



Housing (Wales) Act 2014

2014 anaw 7

PART 6

ALLOWING FULLY MUTUAL HOUSING ASSOCIATIONS TO GRANT ASSURED TENANCIES

137 Amendment of Schedule 1 to the Housing Act 1988

- (1) Schedule 1 to the Housing Act 1988 (tenancies which cannot be assured tenancies) is amended as follows.
- (2) In paragraph 12(1)(h), after “association” insert “, unless the tenancy is one which is excluded from this sub-paragraph by sub-paragraph (3) below”.
- (3) After paragraph 12(2) insert—
 - “(3) A tenancy is excluded from sub-paragraph (1) if all of the following requirements are met—
 - (a) the interest of the landlord belongs to a fully mutual housing association;
 - (b) the dwelling-house is in Wales;
 - (c) the tenancy is granted on or after the date on which this sub-paragraph comes into force;
 - (d) the tenancy is in writing;
 - (e) before the tenancy is granted, the landlord has served on the person who is to be the tenant a notice stating that the tenancy is to be excluded from sub-paragraph (1);
 - (f) the tenancy states that it is excluded from sub-paragraph (1).”

Commencement Information

II S. 137 in force at 1.12.2014 by S.I. 2014/3127, art. 2(a), Sch. Pt. 1

Status: This version of this part contains provisions that are prospective.
Changes to legislation: There are currently no known outstanding effects for
the Housing (Wales) Act 2014, PART 6. (See end of Document for details)

PROSPECTIVE

138 Amendment of Schedule 2 to the Housing Act 1988

In Part 1 of Schedule 2 to the Housing Act 1988 (grounds on which a court must order possession of dwelling-houses let on assured tenancies), after Ground 2 insert—

“Ground 2A

The dwelling-house is subject to a mortgage granted, at any time, by a fully mutual housing association and—

- (a) the dwelling-house is in Wales;
- (b) the tenancy was granted by a fully mutual housing association;
- (c) the mortgagee is entitled to exercise a power of sale conferred on the mortgagee by the mortgage or by section 101 of the Law of Property Act 1925;
- (d) the mortgagee requires possession of the dwelling-house for the purpose of disposing of it with vacant possession in exercise of that power;
- (e) not later than the beginning of the tenancy the landlord gave notice in writing to the tenant that possession might be recovered on this ground;

and for the purposes of this ground “mortgage” includes a charge and “mortgagee” is to be construed accordingly.”

Status:

This version of this part contains provisions that are prospective.

Changes to legislation:

There are currently no known outstanding effects for the Housing (Wales) Act 2014, PART 6.