

Tenant and Landlord Responsibilities

What Happens When Tenants Leave Abandoned Goods Behind

This fact sheet is a guide for tenants who live in social housing provided by the Manitoba Housing and Renewal Corporation (MHRC). It includes Manitoba Housing, MHRC's Sponsor-Managed Housing and Rural and Native Housing.

Abandoned goods are any personal property left behind by tenants who vacate, abandon or have been evicted from MHRC housing. These goods are considered “abandoned” if landlords have not agreed in advance to store them for the tenants. In Manitoba, disposal of all abandoned goods must comply with *The Residential Tenancies Act* (the “act”) and its Regulations.

This guide provides highlights about the rights and responsibilities of both tenants and landlords. For details, read your lease; review the applicable provisions of the act (including sections 1(3), 63, 76.1 and 106-108); and see the *Residential Tenancies Branch's Policies and Procedures Guidebook*, which is available through the Residential Tenancies Branch office or online at: www.gov.mb.ca/finance/cca/rtb/gbook/condensedtoc.html.

WHAT IF TENANTS CHOOSE TO LEAVE PERSONAL PROPERTY BEHIND?

If tenants do not want the personal property, the landlord can provide an Authorization to Dispose of Contents form. It must be signed by the tenants before they move out. The form gives landlords permission to dispose of personal property left behind by the tenants. Tenants may be responsible for any cost the landlord incurs when disposing of the abandoned goods.

HOW CAN TENANTS AVOID LOSING THEIR PERSONAL PROPERTY?

To avoid losing any personal property when they move out, tenants must:

- Arrange to have all your personal items removed from the housing unit on or before your moving day.
- Contact the landlord immediately if you need to leave something behind. Make sure the landlord has your new contact information and the date you will be picking the items up. Tenants may be responsible for any cost the landlord incurs when moving or storing personal items.

WHAT HAPPENS TO THE ABANDONED GOODS?

When landlords find abandoned goods, they will make reasonable efforts to contact the tenants and give them a chance to pick them up. Landlords will also make an inventory list of the abandoned goods for the tenants.

If tenants cannot be reached, the following steps will be taken:

- The inventory list will be sent to the tenants' last known address.
- The landlord will store the goods for 60 days, but only if the landlord believes the abandoned items are safe and sanitary for storage, and that they have some monetary value. Otherwise, the abandoned goods will immediately be given to charity or disposed of.
- If the abandoned goods are personal documents or photographs, they will be stored by the landlord for 60 days, regardless of their monetary value.
- If tenants do not claim the abandoned goods within 60 days, landlords will contact the Residential Tenancies Branch to help decide if the goods can be sold or disposed of.
- Landlords should record in tenants' files, all information about tenants' abandoned goods, including photographs of the goods and an Authorization to Dispose of Contents form if the tenants signed one.

For more information, contact the **Residential Tenancies Branch** or visit the website at: www.gov.mb.ca/finance/cca/rtb/gbook/s6aband_geninfo1.html.

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