

Changes to legislation: Renting Homes (Wales) Act 2016, Cross Heading: Termination of contract that was assured tenancy by landlord: additional absolute grounds for possession is up to date with all changes known to be in force on or before 18 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

SCHEDULE 12

CONVERSION OF TENANCIES AND LICENCES EXISTING BEFORE COMMENCEMENT OF CHAPTER 3 OF PART 10

Termination of contract that was assured tenancy by landlord: additional absolute grounds for possession

- 28 (1) This paragraph applies in relation to a converted contract which immediately before the appointed day was an assured tenancy.
- (2) The landlord may claim possession of the dwelling subject to the contract relying on Ground 1, 2 or 5 of Schedule 2 to the Housing Act 1988 (c. 50).
- (3) But the landlord may not do so before the end of the period of two months starting with the day on which the landlord gives the contract-holder a possession notice (in accordance with section 150) specifying that Ground.
- (4) Subject to section 204 (possession claims: powers of court) (which applies as if subsection (1)(a) included a reference to sub-paragraph (3)), if the court is satisfied that the Ground is made out it must make an order for possession (subject to any available defence based on the contract-holder's Convention rights).

Commencement Information

II Sch. 12 para. 28 in force at 1.12.2022 by S.I. 2022/906, art. 2

- 29 (1) This paragraph also applies in relation to a converted contract which immediately before the appointed day was [^{F1}a periodic assured tenancy].
- (2) The landlord may claim possession of the dwelling subject to the contract relying on Ground 7 of Schedule 2 to the Housing Act 1988 (c. 50) if—
- (a) the tenant under the assured tenancy died before the appointed day, and
- (b) before the appointed day the assured tenancy devolved, or after the appointed day the converted contract devolves, under the tenant's will or intestacy.
- (3) But the landlord may not do so before the end of the period of two months starting with the day on which the landlord gives the contract-holder a possession notice specifying that Ground.
- (4) Subject to section 204 (possession claims: powers of court) (which applies as if subsection (1)(a) included a reference to sub-paragraph (3)), if the court is satisfied that the Ground is made out it must make an order for possession (subject to any available defence based on the contract-holder's Convention rights).

Textual Amendments

F1 Words in Sch. 12 para. 29(1) substituted (14.7.2022) by The Renting Homes (Wales) Act 2016 (Amendment of Schedule 12) Regulations 2022 (S.I. 2022/795), regs. 1(2), 18

Commencement Information

I2 Sch. 12 para. 29 in force at 1.12.2022 by S.I. 2022/906, art. 2

Changes to legislation:

Renting Homes (Wales) Act 2016, Cross Heading: Termination of contract that was assured tenancy by landlord: additional absolute grounds for possession is up to date with all changes known to be in force on or before 18 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.

[View outstanding changes](#)

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](#)