

Residential Tenancies Tribunal

Application 2024-0970-NL

Pamela Pennell
Adjudicator

Introduction

1. Hearing was called at 9:02 a.m. on 27-February-2025.
2. The applicant, [REDACTED], hereinafter referred to as “the tenant” attended by teleconference.
3. The respondent, [REDACTED], hereinafter referred to as “the landlord” attended by teleconference.

Preliminary Matters

4. The tenant submitted an affidavit with her application stating that she had served the landlord the notice of hearing document electronically by email to: [REDACTED] on 13-February-2025 (TT#1). The landlord confirmed receipt of the document on that date. In accordance with the *Residential Tenancies Act, 2018*, this is good service.
5. There was a written month-to-month rental agreement which commenced on 1-November-2022. The landlord took back the unit on 15-August-2024. Rent was \$450.00 per month due on the first day of each month. A security deposit of \$450.00 was paid on 1-November-2022 and is in the landlord’s possession.

Issues before the Tribunal

6. The tenant is seeking:
 - Return of Possessions

Legislation and Policy

7. The jurisdiction of the Director of Residential Tenancies is outlined in Sections 46 and 47 of the *Residential Tenancies Act, 2018*.

Issue # 1: Return of Possessions

Tenant’s Position

8. The tenant testified that she had to leave the premises on 10-July-2024 to take care of a family member in a different community and she stated that the landlord locked her out of the unit with all her personal belongings still in the unit. The tenant is seeking permission to enter the premises to retrieve her personal belongings.

Landlord's Position

9. The landlord did not dispute that the tenant's personal belongings were still at the unit, and she stated that she has been holding the items in storage since August 2024. The landlord stated that she will allow access to the property to retrieve the belongings.

Analysis

10. As both parties agree to cooperate in the return of the tenant's possessions, I find that the landlord shall allow the tenant and /or a person(s) representing the tenant access to the unit to retrieve the tenant's personal belongings.

Decision

11. The tenant's claim to have possessions returned succeeds.

February 27, 2025

Date



Pamela Pennell, Adjudicator
Residential Tenancies Office