

Status: Point in time view as at 14/07/2022. This version of this cross heading contains provisions that are not valid for this point in time.

Changes to legislation: Renting Homes (Wales) Act 2016, Cross Heading: Variation is up to date with all changes known to be in force on or before 21 May 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)

SCHEDULE 12 **E+W**

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

Variation

VALID FROM 01/12/2022

- [^{F1}13B. Section 123 (variation of rent) does not apply to a converted contract that is a periodic standard contract [^{F2}under which the landlord is a private landlord and] which immediately before the appointed day—
- (a) was an assured tenancy but not an assured shorthold tenancy, and
 - (b) contained a term which made provision about variation of the rent under the tenancy or licence.]

Textual Amendments

- F1** Sch. 12 para. 13B inserted (14.7.2022) by [The Renting Homes \(Wales\) Act 2016 \(Amendment of Schedule 12\) Regulations 2022 \(S.I. 2022/795\)](#), regs. 1(2), **11**
- F2** Words in Sch. 12 para. 13B inserted (30.11.2022 at 11.00 p.m.) by [The Renting Homes \(Wales\) Act 2016 \(Amendment of Schedule 12 and Consequential Amendment\) Regulations 2022 \(S.I. 2022/1258\)](#), regs. 1(2), **3**

VALID FROM 01/12/2022

- 14 (1) A converted contract may not be varied before the landlord has given the contract-holder a written statement of the contract.
- (2) Sub-paragraph (1) does not apply to [—
- (a)] a variation under section 104 or 123 (variation of rent)[, or
 - (b)] an increase in rent under section 93 of the Rent Act 1977 (c. 42).]

Commencement Information

- 11** Sch. 12 para. 14 in force at 1.12.2022 by [S.I. 2022/906](#), **art. 2**

- 15 (1) Sections 104 and 123 (variation of rent) apply to a converted contract [^{F3}(other than a contract mentioned in paragraph 13B)] as if any variations in the rent payable under the contract before the appointed day were variations under whichever of those sections applies.
- (2) The Welsh Ministers must by regulations make provision—
- (a) enabling the contract-holder under a relevant converted contract, following receipt of a notice under section 104 or 123, to apply to a prescribed person or persons for a determination of the rent for the dwelling, and

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- (b) for the rent determined by the prescribed person or persons, in accordance with such assumptions as may be prescribed, to be the rent for the dwelling under the contract (unless the landlord and contract-holder otherwise agree).

[^{F4}(3) A converted contract is a relevant converted contract if—

- (a) immediately before the appointed day it was a tenancy or licence to which section 13 of the Housing Act 1988 (c. 50) (increases of rent under assured periodic tenancies) applied,
- (b) it is a periodic standard contract which is a substitute contract (see paragraph 32)—
 - (i) arising under section 184(2), or
 - (ii) within section 184(6),

and which immediately before the appointed day was an assured tenancy, but not an assured shorthold tenancy, for a fixed term, or

- (c) it is a secure contract which immediately before the appointed day was an assured tenancy, but not an assured shorthold tenancy, for a fixed term.]

Textual Amendments

- F3** Words in Sch. 12 para. 15(1) inserted (14.7.2022) by [The Renting Homes \(Wales\) Act 2016 \(Amendment of Schedule 12\) Regulations 2022 \(S.I. 2022/795\)](#), regs. 1(2), **12(a)**
- F4** Sch. 12 para. 15(3) substituted (14.7.2022) by [The Renting Homes \(Wales\) Act 2016 \(Amendment of Schedule 12\) Regulations 2022 \(S.I. 2022/795\)](#), regs. 1(2), **12(b)**

Commencement Information

- I2** Sch. 12 para. 15(2) in force at 5.8.2016 for specified purposes by [S.I. 2016/813](#), art. 2(a), **Sch. Pt. 1**

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