



# Housing (Wales) Act 2014

2014 anaw 7

## PART 1

### REGULATION OF PRIVATE RENTED HOUSING

#### *Licensing*

#### **20 Fit and proper person requirement**

- (1) In deciding whether a person is a fit and proper person to be licensed as required by section 19(2)(a), a licensing authority must have regard to all matters it considers appropriate.
- (2) Among the matters to which the licensing authority must have regard is any evidence within subsections (3) to (5).
- (3) Evidence is within this subsection if it shows that the person has—
  - (a) committed any offence involving fraud or other dishonesty, violence, firearms or drugs or any offence listed in Schedule 3 to the Sexual Offences Act 2003 (offences attracting notification requirements),
  - (b) practised unlawful discrimination or harassment on the grounds of any characteristic which is a protected characteristic under section 4 of the Equality Act 2010, or victimised another person contrary to that Act, in or in connection with the carrying on of any business, or
  - (c) contravened any provision of the law relating to housing or landlord and tenant.
- (4) Evidence is within this subsection if—
  - (a) it shows that any other person associated or formerly associated with the person (whether on a personal, work or other basis) has done any of the things set out in subsection (3), and
  - (b) it appears to the licensing authority that the evidence is relevant to the question whether the person is a fit and proper person to be licensed.

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*Status: Point in time view as at 23/11/2015.*

*Changes to legislation: There are currently no known outstanding effects for the Housing (Wales) Act 2014, Section 20. (See end of Document for details)*

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- (5) Evidence is within this subsection if it shows the person has previously failed to comply with a condition of a licence granted under this Part by a licensing authority.
- (6) The Welsh Ministers must give guidance to licensing authorities about deciding whether a person is a fit and proper person to be licensed as required by section 19(2)(a).
- (7) The Welsh Ministers may amend this section by order to vary the evidence to which a licensing authority must have regard in deciding whether a person is a fit and proper person to be licensed.

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**Commencement Information**

- I1** S. 20 in force at 1.12.2014 for specified purposes by S.I. 2014/3127, art. 2(b), **Sch. Pt. 2**
- I2** S. 20 in force at 1.12.2014 for specified purposes by S.I. 2014/3127, art. 2(c), **Sch. Pt. 3**
- I3** S. 20 in force at 23.11.2015 in so far as not already in force by S.I. 2015/1826, **art. 2(j)**

**Status:**

Point in time view as at 23/11/2015.

**Changes to legislation:**

There are currently no known outstanding effects for the Housing (Wales) Act 2014, Section 20.