



Renting Homes (Wales) Act 2016

2016 anaw 1

PART 5

PROVISIONS APPLYING ONLY TO SECURE CONTRACTS

CHAPTER 5

PROHIBITED CONDUCT STANDARD CONTRACTS

116 Order imposing periodic standard contract because of prohibited conduct

- (1) If the landlord under a secure contract is a community landlord or a registered charity, the landlord may apply to the court for an order under this section on the ground that the contract-holder is in breach of section 55 (anti-social behaviour and other prohibited conduct).
- (2) The effect of an order under this section is—
 - (a) to end the secure contract from a date specified in the order, and
 - (b) if the contract-holder remains in occupation after the specified date, to create a periodic standard contract whose occupation date is the date specified in the order (and which is a periodic standard contract until the end of the probationary period).
- (3) The court may make an order under this section only if it is satisfied that—
 - (a) the contract-holder is in breach of section 55,
 - (b) it would have made an order for possession on the ground in section 157 (breach of contract) in reliance only on that breach,
 - (c) the landlord will make available to the contract-holder a programme of social support the aim of which is the prevention of prohibited conduct, and
 - (d) it is reasonable to make the order.

Changes to legislation: *Renting Homes (Wales) Act 2016, Section 116 is up to date with all changes known to be in force on or before 13 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*

- (4) The Welsh Ministers may issue guidance as to the activities and services (including assistance, advice and counselling services) that may be included in a programme of social support for the purposes of subsection (3).
- (5) Schedule 7 makes provision about probation periods, the procedure for obtaining an order under this section, and about the terms of a periodic standard contract created under this section.
- (6) In this Act “prohibited conduct standard contract” means a contract which is a periodic standard contract created because of an order under this section, and in relation to which the probation period has not yet ended.

Commencement Information

- I1** S. 116(1)-(3), (5)(6) in force at 1.12.2022 by [S.I. 2022/906, art. 2](#)
- I2** S. 116(4) in force at 5.8.2016 for specified purposes by [S.I. 2016/813, art. 2\(b\), Sch. Pt. 2](#)
- I3** S. 116(4) in force at 1.12.2022 in so far as not already in force by [S.I. 2022/906, art. 2](#)

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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](#)