OFFERYNNAU STATUDOL CYMRU

WELSH STATUTORY INSTRUMENTS

2015 Rhif 1932 (Cy. 290)

TAI, CYMRU

Gorchymyn Cod Ymarfer Landlordiaid ac Asiantau sydd wedi'u trwyddedu o dan Ran 1 o Ddeddf Tai (Cymru) 2014 (Dyddiad Penodedig) 2015

NODYN ESBONIADOL

(Nid yw'r nodyn hwn yn rhan o'r Gorchymyn)

Mae adran 40(1) o Ddeddf Tai (Cymru) 2014 ("y Ddeddf") yn darparu bod rhaid i Weinidogion Cymru ddyroddi cod ymarfer yn pennu safonau sy'n ymwneud â gosod a rheoli eiddo ar rent. Unwaith y mae wedi ei gymeradwyo gan Gynulliad Cenedlaethol Cymru ("y Cynulliad") o dan adran 40(6) o Ddeddf 2014, mae'r cod yn dod i rym ar ddyddiad a bennir drwy orchymyn gan Weinidogion Cymru.

Mae Cod Ymarfer Landlordiaid ac Asiantau sydd wedi'u trwyddedu o dan Ran 1 o Ddeddf Tai (Cymru) 2014 ("y Cod") wedi ei gymeradwyo drwy benderfyniad y Cynulliad ar 3 Tachwedd. Mae'r Gorchymyn hwn yn penodi 23 Tachwedd 2015 fel y dyddiad y daw'r Cod a ddyroddir i rym.

Mae'r Cod yn cynnwys gofynion ac argymhellion mewn perthynas â safonau ar gyfer gosod a rheoli eiddo ar rent. Mae'r Cod yn cynnwys gofynion sy'n rhwymedigaethau statudol presennol. Rhaid i landlordiaid ac asiantau sy'n drwyddedig gydymffurfio â'r gofynion hyn, fel arall mae perygl y caiff eu trwyddedau eu dirymu. Mae'r Cod hefyd yn cynnwys argymhellion ynghylch arferion gorau ond ni fydd peidio â chydymffurfio â'r argymhellion hyn yn arwain at drwyddedau yn cael eu dirymu. Mae'r Awdurdod Trwyddedu (fel y'i dynodir o dan adran 3 o'r Ddeddf) yn gyfrifol am bob penderfyniad mewn perthynas â chofrestru a thrwyddedu landlordiaid ac asiantau gan gynnwys dirymu trwyddedau.

2015 No. 1932 (W. 290)

HOUSING, WALES

The Code of Practice for Landlords and Agents licensed under Part 1 of the Housing (Wales) Act 2014 (Appointed Date) Order 2015

EXPLANATORY NOTE

(This note is not part of the Order)

Section 40(1) of the Housing (Wales) Act 2014 ("the Act") provides that the Welsh Ministers must issue a code of practice setting standards relating to letting and managing rental properties. Once approved by the National Assembly for Wales ("the Assembly") under section 40(6) of the 2014 Act, the code comes into force on a date appointed by order of the Welsh Ministers.

The Code of Practice for Landlords and Agents licensed under Part 1 of the Housing (Wales) Act 2014 ("the Code") was approved by resolution of the Assembly on 3 November. This Order appoints 23 November 2015 as the date on which the Code issued comes into force.

The Code contains requirements and recommendations in relation to standards for letting and managing rental properties. The Code includes requirements which are existing statutory obligations. These requirements must be complied with by licensed landlords and agents, or else there is a risk that their licences will be revoked. The Code also includes best practice recommendations but non-compliance with these recommendations will not lead to licences being revoked. The Licensing Authority (as designated under section 3 of the Act) is responsible for all decisions in relation to registration and licensing of landlords and agents including the revocation of licences.

Mae adran 2 o'r Cod yn nodi'r gofynion y mae'n rhaid i landlordiaid neu asiantau gydymffurfio â hwy cyn i eiddo gael ei osod. Mae'r rhain yn cynnwys gofynion mewn perthynas â phenodi asiant, ac wrth farchnata neu hysbysebu eiddo.

