
WELSH STATUTORY INSTRUMENTS

2022 No. 22

The Renting Homes (Explanatory Information for Written Statements of Occupation Contracts) (Wales) Regulations 2022

Periodic standard contract

5. In relation to a periodic standard contract, in addition to the matters prescribed in regulation 3, a written statement of the occupation contract must contain explanatory information about the following matters—

- (a) that the contract-holder's contract is periodic and continues from one rental period to the next (typically monthly, weekly or quarterly);
- (b) that before a court can make a possession order, the landlord must demonstrate that all the correct procedures have been followed and that at least one of the following is satisfied—
 - (i) the contract-holder has broken one or more terms of the occupation contract (which include, failure to pay rent, engaging in or threatening to engage in anti-social behaviour or other prohibited conduct, or failing to take proper care of the dwelling) and it is reasonable to evict them;
 - (ii) the contract-holder is in serious rent arrears (for example where the rental period is a month, at least two months' rent is unpaid);
 - (iii) the landlord needs to move the contract-holder and one of the estate management grounds under section 160 (estate management grounds) of the Act applies, suitable alternative accommodation is, or will be, available when the order takes effect and it is reasonable to evict them;
 - (iv) where the occupation contract incorporates section 173 (landlord's notice) of the Act as a term of the occupation contract, the landlord has given the contract-holder notice under section 173 of the Act that they must give up possession on a specified date in the notice and the landlord also must demonstrate—
 - (aa) no restrictions on giving notice under section 173 of the Act apply, including the restrictions set out in section 75 (other consequences of operating unlicensed HMOs: restriction on terminating tenancies) and section 98 (other consequences of operating unlicensed houses: restriction on terminating tenancies) of the Housing Act 2004(1) and section 44 (restriction on terminating tenancies) of the Housing (Wales) Act 2014(2)),
 - (bb) the contract-holder was given at least six months' notice that they must give up possession and the notice must not have been issued in the first six months of the occupation date of the contract, except where the contract is within Schedule 8A(3) or Schedule 9(4) to the Act, and

(1) 2004 c. 34.

(2) 2014 anaw 7.

(3) Schedule 8A sets out the standard contracts which can be terminated on two months' notice under section 173 (landlord's notice) or a landlord's break clause. Schedule 8A was inserted by section 3 of, and Schedule 1 to, the Renting Homes (Amendment) (Wales) Act 2021 (asc 3).

Changes to legislation: There are currently no known outstanding effects for the *The Renting Homes (Explanatory Information for Written Statements of Occupation Contracts) (Wales) Regulations 2022, Section 5.* (See end of Document for details)

(cc) where the contract is within Schedule 8A to the Act, the contract-holder was given at least two months' notice that they must give up possession.

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Commencement Information

II Reg. 5 in force at 1.12.2022, see reg. 1 (as amended by [The Renting Homes \(Wales\) Act 2016 \(Commencement No. 2 and Consequential Amendments\) Order 2022 \(S.I. 2022/906\)](#), **art. 4**)

(4) Schedule 9 sets out the standard contracts to which limits in section 175 (restriction on section 173: notice may not be given until after the first six months of occupation) and section 196 (restriction on use of the landlord's break clause until after the first 18 months of occupation) do not apply.

Changes to legislation:

There are currently no known outstanding effects for the The Renting Homes (Explanatory Information for Written Statements of Occupation Contracts) (Wales) Regulations 2022, Section 5.