



Renting Homes (Wales) Act 2016

2016 anaw 1

PART 9

TERMINATION ETC. OF OCCUPATION CONTRACTS

CHAPTER 5

TERMINATION OF PERIODIC STANDARD CONTRACTS

Termination by landlord: landlord's notice

175 [^{F1}Restriction on section 173: notice may not be given until after the first six months of occupation]

- (1) The landlord may not give notice under section 173 before the end of the period of [^{F2}six months] starting with the occupation date of the contract.
- (2) If the contract is a substitute occupation contract, the landlord may not give notice under section 173 before the end of the period of [^{F3}six months] starting with the occupation date of the original contract.
- (3) For the purposes of subsection (2)—
 - (a) an occupation contract is a substitute occupation contract if—
 - (i) the occupation date of the contract falls immediately after the end of a preceding occupation contract,
 - (ii) immediately before the occupation date of the contract a contract-holder under the contract was a contract-holder under the preceding contract and a landlord under the contract was a landlord under the preceding contract, and
 - (iii) the contract relates to the same (or substantially the same) dwelling as the preceding contract, and
 - (b) “original contract” means—

Changes to legislation: *Renting Homes (Wales) Act 2016, Section 175 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*

- (i) where the substitute occupation contract has an occupation date falling immediately after the end of a contract which is not a substitute occupation contract, the occupation contract which precedes the substitute occupation contract;
 - (ii) where there have been successive substitute occupation contracts, the occupation contract which preceded the first of the substitute occupation contracts.
- (4) This section is a fundamental provision which is incorporated as a term of all periodic standard contracts, except periodic standard contracts which—
- (a) do not incorporate section 173 as a term of the contract, or
 - (b) are within Schedule 9 (whether or not they incorporate section 173 as a term of the contract),

F4
...

Textual Amendments

- F1** S. 175 heading substituted (7.6.2021) by virtue of [Renting Homes \(Amendment\) \(Wales\) Act 2021 \(asc 3\)](#), **ss. 4(2)**, 19(3)
- F2** Words in s. 175(1) substituted (7.6.2021) by [Renting Homes \(Amendment\) \(Wales\) Act 2021 \(asc 3\)](#), **ss. 4(1)(a)**, 19(3)
- F3** Words in s. 175(2) substituted (7.6.2021) by [Renting Homes \(Amendment\) \(Wales\) Act 2021 \(asc 3\)](#), **ss. 4(1)(b)**, 19(3)
- F4** Words in s. 175(4) omitted (7.6.2021) by virtue of [Renting Homes \(Amendment\) \(Wales\) Act 2021 \(asc 3\)](#), s. 19(3), **Sch. 6 para. 15**

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. 175 in force at 1.12.2022 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](#)