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# The Residential Tenancies Branch

## FACT SHEET

Cette information existe  
également en français.  
Composez le 204-945-2476.

## Subletting and Assignment

**Tenants sometimes need to move before their lease or tenancy agreement is up. A tenant must get the landlord's written permission to assign or sublet their place to another person. A landlord can't refuse without a good reason. The landlord has the right to charge a fee of up to \$75.00 for the assignment or sublet.**

## What is the difference between subletting and assignment?

### Assignment

**When there is an assignment, the first tenant does not plan to move back in. Here's what happens:**

- **the tenant finds a new tenant to take their place;**
- **the tenant must obtain the landlord's written approval for the new tenant; the landlord cannot unreasonably withhold consent;**
- **the landlord takes a new security deposit from the new tenant; the security deposit is not transferred from the first tenant to the new tenant;**
- **the landlord, new tenant and tenant, sign the "Assignment of Tenancy Agreement" part of the lease;**
- **the first tenant is no longer responsible for the lease once the new tenant takes over the lease;**
- **the landlord does an outgoing condition report with the first tenant;**
- **the landlord does an incoming condition report with the new tenant.**

(see over)

## **Sublet**

**A tenant who sublets moves out for a while and then moves back in. Here's what happens:**

- **the tenant gives another permission to live in their apartment or house for an agreed upon time;**
- **the tenant must obtain the landlord's written approval for the sub-tenant; the landlord cannot unreasonably withhold consent;**
- **the landlord, the subletting tenant and the tenant, sign the "subletting agreement" part of the lease;**
- **the first tenant is still responsible for the lease and any damage to the property, even though they are not living there;**
- **the first tenant must charge the subletting tenant the same rent that they paid;**
- **the landlord keeps the security deposit in the name of the first tenant.**

## **For more information**

**This fact sheet is only a brief explanation. For more information contact:**

### **The Residential Tenancies Branch**

*This information is available in multiple formats upon request.*