Housing (Wales) Act 2014

2014 anaw 7

HOUSING (WALES) ACT 2014

PART 1
REGULATION OF PRIVATE RENTED HOUSING

Introduction

1 Overview of this Part
2 Meaning of key terms
3 Licensing authority

Prohibition of letting and management without registration and licence

4 Requirement for a landlord to be registered
5 Exceptions to the requirement for a landlord to be registered
6 Requirement for landlords to be licensed to carry out lettings activities
7 Requirement for landlords to be licensed to carry out property management activities
8 Exceptions to requirements for landlords to be licensed
9 Requirement for agents to be licensed to carry out lettings work
10 Meaning of lettings work
11 Requirement for agents to be licensed to carry out property management work
12 Meaning of property management work
13 Offence of appointing an unlicensed agent

Registration

14 Duty to maintain register in relation to rental properties
15 Registration by a licensing authority
16 Duty to update information
17 Revocation of registration
Licensing

18 Licences that may be granted
19 Licence application requirements
20 Fit and proper person requirement
21 Determination of application
22 Licence conditions
23 Duty to update information
24 Amendment of licence
25 Revocation of licence
26 Expiry and renewal of licence
27 Licensing appeals

Enforcement

28 Prosecution by a licensing authority or a local housing authority
29 Fixed penalty notices
30 Rent stopping orders
31 Revocation of rent stopping orders
32 Rent repayment orders
33 Rent repayment orders: further provision
34 Power for Welsh Ministers to make regulations in relation to sections 32 and 33
35 Offences by bodies corporate

Information

36 Requests for information from authorities and use of information by authorities
37 Power to require documents to be produced or information given
38 Enforcement of powers to obtain information
39 False or misleading information

Powers of the Welsh Ministers

40 Code of practice
41 Guidance
42 Directions

Supplementary

43 Activity in contravention of this Part: effect on tenancy agreements
44 Restriction on terminating tenancies
45 Landlords who are trustees
46 Regulations about fees
47 Information about applications
48 Giving notification etc. under this Part

General

49 Interpretation of this Part and index of defined terms
PART 2

HOMELINESS

CHAPTER 1

HOMELINESS REVIEWS AND STRATEGIES

50 Duty to carry out a homelessness review and formulate a homelessness strategy
51 Homelessness reviews
52 Homelessness strategies

CHAPTER 2

HELP FOR PEOPLE WHO ARE HOMELLESS
OR THREATENED WITH HOMELINESS

Introduction

53 Overview of this Chapter

Key terms

54 Application of key terms
55 Meaning of homeless and threatened homelessness
56 Meaning of accommodation available for occupation
57 Whether it is reasonable to continue to occupy accommodation
58 Meaning of abuse and domestic abuse
59 Suitability of accommodation

Information, advice and assistance in accessing help

60 Duty to provide information, advice and assistance in accessing help

Eligibility

61 Eligibility for help under this Chapter

Applications for help and assessment

62 Duty to assess
63 Notice of the outcome of assessment

Duties to help applicants

64 How to secure or help to secure the availability of accommodation
65 Meaning of help to secure
66 Duty to help to prevent an applicant from becoming homeless
67 Circumstances in which the duty in section 66 ends
68 Interim duty to secure accommodation for homeless applicants in priority need
69 Circumstances in which the duty in section 68 ends
70 Priority need for accommodation
71 Meaning of vulnerable in section 70
72 Power to amend or repeal provisions about priority need for accommodation
73 Duty to help to secure accommodation for homeless applicants
74 Circumstances in which the duty in section 73 ends
75 Duty to secure accommodation for applicants in priority need when the duty in section 73 ends
76 Circumstances in which the duty in section 75 ends
77 Meaning of intentionally homeless
78 Deciding to have regard to intentionality
79 Further circumstances in which the duties to help applicants end

**Referral to another local housing authority**

80 Referral of case to another local housing authority
81 Local connection
82 Duties to applicant whose case is considered for referral or referred
83 Cases referred from a local housing authority in England

**Notice**

84 Notice that duties have ended

**Right to review and appeal**

85 Right to request review
86 Procedure on review
87 Effect of a decision on review or appeal that reasonable steps were not taken
88 Right of appeal to county court on point of law
89 Appeals against refusal to accommodate pending appeal

**Supplementary provisions**

90 Charges
91 Out-of-area placement
92 Interim accommodation: arrangements with private landlord
93 Protection of property
94 Protection of property: supplementary provisions
95 Co-operation
96 Co-operation in certain cases involving children

**General**

97 False statements, withholding information and failure to disclose change of circumstances
98 Guidance
99 Interpretation of this Chapter and index of defined terms
100 Consequential amendments

**PART 3**

GYPSIES AND TRAVELLERS

**Meeting accommodation needs**

101 Assessment of accommodation needs
102 Report following assessment
103 Duty to meet assessed needs
104 Failure to comply with duty under section 103
105 Provision of information upon request
106 Guidance
107 Duties in relation to housing strategies

