

Abandoned property

If a tenancy ends or a tenant abandons their rental unit and leaves items behind, the landlord can apply for an order from the Residential Tenancies Office (RTO).

Tenant leaves possessions behind

If a tenant abandoned their possessions at the residential property, the landlord should itemize and securely store the items until:

- the tenant comes back to claim the items; or
- the landlord obtains an order from the RTO.

The landlord must try to contact the tenant to have them retrieve their property and document these efforts. The landlord can seek compensation from the tenant for any costs incurred with storing the tenant's property.

The landlord should keep a written inventory of the abandoned property and may want to take photographs of the items to document their condition.

After an application has been made, the RTO may authorize the landlord to remove the property from the rental unit and sell or dispose of it. This only happens if the RTO is satisfied:

- that the landlord made reasonable efforts to locate the tenant; or
- the landlord located the tenant, but the tenant has not made reasonable arrangements to remove their possessions.

Landlords must apply for an order to remove, sell, or dispose of abandoned property within one year of the tenancy ending.

Landlord's duty of care

When dealing with a tenant's personal property, the landlord should consider the circumstances and the nature of the property.

The law requires the landlord to exercise reasonable care and ensure the property is not damaged, lost or stolen when it is removed and stored.

The landlord must pay any money that remains after any deductions to the RTO. The RTO holds it in trust for the tenant who left the property. The tenant has six months to claim this money, after which it is forfeited.