



Renting Homes (Wales) Act 2016 – Model Written Statements and Explanatory Information Consultation

Simon White/Paul Williams
Housing Policy Division
Welsh Government

Overview of the 2016 Act

- Single legal framework for social and private renting
- Enables 'single social tenancy' for Wales
- Clarity on rights and responsibilities through written contracts
- Two types of contract:
 - secure (default for community landlords); and
 - standard – periodic / fixed term (default for private landlords)

Key features of the 2016 Act

- Fitness fit for human habitation obligation on landlords
- Addresses retaliatory eviction
- More flexible arrangements for joint contracts
- Increased notice period for a rent increase
- No mandatory ground for eviction for serious rent arrears in secure contract
- Enhanced succession rights
- Simplified procedure to repossess abandoned dwellings

Key features of the 2016 Act

- Section 173 notice period set at six months
- Restriction on issuing in first six months
- Six-month restriction on a repeat section 173 notice and six-month restriction on issuing after retaliatory eviction
- Remove ability to end a fixed term standard contract
- Restrict use of break clauses
- Ability to restrict power to exclude for specified periods

Model written statements

- Welsh Government must produce 'model' written statements
- Landlords will be able to choose to use these instead of writing their own contracts
- Model written statements must contain all the fundamental terms that the law says must be in every contract.
- They must also include other fundamental and supplementary terms that the law says can be left out of a contract if a contract-holder (tenant) agrees that they don't need to be included.

Model written statements

- Model written statements will encourage consistency, enable the creation of written statements compliant with the law
- Finalised model written statements will be part of another type of law called '**regulations**'

Explanatory Information

- Welsh Ministers can also require that explanatory information is included in every written statement
- Purpose is to make the contract as clear and comprehensible as possible
- Explanatory information will be set out in regulations
- Will also appear in model written statements

Consultation

- Consulting on two sets of draft regulations - model written statements and explanatory information
- Draft model written statement regulations currently cover two types of contract – secure and periodic standard
- Likely to be the most frequently issued contracts
- Six contract types likely to be covered in final regulations.
- Content and wording of model written statements is largely determined by the law

Consultation

- Consultation document explains what we are doing and why we have done it that way.
- Asks eight specific questions about the draft model written statements and the draft explanatory information.
- In relation to the draft model written statements, questions are about the ‘look and feel’ of document.

Specific Questions

Q1. Are the matters about which explanatory information must be given clear and unambiguous

Q2. Are all the matters about which explanatory information must be given, appropriate?

Q3. Are there any other matters about which you think explanatory information should be given?

Q4. Do you think that there should be six types of model written statement - namely, periodic standard, fixed term standard, secure, introductory standard, prohibited conduct standard and supported standard?

Specific Questions

Q5. Is the layout and format of each model written statement easy to understand?

Q6. Are the terms in each model written statement grouped and ordered in an appropriate way?

Q7. Is the way in which the status of each term is identified (e.g. fundamental terms that cannot be left out of the contract or changed are in italics and underlined; Fundamental terms that can be left out or changed are in italics; and supplementary terms are underlined) clear?

Q8. Are the guidance notes included in Part 3 of each model written statement clear and sufficient?

The consultation published on Welsh Government website.
Closing date: 16 June

Thank you – any questions?