



Dispute Resolution Services

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Residential Tenancy Branch
Office of Housing and Construction Standards

DECISION

Dispute Codes AS

Introduction

This hearing dealt with the tenants' application pursuant to the *Residential Tenancy Act* ("Act") for:

- an order allowing the tenants to assign or sublet because the landlord's permission has been unreasonably withheld, pursuant to section 65.

The landlord and the two tenants attended the hearing and were each given a full opportunity to be heard, to present affirmed testimony, to make submissions, and to call witnesses. This hearing lasted approximately 11 minutes.

The landlord stated that she owns the rental unit and confirmed the rental unit address. Both parties provided their email addresses for me to send this decision to them after the hearing.

At the outset of this hearing, I informed both parties that recording of this hearing was not permitted by anyone, as per Rule 6.11 of the Residential Tenancy Branch ("RTB") *Rules of Procedure* ("Rules"). The landlord and the two tenants all separately affirmed, under oath, that they would not record this hearing.

I explained the hearing process to both parties. Both parties had an opportunity to ask questions. Neither party made any adjournment or accommodation requests.

At the outset of this hearing, both parties agreed that the tenants vacated the rental unit on December 15, 2021 and the landlord took back possession of the unit. I informed both parties that the tenants' application was dismissed without leave to reapply, since their claim to assign or sublet is related to an ongoing tenancy only, and their tenancy is over. Both parties confirmed their understanding of same.

Conclusion

The tenants' application is dismissed without leave to reapply.

This decision is made on authority delegated to me by the Director of the Residential Tenancy Branch under Section 9.1(1) of the *Residential Tenancy Act*.

Dated: January 04, 2022

Residential Tenancy Branch