Renting Homes (Wales) Act 2016

2016 anaw 1

PART 9

TERMINATION ETC. OF OCCUPATION CONTRACTS

CHAPTER 10

POSSESSION CLAIMS: POWERS OF COURT IN RELATION TO DISCRETIONARY GROUNDS

(THIS CHAPTER APPLIES TO ALL OCCUPATION CONTRACTS)

210 Estate management grounds

(1) This section applies if the landlord under an occupation contract makes a possession claim under section 160 on one or more of the estate management grounds.

(2) The court may not make an order for possession on that ground (or those grounds) unless—

(a) it considers it reasonable to do so, and

(b) it is satisfied that suitable alternative accommodation is available to the contract-holder (or will be available to the contract-holder when the order takes effect).

(3) Schedule 10 makes provision as regards the reasonableness of making an order for possession.

(4) Whether suitable alternative accommodation is, or will be, available to the contract-holder is to be determined in accordance with Schedule 11.

(5) If the landlord makes a possession claim on estate management Ground B and the redevelopment scheme is approved under Part 2 of Schedule 8 subject to conditions, the court may not make an order for possession unless it is satisfied that the conditions are or will be met.

Changes to legislation: *Renting Homes (Wales) Act 2016, Section 210 is up to date with all changes known to be in force on or before 02 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

(6) If the court makes an order for possession and the landlord is required to pay the contract-holder a sum under section 160(4), the sum payable—

(a) if not agreed between the landlord and contract-holder, is to be determined by the court, and

(b) is recoverable from the landlord as a civil debt.

Modifications etc. (not altering text)

C1 Pt. 9 excluded (1.12.2022) by 2004 c. 34, s. 33(c) (as inserted by The Renting Homes (Wales) Act 2016 (Consequential Amendments) Regulations 2022 (S.I. 2022/1166), regs. 1(1), **28(2)(c)**)

Commencement Information

I1 S. 210 in force at 1.12.2022 by S.I. 2022/906, **art. 2**

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Changes and effects yet to be applied to :

– specified provision(s) savings for amendments by 2018 anaw 1, s. 6, Sch. 6 by S.I. 2019/110 reg. 5

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:
Whole provisions yet to be inserted into this Act (including any effects on those provisions):

– s. 20(3)(ma) inserted by 2019 anaw 2 Sch. 3 para. 4(2)
– s. 135(2)(ia) inserted by 2019 anaw 2 Sch. 3 para. 4(3)
– s. 186A-186C inserted by 2019 anaw 2 Sch. 3 para. 4(1)
– s. 198A inserted by 2019 anaw 2 Sch. 3 para. 5