



Renting Homes (Wales) Act 2016

2016 anaw 1

PART 9

TERMINATION ETC. OF OCCUPATION CONTRACTS

CHAPTER 5

TERMINATION OF PERIODIC STANDARD CONTRACTS

Termination by landlord: serious rent arrears

181 Serious rent arrears

- (1) If the contract-holder under a periodic standard contract is [^{F1}seriously in arrears with his or her rent], the landlord may on that ground make a possession claim.
- (2) The contract-holder is seriously in arrears with his or her rent—
 - (a) where the rental period is a week, a fortnight or four weeks, if at least eight weeks' rent is unpaid;
 - (b) where the rental period is a month, if at least two months' rent is unpaid;
 - (c) where the rental period is a quarter, if at least one quarter's rent is more than three months in arrears;
 - (d) where the rental period is a year, if at least 25% of the rent is more than three months in arrears.
- (3) Section 216 provides that the court must (subject to any available defence based on the contract-holder's Convention rights) make an order for possession of the dwelling if it is satisfied that the contract-holder—
 - (a) was seriously in arrears with his or her rent on the day on which the landlord gave the contract-holder the possession notice, and
 - (b) is seriously in arrears with his or her rent on the day on which the court hears the possession claim.

Changes to legislation: Renting Homes (Wales) Act 2016, Cross Heading: Termination by landlord: serious rent arrears is up to date with all changes known to be in force on or before 11 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- (4) This section is a fundamental provision which is incorporated as a term of all periodic standard contracts.

Textual Amendments

- F1** Words in [s. 181\(1\)](#) substituted (7.6.2021) by [Renting Homes \(Amendment\) \(Wales\) Act 2021 \(asc 3\)](#), [s. 19\(3\)](#), [Sch. 6 para. 16](#)

Modifications etc. (not altering text)

- C1** [Pt. 9](#) excluded (1.12.2022) by 2004 c. 34, s. 33(c) (as inserted by [The Renting Homes \(Wales\) Act 2016 \(Consequential Amendments\) Regulations 2022 \(S.I. 2022/1166\)](#), [regs. 1\(1\)](#), [28\(2\)\(c\)](#))

Commencement Information

- I1** [S. 181](#) in force at 1.12.2022 by [S.I. 2022/906](#), [art. 2](#)

182 Restrictions on section 181

- (1) Before making a possession claim on the ground in section 181, the landlord must give the contract-holder a possession notice specifying that ground.
- (2) The landlord under a periodic standard contract that is not an introductory standard contract or a prohibited conduct standard contract may not make the claim—
- (a) before the end of the period of 14 days starting with the day on which the landlord gives the contract-holder the possession notice, or
 - (b) after the end of the period of six months starting with that day.
- (3) The landlord under an introductory standard contract or a prohibited conduct standard contract may not make the claim—
- (a) before the end of the period of one month starting with the day on which the landlord gives the contract-holder the possession notice, or
 - (b) after the end of the period of six months starting with that day.
- (4) Subsection (1) is a fundamental provision which is incorporated as a term of all periodic standard contracts, and—
- (a) subsection (2) is a fundamental provision which is incorporated as a term of all periodic standard contracts that are not introductory standard contracts or prohibited conduct standard contracts;
 - (b) subsection (3) is a fundamental provision which is incorporated as a term only of introductory standard contracts and prohibited conduct standard contracts.

Commencement Information

- I2** [S. 182](#) in force at 1.12.2022 by [S.I. 2022/906](#), [art. 2](#)

Changes to legislation:

Renting Homes (Wales) Act 2016, Cross Heading: Termination by landlord: serious rent arrears is up to date with all changes known to be in force on or before 11 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

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Changes and effects yet to be applied to :

- specified provision(s) savings for amendments by 2018 anaw 1, s. 6, Sch. 6 by [S.I. 2019/110 reg. 5](#)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 20(3)(ma) inserted by [2019 anaw 2 Sch. 3 para. 4\(2\)](#)
- s. 135(2)(ia) inserted by [2019 anaw 2 Sch. 3 para. 4\(3\)](#)
- s. 186A-186C inserted by [2019 anaw 2 Sch. 3 para. 4\(1\)](#)
- s. 198A inserted by [2019 anaw 2 Sch. 3 para. 5](#)