



Renting Homes (Wales) Act 2016

2016 anaw 1

PART 4

CONDITION OF DWELLING

CHAPTER 2

CONDITION OF DWELLING

(THIS CHAPTER APPLIES TO ALL SECURE CONTRACTS, ALL PERIODIC STANDARD CONTRACTS, AND ALL FIXED TERM STANDARD CONTRACTS MADE FOR A TERM OF LESS THAN SEVEN YEARS)

Landlord's obligations as to condition of dwelling

94 Determination of fitness for human habitation

- (1) The Welsh Ministers must prescribe matters and circumstances to which regard must be had when determining, for the purposes of section 91(1), whether a dwelling is fit for human habitation.
- (2) In exercising the power in subsection (1), the Welsh Ministers may prescribe matters and circumstances—
 - (a) by reference to any regulations made by the Welsh Ministers under section 2 of the [Housing Act 2004 \(c. 34\)](#) (meaning of “category 1 hazard” and “category 2 hazard”);
 - (b) which may arise because of a failure to comply with an obligation under section 92.
- (3) The Welsh Ministers may by regulations—
 - (a) impose requirements on landlords for the purpose of preventing any matters or circumstances which may cause a dwelling to be unfit for human habitation from arising;

- (b) prescribe that if requirements imposed under paragraph (a) are not complied with in respect of a dwelling, the dwelling is to be treated as if it were unfit for human habitation.