

*These notes refer to the Renting Homes (Wales) Act 2016
(c.1) which received Royal Assent on 18 January 2016*

RENTING HOMES (WALES) ACT 2016

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 9 - Termination Etc. of Occupation Contracts

Chapter 11 – Possession Claims: Powers of Court in Relation to Absolute Ground

(This Chapter Applies Only to Secure Contracts)

Section 213 – Review of claim made on absolute ground

463. Where a landlord makes a possession claim under the term of the contract incorporating section 165, and the landlord is a community landlord or the landlord's decision to make such a possession claim is subject to judicial review, a contract-holder may, during possession proceedings in the county court, apply for a review by the court of the landlord's decision to seek possession. The court may confirm or quash the landlord's decision. The principles applied by the High Court during an application for judicial review will be applied by the county court; this section means that where the application for the order for possession is before the county court, there will be no need for the contract-holder to bring separate proceedings in the High Court on a judicial review of the decision to issue the notice.