

RENTING HOMES (WALES) ACT 2016

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 2 - Occupation contracts and Landlords

Chapter 1 - Occupation Contracts

Schedule 2 - Exceptions to section 7

Part 4 - Tenancies and licences to which special rules apply: homelessness

48. A local housing authority has a duty to those who are homeless and in need. This includes a duty to provide interim accommodation under section 68 of the Housing (Wales) Act 2014 ('the interim duty') and a duty to secure accommodation (on a longer term basis) under section 75 of that Act ('the full duty'). A local housing authority's interim duty requires it to secure accommodation for an applicant that it has reason to believe is homeless, eligible for help and in priority need.
49. An interim duty arises whilst the local authority carries out an assessment under section 62 of the Housing (Wales) Act 2014 to consider whether the applicant is actually owed a full duty.
50. Following this assessment the local authority will notify the applicant of the outcome. If this assessment shows the local authority owes a full duty to the applicant, they have a duty to provide suitable accommodation.

Paragraph 11

51. This paragraph provides that accommodation provided by a local housing authority in connection with its homelessness functions (other than accommodation provided in accordance with the full duty) is not provided under an occupation contract. Accommodation provided under the interim duty will not be provided by means of an occupation contract.

Paragraph 12

52. [Paragraph 12](#) sets out the rules that apply where a local housing authority enters into arrangements with another landlord in discharging its homelessness functions.