

INTRODUCTION

- [1] This decision addresses an application filed by the Landlord with the Residential Tenancy Office (the “Rental Office”) under the *Residential Tenancy Act* (the “Act”).
- [2] The Landlord wants to dispose of the Tenant’s personal property (the “Personal Property”), left behind in the Unit.

BACKGROUND

- [3] The Unit is a two-bedroom, one-bathroom apartment located in a duplex that the Landlord has owned for 25 years.
- [4] In 2022, the parties entered into an oral, monthly tenancy agreement. Rent was \$1,200.00 due on the 1st day of the month (the “Tenancy Agreement”). No security deposit was paid.
- [5] On March 13, 2026 the Landlord served the Tenant an eviction notice not on the approved form (*Form 4B Eviction Notice*), with an effective date of April 30, 2026. The reason for the eviction notice was the Landlord wanting the Unit for himself due to a change in his medical condition.
- [6] The Tenant vacated the Unit sometime during April.
- [7] On May 26, 2026 the Landlord filed *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 remained in the Unit (the “Application”), which is determined in this decision. The Application also seeks rent owing and compensation, which is addressed in a separate proceeding.
- [8] On May 26, 2026, an itemized list of the Tenant’s Personal Property, that the Landlord seeks to dispose of (the “Inventory”) was shared with the Tenant via text.
- [9] On July 27, 2026 the Landlord provided the Rental Office with a copy of the Inventory.
- [10] On August 17, 2026 the Rental Office called the Landlord’s Representatives and conducted a tele-hearing. The Rental Office attempted to contact the Tenant; however, the number provided to the Rental Office for the Tenant has been disconnected.

DISPOSITION

- [11] I find that the Landlord may dispose of the Personal Property listed on the Inventory on or after August 20, 2026.

ISSUE

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

ANALYSIS & FINDINGS

- [12] I note that applications and proceedings regarding disposal of personal property are distinct from other applications under the *Act*. Subsection 43(6) of the *Act* states:

A landlord who stores a tenant’s personal property under subsection (2) may apply to the Director under section 75, without notice to the tenant, for permission to dispose of the tenant’s personal property.

- [13] The Tenant was required to remove their Personal Property from the Unit 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.

- [14] The Representatives stated that the correspondences from the Tenant provided to the Rental Office occurred after the Tenant was served the Application and the Inventory.

- [15] The Representatives stated that the Tenant has not made any attempts to reclaim their belongings.

- [16] The Representatives stated that the cost of removing, storing or selling the personal property would be more than the proceeds of the sale.

- [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's Representatives. I find that the Personal Property has no monetary value or that the cost of removing, storing or selling the Personal Property would exceed the proceeds of the sale.

- [19] As a result, the Application for disposal of the Personal Property in the Inventory is valid. The Landlord may dispose of the Personal Property contained in the Inventory on or after the timeline below.

IT IS THEREFORE ORDERED THAT

1. The Landlord may dispose of the Personal Property in the Inventory on or after August 20, 2026.

DATED at Charlottetown, Prince Edward Island, this 20th day of August, 2026.

(sgd.) Samuel Harding

Samuel Harding
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.