

# **RENTING HOMES (WALES) ACT 2016**

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## **EXPLANATORY NOTES**

### **INTRODUCTION**

#### ***If so, what kind of occupation contract is it?***

10. This question can be resolved by reference to Chapter 2 of Part 2 of the Act. The two main factors in answering this question are:
  - a. who the landlord is, and
  - b. what has been agreed between the tenant or licensee (referred to in the Act as the 'contract-holder') and the landlord.
11. As a general rule, though the Act does provide for exceptions, an occupation contract made with a 'community landlord' will be a 'secure contract'. 'Community landlord' is defined in section 9; the main kinds of community landlord are local authorities, housing associations and other kinds of registered social landlord, and private registered providers of social housing. A secure tenancy gives the strongest security of occupation (sometimes referred to as 'security of tenure') to the contract-holder.
12. Again as a general rule, subject to exceptions, an occupation contract made with a 'private landlord' will be a 'standard contract'. Any landlord who is not a community landlord is a private landlord for the purposes of the Act.
13. Secure contracts are 'periodic'; this means that they will roll from period to period (generally, from week to week or month to month). Standard contracts can be either periodic or made for a fixed term. Aside from differences relating to security of occupation, there are a range of differences between secure and standard contracts (and between periodic and fixed term standard contracts); these are set out throughout the Act, and are considered in the section-by-section commentary in these Notes.