



Renting Homes (Wales) Act 2016

2016 anaw 1

PART 9

TERMINATION ETC. OF OCCUPATION CONTRACTS

CHAPTER 3

TERMINATION OF ALL OCCUPATION CONTRACTS (POSSESSION CLAIMS BY LANDLORDS)

Breach of contract

157 Breach of contract

- (1) If the contract-holder under an occupation contract breaches the contract, the landlord may on that ground make a possession claim.
- (2) Section 209 provides that the court may not make an order for possession on that ground unless it considers it reasonable to do so (and reasonableness is to be determined in accordance with Schedule 10).
- (3) This section is a fundamental provision which is incorporated as a term of all occupation contracts.

Modifications etc. (not altering text)

- C1 Pt. 9 excluded (1.12.2022) by 2004 c. 34, s. 33(c) (as inserted by [The Renting Homes \(Wales\) Act 2016 \(Consequential Amendments\) Regulations 2022 \(S.I. 2022/1166\)](#), regs. 1(1), **28(2)(c)**)

Commencement Information

- I1 S. 157 in force at 1.12.2022 by [S.I. 2022/906](#), art. 2

Changes to legislation: Renting Homes (Wales) Act 2016, Cross Heading: Breach of contract is up to date with all changes known to be in force on or before 11 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

158 False statement inducing landlord to make contract to be treated as breach of contract

- (1) If the landlord under an occupation contract is induced to make the contract by means of a relevant false statement—
 - (a) the contract-holder is to be treated as being in breach of the occupation contract, and
 - (b) the landlord may accordingly make a possession claim on the ground in section 157 (breach of contract).
- (2) A false statement is relevant if it is made knowingly or recklessly by—
 - (a) the contract-holder, or
 - (b) another person acting at the contract-holder's instigation.
- (3) This section is a fundamental provision which is incorporated as a term of all occupation contracts; section 20 provides that this section—
 - (a) must be incorporated, and
 - (b) must not be incorporated with modifications.

Commencement Information

I2 [S. 158](#) in force at 1.12.2022 by [S.I. 2022/906](#), [art. 2](#)

159 Restrictions on section 157

- (1) Before making a possession claim on the ground in section 157, the landlord must give the contract-holder a possession notice specifying that ground.
- (2) The landlord may make a possession claim in reliance on a breach of section 55 (anti-social behaviour and other prohibited conduct) on or after the day on which the landlord gives the contract-holder a possession notice specifying a breach of that section.
- (3) The landlord may not make a possession claim in reliance on a breach of any other term of the contract before the end of the period of one month starting with the day on which the landlord gives the contract-holder a possession notice specifying a breach of that term.
- (4) In either case, the landlord may not make a possession claim after the end of the period of six months starting with the day on which the landlord gives the contract-holder the possession notice.
- (5) This section is a fundamental provision which is incorporated as a term of all occupation contracts.

Commencement Information

I3 [S. 159](#) in force at 1.12.2022 by [S.I. 2022/906](#), [art. 2](#)

Changes to legislation:

Renting Homes (Wales) Act 2016, Cross Heading: Breach of contract is up to date with all changes known to be in force on or before 11 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](#)