Mae adran 3 o'r Cod yn ymwneud â'r gofynion wrth sefydlu tenantiaeth, gan gynnwys tystlythyrau a gwiriadau i'w gwneud, dogfennaeth atodol i'w darparu a gofynion ynghylch cytundebau tenantiaeth a blaendaliadau.

Mae adran 4 o'r Cod hefyd yn esbonio'r hyn sy'n ofynnol ar ddechrau'r denantiaeth ac wedyn dros gyfnod y denantiaeth. Mae hyn yn cynnwys gofynion mewn perthynas â chyflwr yr eiddo, casglu rhent a darparu manylion cyswllt.

Mae adran 5 o'r Cod yn ymwneud â therfynu tenantiaeth, pa un ai gan y tenantiaid, y landlordiaid neu'r asiantau.

Gellir cael copi electronig o'r Cod oddi ar wefan Llywodraeth Cymru, a gellir cael copi caled oddi wrth: Yr Adran Dai, Llywodraeth Cymru, Parc Busnes Rhyd-y-car, Merthyr Tudful, CF48 1UZ.

Section 2 of the Code sets out the requirements which must be complied with by landlords or agents before a property is let. These include requirements in relation to appointing an agent, and when marketing or advertising a property.

Section 3 of the Code relates to the requirements when setting up a tenancy, including references and checks to be carried out, supplementary documentation to be provided and requirements regarding tenancy agreements and deposits.

Section 4 of the Code also explains what is required at the start of the tenancy and afterwards over the duration of the tenancy. This includes requirements in relation to the property conditions, collecting rents and providing contact details.

Section 5 of the Code relates to when a tenancy is ended, whether by the tenants, landlords or agents.

An electronic copy of the Code can be obtained from the Welsh Government website, and a hard copy may be obtained from the Department of Housing, Welsh Government, Rhydycar Business Park, Merthyr Tydfil, CF48 1UZ.

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2015 Rhif 1932 (Cy. 290)

TAI, CYMRU

Gorchymyn Cod Ymarfer Landlordiaid ac Asiantau sydd wedi'u trwyddedu o dan Ran 1 o Ddeddf Tai (Cymru) 2014 (Dyddiad Penodedig) 2015

Gwnaed *18 Tachwedd 2015*

Mae Gweinidogion Cymru, drwy arfer y pŵer a roddwyd iddynt gan adran 40(7) o Ddeddf Tai (Cymru) 2014(**1**) yn gwneud y Gorchymyn a ganlyn.

Enw

1. Enw'r Gorchymyn hwn yw Gorchymyn Cod Ymarfer Landlordiaid ac Asiantau sydd wedi'u trwyddedu o dan Ran 1 o Ddeddf Tai (Cymru) 2014 (Dyddiad Penodedig) 2015.

Dyddiad Penodedig

2. Y dyddiad penodedig ar gyfer dwyn i rym God Ymarfer Landlordiaid ac Asiantau sydd wedi'u trwyddedu o dan Ran 1 o Ddeddf Tai (Cymru) 2014 (y cymeradwywyd drafft ohono drwy benderfyniad Cynulliad Cenedlaethol Cymru ar 3 Tachwedd 2015) yw 23 Tachwedd 2015.

(**1**) 2014 dccc 7.

WELSH STATUTORY INSTRUMENTS

2015 No. 1932 (W. 290)

HOUSING, WALES

The Code of Practice for Landlords and Agents licensed under Part 1 of the Housing (Wales) Act 2014 (Appointed Date) Order 2015

Made *18 November 2015*

The Welsh Ministers, in exercise of the power conferred on them by section 40(7) of the Housing (Wales) Act 2014(**1**) make the following Order.

Title

1. The title of this Order is the Code of Practice for Landlords and Agents licensed under Part 1 of the Housing (Wales) Act 2014 (Appointed Date) Order 2015.

Appointed Date

2. The date appointed for the coming into force of the Code of Practice for Landlords and Agents licensed under Part 1 of the Housing (Wales) Act 2014 (a draft of which was approved by resolution of the National Assembly for Wales on 3 November 2015) is 23 November 2015.

(**1**) 2014 anaw 7.

Lesley Griffiths

Y Gweinidog Cymunedau a Threchu Tlodi, un o Weinidogion Cymru
18 Tachwedd 2015

Minister for Communities and Tackling Poverty, one of the Welsh Ministers
18 November 2015

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