



# Renting Homes (Fees etc.) (Wales) Act 2019

2019 anaw 2

## PART 2

### PROHIBITION OF CERTAIN PAYMENTS ETC.

#### **3 Prohibitions applying to letting agents**

- (1) It is an offence for a letting agent to require a prohibited payment to be made to the letting agent, or any other person—
  - (a) in consideration of arranging the grant, renewal or continuance of a standard occupation contract, or
  - (b) pursuant to a term of a standard occupation contract which purports to require the payment to be made.
- (2) It is an offence for a letting agent to require a person to enter into a contract for services with the letting agent, or any other person—
  - (a) in consideration of arranging the grant, renewal or continuance of a standard occupation contract, or
  - (b) pursuant to a term of a standard occupation contract which purports to require entry into the contract for services.
- (3) But subsection (2) does not apply if the contract for services concerned is a contract between a landlord and a letting agent only, in respect of lettings work or property management work to be carried out by the agent on the landlord's behalf.
- (4) It is an offence for a letting agent to require the grant of a loan to the letting agent, or any other person—
  - (a) in consideration of arranging the grant, renewal or continuance of a standard occupation contract, or
  - (b) pursuant to a term of a standard occupation contract which purports to require the loan to be made.

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**Changes to legislation:** *There are currently no known outstanding effects for the Renting Homes (Fees etc.) (Wales) Act 2019, Section 3. (See end of Document for details)*

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- (5) A person guilty of an offence under this section is liable on summary conviction to a fine.
- (6) The court by which a person (“the offender”) is convicted of an offence under subsection (1) may order the offender to pay the amount of the payment concerned or (in a case where part of the payment has been repaid) the outstanding amount of the payment to the person by whom it was paid.

**Modifications etc. (not altering text)**

- C1** Part 2 applied (with modifications) (1.9.2019) by the [Renting of Homes \(Fees etc.\) \(Wales\) Act 2019 \(Transitional Provision for Assured Shorthold Tenancies\) Regulations 2019 \(S.I. 2019/1151\)](#), reg. 1(2), **3**

**Commencement Information**

- I1** S. 3 in force at 1.9.2019 by [S.I. 2019/1150](#), art. 2(a)

**Changes to legislation:**

There are currently no known outstanding effects for the *Renting Homes (Fees etc.) (Wales) Act 2019*, Section 3.