's personal property in the rental unit after the tenancy agreement is terminated.*

[16] The Landlord provided text-message and email correspondence with the Tenant. The evidence presented establishes that the Landlord has engaged in significant efforts to arrange for the return of the Personal Property to the Tenant. However, the Tenant has not removed the Personal Property.

[17] Subsection 43(7) of the *Act* states:

> *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.*

[18] I have reviewed the Inventory, documents and testimony provided by the Landlord. I find that the Personal Property has no monetary value or the cost of removing, storing or selling the Personal Property would be more than the proceeds of the sale. I note that the Landlord has already stored the Personal Property for four months.

[19] As a result, the Application for disposal of the Personal Property in the Inventory is valid.

[20] The Landlord may dispose of the three televisions, gaming system, video games, child blanket and child footprints left behind in the Unit on or after June 16, 2026. The Landlord may dispose of all other Personal Property contained in the Inventory List on or after May 28, 2026.

[21] I note that if the Tenant wants any of the Personal Property, then the Tenant should immediately contact the Representative to make arrangements and remove the Personal Property before the relevant timelines below.

IT IS THEREFORE ORDERED THAT

1. The Landlord may dispose of the three televisions, gaming system, video games, child blanket and child footprints left behind in the Unit on or after June 16, 2026. The Landlord may dispose of all other Personal Property contained in the Inventory List on or after May 28, 2026.

DATED at Charlottetown, Prince Edward Island, this 25th day of May, 2026.

(sgd.) Andrew Cudmore

Andrew Cudmore
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.

Filing with the Court

If no appeal has been made within the noted timelines, this Order can be filed with the Supreme Court of Prince Edward Island and enforced as if it were an order of the Court.