

Changes to legislation: There are currently no known outstanding effects for the Renting Homes (Amendment) (Wales) Act 2021, SCHEDULE 1. (See end of Document for details)

SCHEDULE 1

(introduced by section 3)

NEW SCHEDULE 8A TO THE 2016 ACT

Commencement Information

II Sch. 1 in force at 7.6.2021, see s. 19(3)

This Schedule sets out the new Schedule 8A to the 2016 Act, to be inserted after Schedule 8—

“SCHEDULE 8A (introduced by sections 174, 174A, 195 and 195A)

STANDARD CONTRACTS WHICH CAN BE TERMINATED ON TWO MONTHS' NOTICE UNDER SECTION 173 OR A LANDLORD'S BREAK CLAUSE

Prohibited conduct standard contracts

1 A prohibited conduct standard contract.

Tenancies and licences which are occupation contracts because of notice given under Part 2 of Schedule 2

2 A standard contract which would not be an occupation contract but for a notice under paragraph 3 of Schedule 2 (holiday accommodation; care institutions; temporary expedients; shared accommodation).

Accommodation for students in higher education

- 3 (1) A standard contract where—
- (a) the landlord is a higher education institution, and
 - (b) the right to occupy is conferred for the purpose of enabling the contract-holder to attend a course of study at that institution, or at another higher education institution (whether or not the right to occupy is also conferred for another purpose).
- (2) “Higher education institution” means an institution in the higher education sector (within the meaning of section 91(5) of the Further and Higher Education Act 1992 (c. 13)).

Supported accommodation

4 A supported standard contract.

Accommodation for asylum seekers, etc.

5 A standard contract made in order to provide accommodation under Part 6 of the Immigration and Asylum Act 1999 (c. 33) (support for asylum seekers, etc.).

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Accommodation for homeless persons

- 6 A standard contract made as described in paragraph 11 or 12 of Schedule 2 (accommodation for homeless persons).

Service occupancy

- 7 A standard contract where the contract-holder is required by his or her contract of employment to occupy the dwelling.

Service occupancy: police

- 8 A standard contract where—
- (a) the contract-holder is a member of a police force, and
 - (b) the dwelling is provided for the contract-holder free of rent under regulations made under section 50 of the Police Act 1996 (c. 16) (general regulations as to government, administration and conditions of service).

Service occupancy: fire and rescue services

- 9 A standard contract where—
- (a) the contract-holder is an employee of a fire and rescue authority,
 - (b) the contract-holder's contract of employment requires him or her to live in close proximity to a particular fire station, and
 - (c) the dwelling is provided to him or her by the fire and rescue authority in consequence of that requirement.

Temporary accommodation: land acquired for development

- 10 (1) A standard contract where—
- (a) the land the dwelling is on (including any land occupied together with the dwelling other than agricultural land exceeding 0.809 hectares) is, or is part of, land which has been acquired for development, and
 - (b) the dwelling is used by the landlord as temporary housing accommodation pending development of the land.
- (2) “Development” has the meaning given by section 55 of the Town and Country Planning Act 1990 (c. 8).

Temporary accommodation: short-term arrangements

- 11 A standard contract where—
- (a) the dwelling has been let to the landlord with vacant possession for use as temporary housing accommodation,
 - (b) the terms on which it has been let include provision for the lessor to obtain vacant possession from the landlord at the end of a specified period or when required by the lessor,
 - (c) the lessor is not a community landlord, and
 - (d) the landlord has no interest in the dwelling other than under the lease in question or as mortgagor.

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Temporary accommodation: accommodation during works

- 12 (1) A standard contract where—
- (a) the dwelling (the “temporary dwelling”) has been made available for occupation by the contract-holder while works are carried out on the dwelling previously occupied by the contract-holder as a home,
 - (b) the landlord of the temporary dwelling is not the same as the landlord of the dwelling previously occupied by the contract-holder (the “old dwelling”), and
 - (c) the contract-holder was not a contract-holder under a secure contract of the old dwelling at the time when the contract-holder ceased to occupy it as a home.
- (2) In this paragraph, references to the contract-holder include references to the contract-holder’s predecessor.
- (3) For the purposes of sub-paragraph (2), a person is a predecessor of a contract-holder under a standard contract if that person was an earlier contract-holder under the same contract.

Power to amend Schedule

- 13 The Welsh Ministers may by regulations amend this Schedule.”

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