



# Renting Homes (Wales) Act 2016

2016 anaw 1

## PART 2

### OCCUPATION CONTRACTS AND LANDLORDS

#### CHAPTER 2

##### NATURE OF CONTRACTS WHICH CAN BE MADE ETC. BY COMMUNITY LANDLORDS AND PRIVATE LANDLORDS

*Contracts made with or adopted by community landlords*

#### **12 Contract adopted by community landlord**

- (1) If a community landlord becomes the landlord under an existing secure contract, the contract continues as a secure contract.
- (2) If a community landlord becomes the landlord under an existing standard contract because of a transfer under section 62 or 66 (transfer of rights and obligations of landlord under a sub-occupation contract), the contract continues as a standard contract.
- (3) If a community landlord becomes the landlord under an existing standard contract for any other reason, the existing contract—
  - (a) ends when the community landlord becomes the landlord, and
  - (b) is replaced with a secure contract that has an occupation date falling immediately after the existing contract ends,unless one of the following exceptions applies.
- (4) The first exception applies if—
  - (a) the contract is within Schedule 3 (occupation contracts adopted by community landlords which may be standard contracts),

*Status: Point in time view as at 01/12/2022.*

*Changes to legislation: Renting Homes (Wales) Act 2016, Section 12 is up to date with all changes known to be in force on or before 10 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

- (b) before or at the time the community landlord becomes the landlord, the community landlord gives the contract-holder a notice under section 13, and
  - (c) no other exception applies.
- (5) The second exception applies if the contract is made as a result of an order under section 116 (prohibited conduct standard contract).
- (6) The third exception applies if the contract arises under section 184(2) or is within section 184(6) (contracts at end of fixed term).
- (7) The fourth exception applies if the contract is a tenancy or licence arising under section 238 (implied tenancies and licences).
- (8) The fifth exception applies if—
  - (a) the contract is a fixed term standard contract for which a premium was paid, and
  - (b) before the community landlord becomes the landlord, the contract-holder decides that the contract should remain a fixed term standard contract (section 15 makes further provision about such decisions).
- (9) Section 16 makes further provision about contracts to which the first exception applies because the contract is within paragraph 3 of Schedule 3 (introductory standard contracts).

#### **Commencement Information**

**II** [S. 12](#) in force at 1.12.2022 by [S.I. 2022/906](#), [art. 2](#)

**Status:**

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