



Policy and Procedure

Abandoned Personal Property

This policy provides guidance to staff at the Employment Standards and Residential Tenancies Branch and the public in understanding our internal processes. This policy is not law. To the extent that this policy conflicts with any federal or territorial legislation, the legislation prevails. This policy may be amended or revised by the Director of Employment Standards and Residential Tenancies. If you have questions about the policy, please contact the Employment Standards and Residential Tenancies branch by phone at (867) 667-5944 or email at eso@yukon.ca or rto@yukon.ca.

Purpose

To explain the requirements for landlords dealing with abandoned property in their rental unit to obtain an order for the removal, sale or disposal of the property from the Residential Tenancies Office (“RTO”).

This policy does not apply to abandoned mobile homes. Please see Policy RT-3620-009 “Abandoned Property: Mobile Homes” for information about abandoned mobile homes.

Background

Once a tenancy ends, landlords may need to prepare the rental unit for a new tenant. If a previous tenant left property behind in the rental unit or on the residential property, the landlord may apply to the RTO for an order authorizing them to remove, sell or dispose of the abandoned property.

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If a landlord discovers that their tenant abandoned property in the rental unit or on the residential property, they can move the items and store them in a secure place until they obtain an order from the RTO. This allows landlords to access the unit and make it available to rent while they proceed with an application to the RTO.

The landlord must submit an [Application for order to dispose of abandoned property](#) to the RTO.

Under section 64 of the *Residential Landlord and Tenant Act* (the “Act”), an adjudicator may grant an order authorizing the landlord to remove, sell or otherwise dispose of the abandoned property if:

- a) the tenancy ended or the tenant vacated or abandoned the rental unit;
- b) the tenant left property in the rental unit;
- c) the landlord made reasonable efforts to determine the whereabouts of the tenant who left property in the rental unit;
- d) the landlord offered reasonable opportunities for the tenant to remove their property; and
- e) the tenant cannot be located, or the tenant has not made reasonable arrangements for the removal of the property.

The total value of the property must be less than \$25,000.

If the criteria listed above are clearly met on the evidence, the adjudicator may grant the order without providing notice to the tenant or holding a hearing. However, if there is uncertainty that any of the criteria are met, they will notify the tenant of the application and provide them with an opportunity to be heard.

If the order is granted and the landlord sells the abandoned goods, they must pay the proceeds from the sale to the Director to be credited to the tenant who left the property. The tenant will have six months to claim the proceeds of the sale.

If the landlord is owed money from the tenant (for example, for unpaid rent or costs incurred by the landlord), the landlord must submit evidence of this with their application. If the adjudicator is satisfied that the tenant owes the landlord money, the adjudicator may authorize the landlord to deduct the amount from the proceeds of the sale of the abandoned goods,

Policy history

Date	Version number	Description
June 14, 2024	1	Policy approved