

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

# **RENTING HOMES (WALES) ACT 2016**

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## **EXPLANATORY NOTES**

### **COMMENTARY ON SECTIONS**

#### **Part 10 – Miscellaneous**

#### ***Chapter 2 – Trespassers: Implied Tenancies and Licences***

#### ***Section 238 – Implied tenancies and licences***

502. Where a landlord accepts payments from a person knowing they are a trespasser, or where they ought to have known that the person is a trespasser, and does not take any action to evict that person, or otherwise show an intention to treat the person as a trespasser within two months of accepting the first payment, a periodic contract is created between the landlord and the person. That contract is a tenancy or licence. This entitles the trespasser to occupy the dwelling as his or her home from the day after that two month period ends. The amount of rent and the rental periods of the contract are to be determined based on the amount and frequency of payments made by the trespasser, and any other relevant circumstances.