

HOUSING (WALES) ACT 2014

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 1 Regulation of Private Rented Housing

Section 7 – Requirement for landlords to be licensed to carry out property management activities

14. Subsection 2 sets out what are “property management activities” which if being carried out by a landlord require the landlord to hold a licence. They are collecting rent, being the main point of contact for the tenant in relation to matters arising under the tenancy, making arrangements to repair or maintain the property, or to secure access to the property, checking the condition of the property, serving a notice to terminate the tenancy and, when a tenancy ends, checking, or arranging for the checking of, the condition or contents of the dwelling.
15. A landlord must not do any of the things in subsection (2) unless he or she is licenced to do so for the area in which the dwelling is located, or arranges for an authorised agent to do the activity on his or her behalf, or an exception in section 8 applies. An “authorised agent”, as referred to in subsection (7), can be a person who carries out lettings and management work and holds a licence to do so for the area in which the dwelling is located, or it can be a local housing authority. For the termination of a tenancy agreement, it can also be a qualified solicitor, any person acting on behalf of a solicitor or any person specified in an order made by the Welsh Ministers.
16. Save where an exception in section 8 applies, a landlord who undertakes any property management activities without a licence and without a reasonable excuse for not having a licence, commits an offence and on conviction is liable to a fine, not limited by any levels on the standard scale, and the amount of which therefore will be determined by the magistrates' court.