



# Renting Homes (Fees etc.) (Wales) Act 2019

2019 anaw 2

## RENTING HOMES (FEES ETC.) (WALES) ACT 2019

### **PART 1**

#### OVERVIEW

- 1 Overview of Act

### **PART 2**

#### PROHIBITION OF CERTAIN PAYMENTS ETC.

- 2 Prohibitions applying to landlords
- 3 Prohibitions applying to letting agents
- 4 Prohibited and permitted payments
- 5 Non-binding contract terms
- 6 Application of sections 2 to 5 to pre-existing requirements and contracts
- 7 Power to amend definition of “permitted payment”
- 8 Meaning of “letting agent”, “lettings work” and “property management work”

### **PART 3**

#### TREATMENT OF HOLDING DEPOSITS

- 9 Treatment of holding deposits

### **PART 4**

#### ENFORCEMENT

*Enforcement authority powers to require information etc.*

- 10 Power to require documents or information

- 11 Offence of failing to comply with a notice under section 10
- 12 Offence of providing false or misleading information in relation to a notice under section 10

*Fixed penalty notices*

- 13 Fixed penalty notices

*Notification of conviction to licensing authority*

- 14 Duty of local housing authority to notify licensing authority of conviction

*Guidance*

- 15 Duty to have regard to guidance

*Meaning of “authorised officer” in this Part*

- 16 Meaning of “authorised officer”

*The enforcement authority for the purposes of this Part*

- 17 Enforcement authorities

*Information sharing and power to bring criminal proceedings*

- 18 Supply and use of information by enforcement authorities
- 19 Power of licensing authority to bring criminal proceedings

*Restrictions on termination by landlord of standard occupation contracts*

- 20 Amendment of Renting Homes (Wales) Act 2016: restrictions on terminating contracts

*Guidance to a licensing authority under Part 1 of the Housing (Wales) Act 2014*

- 21 Amendment to section 41 of Housing (Wales) Act 2014

**PART 5**

RECOVERY OF AMOUNT BY CONTRACT-HOLDER

- 22 Recovery of a prohibited payment or holding deposit

**PART 6**

PUBLICISING LETTING AGENTS’ FEES

- 23 Publicising letting agents’ fees

**PART 7**

FINAL PROVISIONS

- 24 Requirement for local housing authority to promote awareness of effect of Act
- 25 Power to make transitional provision in respect of assured tenancies
- 26 Offences by bodies corporate
- 27 Regulations

- 28 Interpretation
- 29 Crown application
- 30 Coming into force
- 31 Short title

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#### SCHEDULE 1 — Permitted Payments

- 1 Rent
- 2 Security deposit
- 3 Holding deposit
- 4 A holding deposit is an amount which—
- 5 Where an amount required in purported compliance with this paragraph...
- 6 Payment in the event of default
- 7 Payment in respect of council tax
- 8 Payment in respect of provision of utilities
- 9 Payment in respect of television licence
- 10 Payment in respect of communication service
- 11 Changing the meaning of “permitted variation” in paragraph 1

#### SCHEDULE 2 — Treatment of Holding Deposit

- 1 Application
- 2 Meaning of “deadline for agreement”
- 3 Requirement to repay holding deposit
- 4 The deposit must be repaid within the period of 7...
- 5 Exceptions
- 6 If all or part of the holding deposit is applied...
- 7 Paragraph 3(b) does not apply if the contract-holder provides false...
- 8 Paragraph 3(b) does not apply if the contract-holder notifies the...
- 9 Paragraph 3(b) does not apply in relation to a holding...
- 10 Paragraph 3(b) does not apply in relation to a holding...
- 11 Supplemental provision about exceptions in paragraphs 8 to 10

#### SCHEDULE 3 — AMENDMENTS TO THE RENTING HOMES (WALES) ACT 2016

- 1 The Renting Homes (Wales) Act 2016 (anaw 1) is amended...
- 2 Restriction on giving notice for possession: periodic standard contracts
- 3 In section 126 (notice procedure for variation, under section 125,...
- 4 Restrictions on giving notice in connection with end of fixed term standard contracts
- 5 Restriction on using landlord’s break clause in fixed term standard contracts
- 6 Restrictions on a court hearing landlord’s claim for possession
- 7 Miscellaneous consequential provision