



Renting Homes (Wales) Act 2016

2016 anaw 1

PART 4

CONDITION OF DWELLING

CHAPTER 2

CONDITION OF DWELLING

(THIS CHAPTER APPLIES TO ALL SECURE CONTRACTS, ALL PERIODIC STANDARD CONTRACTS, AND ALL FIXED TERM STANDARD CONTRACTS MADE FOR A TERM OF LESS THAN SEVEN YEARS)

Access to dwellings and rights of permitted occupiers

98 Landlord's right to access dwelling

- (1) The landlord may enter the dwelling at any reasonable time for the purpose of—
 - (a) inspecting its condition and state of repair, or
 - (b) carrying out works or repairs needed in order to comply with section 91 or 92.
- (2) The landlord must give at least 24 hours' notice to the contract-holder before exercising that right.
- (3) Subsection (4) applies where—
 - (a) the dwelling forms part only of a building, and
 - (b) in order to comply with section 91 or 92 the landlord needs to carry out works or repairs in another part of the building.
- (4) The landlord is not liable for failing to comply with section 91 or 92 if the landlord does not have sufficient rights over that other part of the building to be able to carry out the works or repairs, and was unable to obtain such rights after making a reasonable effort to do so.

Changes to legislation: Renting Homes (Wales) Act 2016, Cross Heading: Access to dwellings and rights of permitted occupiers is up to date with all changes known to be in force on or before 19 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- (5) This section is a fundamental provision which is incorporated as a term of all secure contracts, all periodic standard contracts, and all fixed term standard contracts made for a term of less than seven years.

Modifications etc. (not altering text)

- C1** S. 98 modified (1.12.2022) by 2002 c. 15, Sch. 7 para. 3A(6) (as inserted by [The Renting Homes \(Wales\) Act 2016 \(Consequential Amendments\) Regulations 2022 \(S.I. 2022/1166\)](#), regs. 1(1), **27(2)(b)**)

Commencement Information

- I1** S. 98 in force at 1.12.2022 by [S.I. 2022/906](#), **art. 2**

99 Rights of permitted occupiers to enforce Chapter

- (1) A permitted occupier who suffers personal injury, or loss of or damage to personal property, as a result of the landlord failing to comply with section 91 or 92 may enforce the section in question in his or her own right by bringing proceedings in respect of the injury, loss or damage.
- (2) But a permitted occupier who is a lodger or sub-holder may do so only if the lodger is allowed to live in the dwelling, or the sub-occupation contract is made, in accordance with the occupation contract.
- (3) This section is a fundamental provision which is incorporated as a term of all secure contracts, periodic standard contracts, and fixed term standard contracts made for a term of less than seven years.

Commencement Information

- I2** S. 99 in force at 1.12.2022 by [S.I. 2022/906](#), **art. 2**

Changes to legislation:

Renting Homes (Wales) Act 2016, Cross Heading: Access to dwellings and rights of permitted occupiers is up to date with all changes known to be in force on or before 19 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

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Changes and effects yet to be applied to :

- specified provision(s) savings for amendments by 2018 anaw 1, s. 6, Sch. 6 by [S.I. 2019/110 reg. 5](#)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 20(3)(ma) inserted by [2019 anaw 2 Sch. 3 para. 4\(2\)](#)
- s. 135(2)(ia) inserted by [2019 anaw 2 Sch. 3 para. 4\(3\)](#)
- s. 186A-186C inserted by [2019 anaw 2 Sch. 3 para. 4\(1\)](#)
- s. 198A inserted by [2019 anaw 2 Sch. 3 para. 5](#)