

Changes to legislation: Local Government and Housing Act 1989, Paragraph 1A is up to date with all changes known to be in force on or before 10 August 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) View outstanding changes

SCHEDULES

SCHEDULE 10

SECURITY OF TENURE ON ENDING OF LONG RESIDENTIAL TENANCIES

Modifications etc. (not altering text)

C1 Sch. 10 excluded (1.11.1993) by 1993 c. 28, s. 59(2)(b)(i) (with ss. 94(2), 95); S.I. 1993/2134, arts. 2, 5(a)

Preliminary

- [^{F1}1A. (1) In relation to a dwelling-house in Wales, when a long tenancy not at a low rent—
- (a) comes to an end after the appointed day,
 - (b) the fixed term has come to an end otherwise than by virtue of—
 - (i) an order of the court, or
 - (ii) a surrender or other action on the part of the tenant,
 - (c) at that time, it would have been an assured tenancy, within the meaning of Part 1 of the Housing Act 1988, if assured tenancies had not been abolished in Wales (by section 239 of the Renting Homes (Wales) Act 2016), and
 - (d) the tenant remains in occupation of the dwelling-house after the end of the term,
- the landlord and the tenant are to be treated as having made a new periodic standard contract in relation to the dwelling-house.
- (2) The new contract arising under sub-paragraph (1)—
- (a) has an occupation date falling immediately after the end of the fixed term,
 - (b) has rental periods that are the same as those for which rent was last payable under the fixed term tenancy, and
 - (c) incorporates the fundamental and supplementary provisions applicable to periodic standard contracts as terms of the new contract without modification.
- (3) Subject to sub-paragraph (2), the new contract has the same terms as the long tenancy immediately before it ended.
- (4) A new occupation contract does not arise as described in sub-paragraph (1) if the landlord and the contract-holder have made a new occupation contract in relation to the same (or substantially the same) dwelling which has an occupation date falling immediately after the long tenancy ends.
- (5) If, before or on the occupation date of a new occupation contract arising as described in sub-paragraph (1) or (4)—
- (a) the tenant enters into an obligation to do an act which will cause the new contract to end, or

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- (b) the tenant gives any notice or other document that would, but for this paragraph, cause the new contract to end,
the obligation is unenforceable or (as the case may be) the notice or document is of no effect.
- (6) The requirement in section 39(1) of the 2016 Act (provision by landlord of information about the landlord) does not apply in relation to a periodic standard contract arising under sub-paragraph (1).]

Textual Amendments

- F1** Sch. 10 para. 1A inserted (1.12.2022) by [The Renting Homes \(Wales\) Act 2016 \(Consequential Amendments\) Regulations 2022 \(S.I. 2022/1166\)](#), regs. 1(1), **18(5)(b)**

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 65(2)(b)(ii) inserted by [2004 c. 23 Sch. 2 para. 11](#) (Pt. IV repealed (18.11.2003 for E. for the repeal of ss. 45, 53, 27.11.2003 for W. for the purpose of and in relation to financial years beginning on or after 1st April 2004, and 1.4.2004 for E. in so far as not already in force) by Local Government Act 2003 (c. 26), s. 128(6), Sch. 7 para. 29; S.I. 2003/2938, arts. 3(h), 7(b) (with art. 8, Sch.); S.I. 2003/3034, art. 2, Sch. 1 Pt. I (with Sch. 2 para. 2))
- s. 76A76B inserted by [2014 c. 29 s. 24\(2\)](#)
- s. 87(1A) inserted by [2014 c. 29 s. 24\(5\)](#)
- Sch. 10 para. 5(4A) inserted by [2024 c. 22 Sch. 9 para. 8\(b\)](#)
- Sch. 10 para. 5(4)(a)(b) and words substituted for words by [2024 c. 22 Sch. 9 para. 8\(a\)](#)