# WRITTEN STATEMENT

# BY

# THE WELSH GOVERNMENT

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| **TITLE**  | **Implementation of the Renting Homes (Wales) Act 2016: laying of the second tranche of subordinate legislation** |
| **DATE**  | **10 March 2022** |
| **BY** | **Julie James, Minister for Climate Change** |

Today, I have laid the second tranche of subordinate legislation required to support the implementation of the Renting Homes (Wales) Act 2016.

The Act will make it simpler and easier to rent a home in Wales, replacing various, complex pieces of existing legislation with one clear legal framework. New 'occupation contracts' will replace current residential tenancies and licenses, making the rights and obligations of both landlord and tenant or licensee (referred to in the Act as the ‘contract-holder’) much clearer.

There are four statutory instruments in this second tranche, and I am aiming to lay a third and final tranche of approximately nine SIs in June 2022 ahead of the planned coming into force of the Act in July 2022.

All four of the statutory instruments are concerned with procedural and practical matters which will support the operation of the Act, and all are being made under the negative resolution procedure at the same time.

All of the statutory instruments can be accessed [here](https://senedd.wales/search?PageSize=4&Page=1&Culture=en-GB&ViewModelType=All&IsSubSearch=False&SiteHomePageId=0&SearchTerm=&DateFrom=&DateTo=&Members=&IncludeLaidDocuments=true).

Guidance, and other resources for landlords and tenants can be accessed via the Renting Homes Wales website: <https://gov.wales/housing-law-changing-renting-homes>.

I will issue a further statement to alert Members and stakeholders when the final tranche of regulations are laid.

The Regulations I have laid today are:

***The Renting Homes (Prescribed Forms) (Wales) Regulations 2022***

These set out 38 prescribed forms of notice which are to be used by landlords or contract-holders in particular circumstances where the Act requires or authorises either party to provide certain information in writing. Landlords and contract-holders will be able to download these from the Welsh Government website and, once completed, they may be issued electronically. Some forms also include guidance notes in order to make their purpose more easily understandable.

***The Renting Homes (Review of Decisions) (Wales) Regulations 2022***

These relate to two types of occupation contract: introductory standard contracts and prohibited conduct standard contracts. The Regulations set out the procedures to be followed by a community landlord, or a charity providing a landlord function, when undertaking a review of a decision to terminate an introductory standard contract or a prohibited conduct standard contract, or to extend the introductory or probationary period, if the contract-holder has exercised their right to have that decision reviewed.

***The Renting Homes (Deposit Schemes) (Required Information) (Wales) Regulations 2022***

Landlords frequently require tenants to pay a deposit as security in case of, for example, any potential damage to the property caused by the tenant. However, the deposit does not belong to the landlord and so any deposit paid must be properly protected. The Act adopts the same approach to protecting deposits as current legislation, but extends the application of this approach to all contracts where a deposit is taken (current requirements apply only to assured shorthold tenancies). All deposits must be protected by the landlord through an authorised deposit scheme, as is currently the case.

This SI requires landlords to provide certain information to contract-holders in writing, including: details of the scheme administrator such as name, address, telephone number and email address; where their deposit is being held; how it will be repaid at the end of the contract; what deductions can reasonably be taken from it by a landlord to cover, for example, unpaid rent or damage; and the procedure for settling any disputes that may arise between the two parties in relation to the deposit.

***The Renting Homes (Safeguarding Property in Abandoned Dwellings) (Wales) Regulations 2022***

These Regulations set out how a landlord is required to deal with any property that does not belong to them which is left in a dwelling that has been abandoned by a contract-holder. This SI places a duty on the landlord to safeguard property left in the abandoned dwelling for four weeks from the day on which the contract is deemed to have ended.

These Regulations will apply only with respect to property left in abandoned dwellings. They will not apply to property left in dwellings where the contract has been ended for other reasons, such as following an eviction.

The Welsh Government response to the consultation previously undertaken in relation to this SI has also been published today, along with guidance for landlords on the possession of abandoned dwellings and the safeguarding of property in abandoned dwellings.