
WELSH STATUTORY INSTRUMENTS

2019 No. 1466 (W. 258)

HOUSING, WALES

**The Renting Homes (Fees etc.) (Specified
Information) (Wales) Regulations 2019**

<i>Made</i>	- - - -	<i>12th November 2019</i>
<i>Laid before the National Assembly for Wales</i>	- -	<i>15th November 2019</i>
<i>Coming into force</i>	- -	<i>13th December 2019</i>

The Welsh Ministers, in exercise of the power conferred on them by paragraph 11(3) and (4) of Schedule 2 to the Renting Homes (Fees etc.) (Wales) Act 2019⁽¹⁾, make the following Regulations.

Title and commencement

1.—(1) The title of these Regulations is the Renting Homes (Fees etc.) (Specified Information) (Wales) Regulations 2019.

(2) These Regulations come into force on 13 December 2019.

Specified Information

2.—(1) These Regulations specify information to be provided to a prospective contract-holder⁽²⁾ under paragraph 11 of Schedule 2 to the Renting Homes (Fees etc.) (Wales) Act 2019 (“the Act”) before a holding deposit⁽³⁾ is paid to a landlord or letting agent and the way in which that information must be provided.

(2) The following information must be provided to a prospective contract-holder —

- (a) amount of holding deposit⁽⁴⁾;
- (b) identify the dwelling in respect of which the deposit is paid;
- (c) name, address, telephone number and any e-mail address of the landlord (and if instructed, the letting agent);

(1) 2019 anaw 2; *see* section 28 for the definition of “regulations”. Schedule 2 is introduced by section 9 of the 2019 Act.
(2) By virtue of regulation 3 of the Renting Homes (Fees etc.) (Wales) Act 2019 (Transitional Provision for Assured Shorthold Tenancies) Regulations 2019 (S.I. 2019/1151) (W. 201), the references in the Renting Homes (Fees etc.) (Wales) Act 2019 to a contract-holder are to be read as references to a tenant under an assured shorthold tenancy under Part 1 of the Housing Act 1988.
(3) *See* paragraph 4 of Schedule 1 to the Act for the definition of “holding deposit”.
(4) Under paragraph 4(c) of Schedule 1 to the Act, a holding deposit must not exceed an amount equivalent to one week’s rent under the contract.

- (d) nature and duration of the contract;
 - (e) proposed occupation date;
 - (f) amount of rent or other consideration;
 - (g) rental period;
 - (h) any proposed additional contract terms or proposed modifications or exclusions to fundamental or supplementary terms;
 - (i) amount of any security deposit;
 - (j) whether a guarantor is required and, if so, any relevant conditions;
 - (k) reference checks the landlord (or letting agent) will undertake; and
 - (l) information the landlord or letting agent requires from the prospective contract-holder.
- (3) The information must be provided to a prospective contract-holder in writing and may be given in person or sent either by post or provided by electronic means if the prospective contract-holder consents to receiving it electronically.

12th November 2019

Julie James
Minister for Housing and Local Government,
one of the Welsh Ministers

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations set out information which must be provided to a prospective contract-holder by either the landlord or letting agent, before a holding deposit is paid. These Regulations also specify the way in which the information must be provided.

If the information in regulation 2(2) is not provided to a prospective contract-holder before a holding deposit is paid, the landlord may not rely upon the exceptions set out in paragraphs 8, 9 and 10 of Schedule 2 to the Renting Homes (Fees etc.) (Wales) Act 2019 and the holding deposit must be repaid. Regulation 2(3) sets out how the information must be provided.

The Welsh Ministers' Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to these Regulations. As a result, it was not considered necessary to carry out a regulatory impact assessment as to the likely costs and benefits of complying with these Regulations.