**General**

108 Interpretation
109 Power to amend definition of Gypsies and Travellers
110 Consequential amendments

**PART 4**

STANDARDS FOR SOCIAL HOUSING

*Standards for housing provided by local housing authorities*

111 Standards
112 Guidance
113 Consultation on standards and guidance
114 Information on compliance with standards
115 Powers of entry
116 Exercise of intervention powers
117 Grounds for intervention
118 Warning notice
119 Power of Welsh Ministers to intervene
120 Power to require local housing authority to obtain advisory services
121 Power to require performance of functions by other persons on behalf of authority
122 Power to require performance of functions by Welsh Ministers or nominee
123 Power to direct exercise of other local housing authority functions
124 General power to give directions and take steps
125 Directions
126 Duty to co-operate
127 Powers of entry and inspection

*Service charges for social housing*

128 Exemption from offences relating to service charges for social housing
129 Application of duties relating to service charges to local authority tenancies

**General**

130 Consequential amendments

**PART 5**

HOUSING FINANCE

*Housing Revenue Account subsidy*

131 Abolition of Housing Revenue Account subsidy
Payments in relation to Housing Revenue Accounts

132 Settlement payments
133 Further payments
134 Additional provision about payments

General provision

135 Provision of information upon request
136 Determinations under this Part

PART 6
ALLOWING FULLY MUTUAL HOUSING ASSOCIATIONS TO GRANT ASSURED TENANCIES

137 Amendment of Schedule 1 to the Housing Act 1988
138 Amendment of Schedule 2 to the Housing Act 1988

PART 7
COUNCIL TAX FOR CERTAIN TYPES OF DWELLING

139 Amount of tax payable for certain types of dwelling

PART 8
AMENDMENT OF THE LEASEHOLD REFORM, HOUSING AND URBAN DEVELOPMENT ACT 1993

140 Amendment of the Leasehold Reform, Housing and Urban Development Act 1993

PART 9
MISCELLANEOUS AND GENERAL

Miscellaneous

141 Minor amendments to the Mobile Homes (Wales) Act 2013

General

142 Orders and regulations
143 Meaning of local housing authority
144 Power to make consequential and transitional provision etc
145 Commencement
146 Short title

SCHEDULE 1 — REGISTER OF PRIVATE RENTED HOUSING

PART 1 — CONTENT OF REGISTER
1 Landlords
2 Agents

PART 2 — ACCESS TO REGISTER
3 (1) A licensing authority must notify a person of the...
4 (1) A licensing authority must notify a person of the...
5 (1) A licensing authority must notify a person of the...
SCHEDULE 2 — ELIGIBILITY FOR HELP UNDER CHAPTER 2 OF PART 2

1 Persons not eligible for help
2 Asylum-seekers and their dependants: transitional provision
3 Provision of information by Secretary of State

SCHEDULE 3 — MINOR AND CONSEQUENTIAL AMENDMENTS

PART 1 — HOMELESSNESS

1 Housing Act 1985
2 Housing Act 1996
3 In section 167 (allocation of housing accommodation in accordance with...
4 In the Part title of Part 7 (homelessness), after “Homelessness”...
5 In subsection (1) of section 179 (duty of local housing...
6 In subsection (1) of section 180 (assistance for voluntary organisations),...
7 In subsection (1) of section 182 (guidance by the Secretary,...
8 In subsection (1) of section 183 (application for assistance), after...
9 In subsection (1) of section 187 (provision of information by...
10 In section 193 (duty to persons with priority need who...
11 In section 198 (referral of case to another local housing...
12 In subsection (4) of section 200 (duties to applicant whose...
13 After section 201 (application of referral provisions to cases arising...
14 In subsection (1) of section 213 (co-operation between relevant housing...
15 Homelessness Act 2002
16 In the cross-heading above section 1, after “strategies” insert “....
17 In section 1 (duty of local housing authority to formulate...
18 In subsection (7A) of section 3 (homelessness strategies), omit “in...
19 Mental Health (Wales) Measure 2010
20 Legal Aid, Sentencing and Punishment of Offenders Act 2012
21 Prevention of Social Housing Fraud Act 2013
22 Social Services and Well-being (Wales) Act 2014

PART 2 — GYPSIES AND TRAVELLERS

23 Local Government Act 2003
24 Housing Act 2004
26 Mobile Homes (Wales) Act 2013

PART 3 — STANDARDS FOR SOCIAL HOUSING

27 Housing Act 1985
28 Housing Act 1996

PART 4 — COUNCIL TAX FOR CERTAIN TYPES OF DWELLING

29 Local Government Finance Act 1992

PART 5 — AMENDMENTS TO THE MOBILE HOMES (WALES) ACT 2013

30 (1) The Mobile Homes (Wales) Act 2013 is amended as...