



Renting Homes (Wales) Act 2016

2016 anaw 1

PART 3

PROVISIONS APPLYING TO ALL OCCUPATION CONTRACTS

CHAPTER 8

DEALING

Succession

77 **Reserve successor: carer**

- (1) A person is a reserve successor of the contract-holder if he or she is not a priority successor of the contract-holder and—
 - (a) he or she meets the carer condition,
 - (b) he or she occupied the dwelling as his or her only or principal home at the time of the contract-holder's death, and
 - (c) he or she meets the carer residence condition.
- (2) A person meets the carer condition if at any time in the period of 12 months ending with the contract-holder's death he or she was a carer in relation to—
 - (a) the contract-holder, or
 - (b) a member of the contract-holder's family who, at the time the care was provided, lived with the contract-holder.
- (3) If the contract-holder was a priority successor in relation to the occupation contract, the references in subsection (2) to the contract-holder include the person the contract-holder succeeded.
- (4) A person meets the carer residence condition if—
 - (a) he or she meets the basic residence condition, as set out in section 76(3) and (4), and

Status: This is the original version (as it was originally enacted).

- (b) at the time of the contract-holder's death there was no other dwelling which the person was entitled to occupy as a home.
- (5) "Carer" means a person who—
- (a) provides or intends to provide a substantial amount of care for another person on a regular basis, and
 - (b) does not provide or will not provide that care because of a contract of employment or other contract with any person.
- (6) A person does not provide care because of a contract merely because he or she is given board or lodging or because he or she may become qualified to succeed as a reserve successor.