***Changes to legislation:** Renting Homes (Wales) Act 2016, Cross Heading: Needs of contract-holder and his or her family is up to date with all changes known to be in force on or before 20 September 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*

SCHEDULE 11

SUITABLE ALTERNATIVE ACCOMMODATION

Needs of contract-holder and his or her family

4 (1) The court must determine whether accommodation is reasonably suitable in relation to the needs of the contract-holder and his or her family in accordance with this paragraph.

(2) The court must consider (among other things)—

(a) the needs of the contract-holder and his or her family as regards extent of accommodation,

(b) if the landlord is a private landlord, the needs of the contract-holder and his or her family as regards character of accommodation,

(c) the means of the contract-holder and his or her family,

(d) if the contract-holder or a member of his or her family works or is being educated, the distance of the accommodation from the place (or places) of work or education,

(e) if proximity to the home of any member of the contract-holder's family is essential to the well-being of the contract-holder or that member of his or her family, the proximity of the accommodation to that home,

(f) the terms of the existing contract and the terms of the occupation contract under which the accommodation is to be occupied, and

(g) if furniture was provided by the landlord under the existing contract, whether furniture is to be provided for use by the contract-holder and his or her family and, if so, the nature of that furniture.

(3) If the landlord is a community landlord, the court must also consider the nature of the accommodation which it is the practice of the landlord to allocate to persons with similar needs.

(4) If the landlord is a private landlord the court may consider, as an alternative to the matters in sub-paragraph (2)(a) to (c), whether the accommodation is similar as regards rent and extent to the accommodation provided in the neighbourhood by community landlords for comparable persons.

(5) "Comparable persons" are those whose needs, as regards extent, are in the opinion of the court similar to those of the contract-holder and the contract-holder's family.

(6) For the purposes of sub-paragraph (4) a certificate of a local housing authority stating—

(a) the extent of the accommodation provided by the authority to meet the needs of persons with families of such number as may be specified in the certificate, and

(b) the amount of rent charged by the authority for accommodation of that extent,

is to be conclusive evidence of the facts so stated.

(7) In considering the matters in sub-paragraph (2)(f) the court may not take into account any terms of the occupation contract that relate to lodgers and sub-holders.

Changes to legislation: *Renting Homes (Wales) Act 2016, Cross Heading: Needs of contract-holder and his or her family is up to date with all changes known to be in force on or before 20 September 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*

Commencement Information

I1 Sch. 11 para. 4 in force at 1.12.2022 by S.I. 2022/906, **art. 2**

Changes to legislation:
Renting Homes (Wales) Act 2016, Cross Heading: Needs of contract-holder and his or her family is up to date with all changes known to be in force on or before 20 September 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