

# Capital Law

# The Renting Homes (Wales) Act *What's changed?*

The Renting Homes (Wales) Act 2016 came into force on 1 December 2022. This was, rightly, branded as an overhaul of housing legislation in Wales. Whilst the introduction of the Act has increased protection for tenants in Wales, we have seen an increase in Landlords requiring legal advice to ensure they comply with regulations under the Act.

Many accommodation providers, in particular those in the education and third sector, found themselves subject to extensive housing legislation for the first time ever. In the build up to, and post the Act coming into force, we have assisted numerous landlords in navigating the Act and getting their houses in order.

A year on, we are still assisting landlords with ensuring that they comply with their new statutory duties, as well assisting with complex issues that have arisen as a result of the Act.



## The Act

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The Act overhauled housing legislation in Wales by introducing a number of concepts, including:

- **Two types of Landlord**
- **Replacing tenancy agreements with occupation contracts, which must include a number of 'fundamental' terms**
- **Re-defining standards for accommodation to be deemed fit for human habitation**
- **Tighter regulations on possession claims**
- **Subjecting short term letting to stricter conditions (in some instances)**

## 🔍 How can Capital help?

There is no denying that the Act is complicated to navigate not least because there is numerous subordinate legislation that must be read alongside it. We understand the Act and we have built up expertise in being able to tailor agreements to suit each landlord's specific needs.

**We have worked with landlords from a number of sectors including the following:**



**Education**



**Housing Associations**



**Private Landlords**



**Charities**

### **We can assist with:**

- Drafting new occupancy contracts as required under the new regime.
- Undertaking an audit of the current occupation contracts that are in place, and advise on how to improve/tailor to avoid common pitfalls under the Act.
- Assisting with possession claims under the Act (including instances of anti-social behaviour and serious rental arrears).
- Advising and preparing occupation contracts for specific circumstances such as; domestic violence temporary accommodation, student placements, accommodation for employees etc.
- Provide bespoke training on the Fitness For Human Habitation obligations and how to ensure you can successfully defend disrepair claim.

### **Meet the team**

At Capital, we have colleagues in our property litigation and commercial property teams that can assist with advising on the above issues.



Scan the QR code or click the button to find out more.

If you require advice in relation to any of the above, or any other queries under the Act, please contact us at:

**[c.good@capitallaw.co.uk](mailto:c.good@capitallaw.co.uk)**  
**[a.beevers@capitallaw.co.uk](mailto:a.beevers@capitallaw.co.uk)**

