

RENTING HOMES (WALES) ACT 2016

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 8 - Supported Standard Contracts

346. **Part 8** contains provision about supported standard contracts. These contracts are standard contracts for use in relation to supported accommodation provided by community landlords and registered charities.

Section 143 - Supported standard contract and supported accommodation

347. This section defines 'supported standard contracts' and 'supported accommodation'. Supported accommodation is accommodation that is provided by a community landlord or registered charity where support services are provided to the contract-holder in connection with the accommodation. Subsection (4) defines 'support services' as including help with overcoming addiction, with finding employment and with living independently. Subsection (5) defines 'support' as including advice and training.

Section 144 – Mobility

348. Under this section, a supported standard contract may include a term about 'mobility'. This enables a landlord to relocate a contract-holder to a different dwelling within the same building without the need to end one contract and make another. This is designed to enable the landlord to, for example, locate a contract-holder away from another resident to avoid disputes.

Section 145 – Temporary exclusion

349. A further power provided in relation to a supported standard contract is temporary exclusion. This allows the landlord (including persons designated by the landlord to act on the landlord's behalf) to require a contract-holder to leave the dwelling for up to 48 hours where the landlord reasonably believes the contract-holder has engaged in certain kinds of behaviour. The behaviour in question is: the use of violence against anyone else in the dwelling; doing something in the dwelling which creates a significant risk of harm to others; or behaviour which seriously impedes other residents' ability to benefit from the support provided.
350. A contract-holder cannot be excluded for more than 48 hours at a time and cannot be excluded more than three times in any six month period. A landlord must give notice to the contract-holder being excluded, explaining why he or she is being excluded. This notice should be given when the contract-holder is required to leave or as soon as possible afterwards. Subsection (8) provides for the section to be incorporated as a fundamental term of all supported standard contracts.

*These notes refer to the Renting Homes (Wales) Act 2016
(c.1) which received Royal Assent on 18 January 2016*

Section 146 – Temporary exclusion: guidance

351. This section places a duty upon the Welsh Ministers to issue guidance to landlords in exercising functions under section 145. A landlord must have regard to any guidance issued by the Welsh Ministers under this section.