



Renting Homes (Wales) Act 2016

2016 anaw 1

PART 3

PROVISIONS APPLYING TO ALL OCCUPATION CONTRACTS

CHAPTER 8

DEALING

Sub-occupation contracts

65 Extended possession order against sub-holder

- (1) This section applies if—
 - (a) the contract-holder (“C”) under an occupation contract (“the head contract”) enters into a sub-occupation contract in accordance with the head contract, and
 - (b) after the sub-occupation contract is entered into, C’s landlord makes a possession claim against C.
- (2) In the proceedings on the claim against C, C’s landlord may apply for an order for possession against the sub-holder (“S”) (an “extended possession order”); but an application under this subsection may be made only if—
 - (a) the requirements set out in subsection (3) have been met, or
 - (b) the court considers it reasonable to dispense with those requirements.
- (3) The requirements are as follows—
 - (a) C’s landlord must have given S a copy of the notice mentioned in subsection (1)(b) of section 64 in accordance with subsection (2) of that section, and
 - (b) at the same time, C’s landlord must have given S notice—
 - (i) of C’s landlord’s intention to apply for an extended possession order in the proceedings on the claim against C, and

Status: This is the original version (as it was originally enacted).

- (ii) of S's right to be a party to proceedings on the possession claim against C.
- (4) Where C's landlord may apply for an extended possession order against S, S is entitled to be a party to proceedings on the possession claim against C (regardless of whether C's landlord makes an application for an extended possession order in the proceedings).
- (5) The court may consider C's landlord's application for an extended possession order only if it has decided to make an order for possession against C.
- (6) The court may make an extended possession order against S only if, had C made a possession claim against S, the court would have made an order for possession against S.