

*These notes refer to the Housing (Wales) Act 2014 (c.7)
which received Royal Assent on 17 September 2014*

HOUSING (WALES) ACT 2014

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 2 Homelessness

Section 57 – Whether it is reasonable to continue to occupy accommodation

120. It is not reasonable to continue to occupy accommodation if it puts a person or a member of the person's household at risk of abuse. Subsection (2) explains that "member of a person's household" means someone who normally resides with that person as a member of the person's family or another person who might reasonably be expected to live with them. The Housing Act 1996 referred to "violence"; this has now been changed to "abuse" to clarify that it should not be restricted to physical violence (see section 58).
121. In determining whether it is reasonable to continue to occupy accommodation, or would have been reasonable to continue in occupation where a person's occupation has ended, the local housing authority may consider the general circumstances which exist. The circumstances are those in relation to housing in the area of the local housing authority to which a person has applied for help in securing accommodation but the authority must also consider whether or not the accommodation is affordable for that person (subsection (3)). The Welsh Ministers may specify other circumstances in which it is to be regarded as reasonable or not reasonable to continue occupying accommodation and other matters to be taken into account or disregarded.