# WRITTEN STATEMENT

# BY

# THE WELSH GOVERNMENT

|  |  |
| --- | --- |
| **TITLE** | **Use of powers under the Coronavirus Act 2020: Residential tenancies – extension of the period of protecting tenants from eviction** |
| **DATE** | **22 September 2021** |
| **BY** | **Julie James, Minister for Climate Change** |

The Coronavirus Act 2020 (‘the 2020 Act’) includes a range of powers for the Welsh Ministers to both respond to and manage the transmission of the virus. In relation to housing law, section 81 and Schedule 29 to the 2020 Act delay when a landlord is able to evict a tenant by temporarily increasing the period of notice that must be given before a possession claim is made to the court.

The Schedule applies to all landlords who have granted tenancies under the Rent Act 1977 and the Housing Acts 1985, 1988 and 1996. Six months’ notice is required for notices served in respect of all protected tenancies; statutory tenancies; secure tenancies; assured tenancies; assured shorthold tenancies; introductory tenancies; and demoted tenancies, except – in relation to all - where those notices relate to anti-social behaviour or domestic violence.

Schedule 29 applies to notices served during the relevant period, which was due to end on 30 June 2021. The relevant period may be extended by the Welsh Ministers beyond 30 September 2021 using the powers set out in paragraphs 1(2) and 14(1) of Schedule 29.

During the debate on the Legislative Consent Motion for the 2020 Act, which was held on 24 March 2020, the then Minister for Health and Social Services gave a commitment to provide a public statement on each use of the powers under the Act. I can now confirm that, as Minister for Climate Change, I have made Regulations under paragraphs 1(2) and 14(1) of Schedule 29 to the 2020 Act. The Regulations extend until 31 December 2021 the relevant period to which the provisions of Schedule 29 will apply.

The purpose of this alteration is to ensure that during a time when case numbers and hospitalisations are increasing and the virus remains a serious threat to public health, landlords will continue to give increased notice to tenants before they can issue proceedings for possession. The effect will to be to delay evictions meaning that: fewer people will face eviction into homelessness at a time when this might exacerbate the spread of the virus and when local authorities are less able to respond to these situations; those renting their homes will benefit from increased security and reduced anxiety; and individuals at risk of eviction will be provided with increased time to seek support to resolve any problems, including applying to the Tenancy Hardship Grant scheme, which I introduced in July.

The alteration to the relevant period will come into force on 30 September 2021. The convention that not less than 21 days should elapse between the laying of the Regulations and their coming into force has not been followed in this case. This reflects the urgent need to continue to provide greater security of tenure at this time, thus contributing to our ongoing response to the virus.

A copy of the Regulations and the accompanying Explanatory Memorandum can be viewed [here](https://senedd.wales/media/1hgjene1/sub-ld14557-e.pdf) and [here](https://senedd.wales/media/clfhzgxn/sub-ld14557-em-e.pdf)