



# Housing (Wales) Act 2014

2014 anaw 7

## PART 2

### HOMELESSNESS

#### CHAPTER 2

#### HELP FOR PEOPLE WHO ARE HOMELESS OR THREATENED WITH HOMELESSNESS

##### *Duties to help applicants*

#### **76 Circumstances in which the duty in section 75 ends**

- (1) The duty to an applicant under section 75(1) comes to an end in any of the circumstances described in subsections (2), (3), (6) or (7), if the applicant has been notified in accordance with section 84.
- (2) The circumstances are that the applicant accepts—
  - (a) an offer of suitable accommodation under Part 6 of the Housing Act 1996 (allocation of housing),<sup>F1</sup>...
  - <sup>F2</sup>(aa) an offer of suitable accommodation in Wales under a tenancy which is an occupation contract, or]
  - (b) an offer of suitable accommodation [<sup>F3</sup>(in England)] under an assured tenancy (including an assured shorthold tenancy).
- (3) The circumstances are that the applicant, having been given notice in writing of the possible consequence of refusal or acceptance of the offer, refuses—
  - (a) an offer of suitable interim accommodation under section 75,
  - (b) a private rented sector offer, or
  - (c) an offer of accommodation under Part 6 of the Housing Act 1996, which the authority is satisfied is suitable for the applicant.

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*Changes to legislation: There are currently no known outstanding effects for the Housing (Wales) Act 2014, Section 76. (See end of Document for details)*

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- (4) For the purposes of this section an offer is a private rented sector offer if—
- [<sup>F4</sup>(a) it is an offer of—
    - (i) a tenancy which is an occupation contract made by a private landlord to the applicant in relation to accommodation in Wales which is available for the applicant’s occupation, or
    - (ii) an assured shorthold tenancy made by a private landlord to the applicant in relation to any accommodation in England which is available for the applicant’s occupation,]
  - (b) it is made, with the approval of the authority, in pursuance of arrangements made by the authority with the landlord with a view to bringing the authority’s duty under section 75 to an end, and
  - (c) [<sup>F5</sup>in relation to accommodation in England,] the tenancy being offered is a fixed term tenancy for a period of at least 6 months.
- (5) In a restricted case, the local housing authority must, so far as reasonably practicable, bring its duty to an end by securing a private rented sector offer; for this purpose, a “restricted case” means a case where the local housing authority would not be satisfied as mentioned in section 75(1) without having regard to a restricted person (see section 63(5)).
- (6) The circumstances are that the local housing authority is satisfied that the applicant has become homeless intentionally from suitable interim accommodation made available for the applicant’s occupation—
- (a) under section 68 and which continues to be made available under section 75, or
  - (b) under section 75.
- (7) The circumstances are that the local housing authority is satisfied that the applicant has voluntarily ceased to occupy as his or her only or principal home, suitable interim accommodation made available for the applicant’s occupation—
- (a) under section 68 and which continues to be made available under section 75, or
  - (b) under section 75.
- (8) See section 79 for further circumstances in which the duty in section 75(1) comes to an end.
- [<sup>F6</sup>(9) In this section—
- “fixed term tenancy” (“*tenantiaeth cyfnod penodedig*”) in relation to accommodation in England has the meaning given in Part 1 of the Housing Act 1988 (c. 50);
  - “occupation contract” (“*contract meddiannaeth*”) has the same meaning as in the Renting Homes (Wales) Act 2016 (anaw 1) (see section 7 of that Act).]

#### Textual Amendments

- F1** Word in s. 76(2)(a) omitted (1.12.2022) by virtue of [The Renting Homes \(Wales\) Act 2016 \(Consequential Amendments\) Regulations 2022](#) (S.I. 2022/1166), regs. 1(1), [34\(9\)\(a\)\(i\)](#)
- F2** S. 76(2)(aa) inserted (1.12.2022) by [The Renting Homes \(Wales\) Act 2016 \(Consequential Amendments\) Regulations 2022](#) (S.I. 2022/1166), regs. 1(1), [34\(9\)\(a\)\(ii\)](#)
- F3** Words in s. 76(2)(b) inserted (1.12.2022) by [The Renting Homes \(Wales\) Act 2016 \(Consequential Amendments\) Regulations 2022](#) (S.I. 2022/1166), regs. 1(1), [34\(9\)\(a\)\(iii\)](#)

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- F4** S. 76(4)(a) substituted (1.12.2022) by The Renting Homes (Wales) Act 2016 (Consequential Amendments) Regulations 2022 (S.I. 2022/1166), regs. 1(1), **34(9)(b)(i)**
- F5** Words in s. 76(4)(c) inserted (1.12.2022) by The Renting Homes (Wales) Act 2016 (Consequential Amendments) Regulations 2022 (S.I. 2022/1166), regs. 1(1), **34(9)(b)(ii)**
- F6** S. 76(9) substituted (1.12.2022) by The Renting Homes (Wales) Act 2016 (Consequential Amendments) Regulations 2022 (S.I. 2022/1166), regs. 1(1), **34(9)(c)**

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**Commencement Information**

- I1** S. 76 in force at 27.4.2015 by S.I. 2015/1272, art. 2, **Sch. para. 27**

**Changes to legislation:**

There are currently no known outstanding effects for the Housing (Wales) Act 2014, Section 76.