

# Renting Homes (Wales) Act 2016



Updated January 2019

**Frequently Asked Questions**  
**TPAS Cymru Fact Sheet**

## Introduction

The Renting Homes (Wales) Act 2016 came into law in January 2016 and will affect over 1 million people living in rented accommodation in Wales as almost 1 in 3 households rent from a social or private landlord. However, the implementation of the Act is not expected before April 2019 as secondary legislation and regulations need to be made before the Act can be implemented. Many of these regulations will also be subject to further public consultation.

## Why has a new Act been introduced?

The Renting Homes (Wales) Act aims to make it simpler and easier to rent a home in Wales, replacing various and complex pieces of existing legislation with one clear legal framework. The law applying to renting had become complicated and dated over the years with many different tenancy and licence types resulting in confusion for tenants and landlords alike. Many tenancy agreements are difficult to understand with a lack of clarity on rights and responsibilities which often leads to disputes.

There were also a number of problems with the current system, including the different rights enjoyed by council and housing association tenants and issues around joint tenancies.

## What will be the main change?

One of the main changes in the Act will be the introduction of two new types of 'occupation contract', replacing the majority of existing types of tenancy and licence agreements.

- 1) **A secure contract** - modelled on the current secure tenancy issued by Local Authorities
- 2) **A standard contract** - modelled on the current assured shorthold tenancy used mainly in the private rented sector.

There will also be variations for specific types of housing or circumstances such as in Supported Housing provision.

To help landlords comply with this requirement, the Welsh Government will provide free model contracts which will be written in a way that is easy to understand. It will also be possible for additional terms to be incorporated in the contract. These terms, where reasonable, may include matters such as whether pets are allowed or matters specific to communal areas.

In the Act 'tenants' and 'licensees' are referred to as 'contract-holders' and 'tenancies/licences' are referred to as 'occupation contracts'.



## Are there any other changes?

Yes, there are a number of other important changes as the Act seeks to simplify the process for renting homes and provide more transparency and flexibility. Once implemented the Act will:

- require landlords to issue a written statement of the contract which clearly sets out the rights and responsibilities of both landlords and tenants
- require landlords to carry out repairs and ensure rental properties are fit for human habitation
- help protect people from being evicted simply for complaining about the condition of a property
- help to prevent people being made homeless when a joint tenant leaves a tenancy, thereby ending the tenancy for everyone else
- do more to help victims of domestic abuse by enabling the person carrying out the abuse to be targeted for eviction to help prevent those experiencing domestic abuse from becoming homeless
- simplify current succession arrangements to reduce inequalities in how someone can succeed to a tenancy, with a new succession right for carers created
- helps a landlord to recover a property in situations where the tenant abandons. Resulting in a faster turnaround, meaning the property can be let out rather than having to wait for a court order
- include a 'prohibited conduct' clause addressing anti-social behaviour, domestic abuse and criminal acts

## When will the changes come in?

The implementation of the Act is not expected before April 2019 as secondary legislation and regulations need to be made before the Act can be implemented. Many of these regulations will also be subject to further public consultation.

Consultations and other information on implementation will be publicised at:

[www.wales.gov.uk/rentinghomes](http://www.wales.gov.uk/rentinghomes)

To assist the sector in preparing the sector for implementation of the act, Welsh Government will publish the documentation 6 months prior. TPAS Cymru will update members when this documentation is released.

Current tenancies in Wales will automatically convert to the appropriate new contract under the Act on a specific date. The Welsh Government in collaboration with stakeholders will produce guidance for tenants and landlords alike and will develop a communications strategy to ensure everyone is informed of the forthcoming changes.

TPAS Cymru will be keeping its members updated on opportunities for public consultation and the Acts implementation.

## Where can you find out more information?

Welsh Government information on the Act:

[www.wales.gov.uk/rentinghomes](http://www.wales.gov.uk/rentinghomes)



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