



Policy: RT-3620-009

Policy and Procedure

Abandoned Property: Mobile Homes

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 when landlords dealing with an abandoned mobile home at their mobile home park may be entitled to an order for the removal, sale or disposal of the abandoned mobile home from the Residential Tenancies Office ("RTO").

For information about abandoned property other than mobile homes, please see Policy RT-3620-008 "Abandoned Personal Property".

Background

If a tenant abandons their mobile home at a mobile home site, the landlord may apply to the RTO for an order authorizing them to remove, sell or dispose of the abandoned mobile home.

The RTO does not have jurisdiction over claims with a monetary value exceeding \$25,000. A landlord who submits an [Application for order to dispose of abandoned property](#) to the RTO must provide clear and reliable evidence that the value of the mobile home is under \$25,000. If it is not clear from the evidence that the mobile home is valued at less than \$25,000, the RTO will decline jurisdiction, meaning that the landlord will have to bring the claim to the Supreme Court of Yukon.

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An adjudicator at the RTO may grant an order authorizing the landlord to remove, sell or otherwise dispose of an abandoned mobile home if they are satisfied that:

- a) the value of the mobile home is less than \$25,000;
- b) the tenancy ended or the tenant abandoned the mobile home site;
- c) the tenant left the mobile home behind at the mobile home site;
- d) the landlord made reasonable efforts to determine the whereabouts of the tenant who abandoned the mobile home;
- e) the landlord offered reasonable opportunities for the tenant to remove the mobile home from the site; and
- f) the tenant cannot be located, or the tenant has not made reasonable arrangements for the removal of the mobile home.

If the criteria listed above are clearly met based on the evidence, the adjudicator may issue 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. Applications related to mobile homes will usually involve a hearing.

If the landlord obtains an order and sells the abandoned mobile home, they must pay the proceeds from the sale to the Director to be credited to the tenant who abandoned the mobile home. 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 can apply to recover this amount from the proceeds of the sale. To do so, the landlord must submit evidence to the RTO of the amount the mobile home sold for, the costs incurred by the landlord and any other amounts they are owed. If the adjudicator is satisfied that the landlord is owed money from the tenant, they may authorize the landlord to deduct that amount from the proceeds of the sale of the abandoned mobile home.

Policy history

Date	Version number	Description of change
June 14, 2024	1	Policy approved