
WELSH STATUTORY INSTRUMENTS

2022 No. 22

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

Fixed term standard contract

8. In relation to a fixed term 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 for a fixed term standard contract and it lasts for a specified period of time agreed between the contract-holder and the landlord;
- (b) that before a court can make a possession order, the landlord must demonstrate that 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 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 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 contract is within Schedule 9B(1) to the Act, the contract-holder was given at least two months' notice that they must give up possession under section 186 (landlord's notice in connection with end of term of contract within Schedule 9B) of the Act;
 - (v) where the occupation contract incorporates section 194 (landlord's break clause) of the Act as a term of the occupation contract, the landlord has given the contract-holder notice under section 194 of the Act that they must give up possession on a date specified in that notice and the landlord also must demonstrate that—
 - (aa) no restrictions on giving notice under section 194 of the Act apply;
 - (bb) the contract-holder was given at least six months' notice that they must give up possession [^{F1},] the notice was given at least 18 months after the occupation date, and the fixed term of the contract was for at least two years, except where the occupation contract is [^{F2}a] standard contract within Schedule 8A, Schedule 9 or Schedule 9C(2) to the Act;

(1) Schedule 9B sets out the fixed term contracts which can be terminated under section 186 (landlord's notice in connection with end of term of contract within Schedule 9B). Schedule 9B was inserted by section 10 of, and Schedule 3 to, the Renting Homes (Amendment) (Wales) Act 2021.

(2) Schedule 9C sets out the fixed term contracts which may be terminated under section 194 (landlord's break clause) even if the occupation contract is made for a term of less than two years. Schedule 9C was inserted by section 11 of, and Schedule 4 to, the Renting Homes (Amendment) (Wales) Act 2021.

- (cc) where the occupation contract is within Schedule 8A to the Act, [^{F3}the] contract-holder was given at least two months' notice that they must give up possession;
 - (dd) where the occupation contract is within either Schedule 8A, Schedule 9 or Schedule 9C or any combination of these Schedules to the Act, the contract-holder was given the relevant notice that they must give up possession; and for the purposes of this paragraph, the "relevant notice" is the notice that is applicable to the type of occupation contract having regards to any restrictions that apply to that particular type of occupation contract;
- (c) that if the contract-holder remains in occupation after the end of the term, the landlord and contract-holder are to be treated as having made a new periodic standard contract in relation to the dwelling.

Textual Amendments

- F1** Reg. 8(b)(v)(bb): comma inserted (6.12.2023) by [The Renting Homes \(Miscellaneous Amendments\) \(Wales\) Regulations 2023 \(S.I. 2023/1199\)](#), regs. 1(2), **2(3)(a)(i)**
 - F2** Word in reg. 8(b)(v)(bb) inserted (6.12.2023) by [The Renting Homes \(Miscellaneous Amendments\) \(Wales\) Regulations 2023 \(S.I. 2023/1199\)](#), regs. 1(2), **2(3)(a)(ii)**
 - F3** Word in reg. 8(b)(v)(cc) inserted (6.12.2023) by [The Renting Homes \(Miscellaneous Amendments\) \(Wales\) Regulations 2023 \(S.I. 2023/1199\)](#), regs. 1(2), **2(3)(b)**
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Commencement Information

- I1** Reg. 8 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**)

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 8.