INTRODUCTION

[1] This decision addresses an application filed with the Residential Tenancy Office (the "Rental Office") under the *Residential Tenancy Act* (the "Act").

[2] The Landlord seeks permission to dispose of the personal property (the "Personal Property") that the Tenant left behind in the Unit that is contained in the inventory list and the photographs that were provided to the Rental Office and the Tenant on October 15 and 21, 2026 (the "Inventory List").

BACKGROUND

[3] The Unit is a two-bedroom, one-bathroom apartment located in a five-unit building (the "Residential Property") that the Landlord owns.

[4] The Landlord and the Tenant entered into an oral monthly tenancy agreement beginning in March 2017. Rent of $806.00 was due on the first day of each month. A security deposit was not required.

[5] On August 24, 2026, the Landlord served the Tenant with a first *Form 4(A) Eviction Notice,* effective September 13, 2026 (the "First Notice"), for nonpayment of $806.00 in rent. The Landlord posted the First Notice on the Unit's door.

[6] On August 24, 2026, the Landlord served the Tenant with a second *Form 4(A) Eviction Notice* effective September 30, 2026 (the "Second Notice") for repeatedly late rent payments. The Landlord posted the Second Notice on the Unit's door.

[7] On September 16, 2026, the Landlord filed a *Form 2(B) Landlord Application to Determine Dispute* seeking an eviction order and a monetary order.

[8] On October 15, 2026, the Landlord withdrew the September 16, 2026, *Form 2(B)* seeking eviction.

[9] On October 15, 2026, the Landlord filed a second *Form 2(B) Landlord Application to Determine Dispute* (the "Application") with the Rental Office, seeking to dispose of the Personal Property the Tenant left behind, which this Order determines. The Application also seeks rent owing, which is not determined in this Order. The Landlord text messaged the Application to the Tenant.

[10] On October 20, 2026, I emailed the Landlord to schedule a hearing for October 21, 2026, to determine the Personal Property portion of the Application. The Rental Office had no email address or working telephone number to telephone the Tenant.

[11] On October 21, 2026, the Landlord's representatives (the "Representatives") joined the tele-hearing at the scheduled time. I telephoned the Tenant, but her phone number was not in service.

DISPOSITION

[12] The Landlord may dispose of the Personal Property on the terms stated below.

ISSUE

A. Can the Landlord dispose of the Personal Property?

ANALYSIS

[13] 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.*

[14] The Representatives stated that the Landlord inspected the Unit on September 14, 2026, because they could not contact the Tenant and the vacate date under the First Notice had passed. The Landlord found the Tenant's Personal Property in the Unit at that time, but the Landlord could not contact the Tenant.

[15] The Landlord inspected the Unit again on October 13, 2026, and determined that the Tenant had not returned to the Unit and had left the Personal Property in the Unit.

[16] The Landlord texted the Tenant and contacted one of the Tenant's family members, but the Tenant did not contact the Landlord about the Personal Property.

[17] I find that the evidence establishes that the First Notice required the Tenant to vacate the Unit by September 13, 2026, because the Tenant did not pay the outstanding rent or dispute the First Notice. I find that the tenancy ended on September 13, 2026, under clauses 60(1) and 60(5) of the Act.

[18] The Tenant was then 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.*

[19] 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.*

[20] The Landlord provided photographs and an Inventory List of the Personal Property. The Landlord's evidence is essentially that the Personal Property has little to no value.

[21] I have reviewed the Inventory List, photographs, documents and testimony that the Landlord provided.

[22] Upon review of the evidence provided, I find that the Personal Property has little to no monetary value or the cost of removing, storing or selling the Personal Property would be more than the proceeds of the sale.

[23] For these reasons, I find that the Application for disposal of the Personal Property in the Inventory List is valid.

[24] In this case, where the Tenant has not agreed to the disposal of the Personal Property, I find that the Landlord must wait for the 20-day appeal period to expire before disposing of the Personal Property, as ordered below. The Landlord may immediately remove the Personal Property from the Unit and place it in safe storage or store it on the Residential Property in a safe manner before this disposal date.

[25] The Landlord may immediately dispose of all the compost, recycling and garbage that the Tenant left behind in the Unit.

[26] I note that, if the Tenant wants any of the Personal Property, then the Tenant must immediately contact the Landlord to make arrangements to remove the Personal Property as soon as possible.

IT IS THEREFORE ORDERED THAT

1. The Landlord may dispose of the Personal Property contained in the Inventory List after November 10, 2026. The Landlord may immediately remove the Personal Property from the Unit and place it in safe storage or store it on the Residential Property in a safe manner before this disposal date.

2. The Landlord may immediately dispose of all the compost, recycling and garbage that the Tenant left behind in the Unit.

DATED at Charlottetown, Prince Edward Island, this 21st day of October, 2026.

(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.

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.