

# RENTING HOMES (WALES) ACT 2016

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## EXPLANATORY NOTES

### COMMENTARY ON SECTIONS

#### **Part 9 - Termination Etc. of Occupation Contracts**

#### *Chapter 4 - Termination of Secure Contracts (Contract- Holder's Notice)*

#### *Section 163 - Contract-holder's notice and Section 164 - Minimum notice period*

395. These sections provide that the contract-holder may end the occupation contract by giving at least four weeks' notice to the landlord.

#### *Section 165 – Recovery of possession*

396. A landlord may make a possession claim on the ground that a contract-holder, having given notice to the landlord to end the contract under the term of the contract incorporating section 163, fails to give up possession on the date specified in that notice.

#### *Section 166 – Restrictions on section 165*

397. This section sets out restrictions on the exercise of the landlord's power to seek possession on the ground set out in section 165. The landlord must give the contract-holder a possession notice specifying the ground. The landlord may make a possession claim on or after the day the possession notice is given to the contract-holder, but no later than six months after that day. Furthermore, the possession notice cannot be given more than two months after the date specified in the contract-holder's notice as being the date on which possession would be given up.

#### *Section 167 - Termination of contract on contract-holder's notice*

398. Where the contract-holder gives up possession of the dwelling on or before the date specified in the notice given under the term of the contract incorporating section 163, the contract runs until that date. Where the contract-holder gives up possession after the date specified in the notice and no order for possession is made, the contract ends on the date the contract-holder gives up possession. If a possession order is made on the ground in section 165, the contract will end in accordance with section 206 (which sets out the effects of a possession order).
399. If the contract-holder, before the end of the notice period, withdraws the notice given under the term of the contract incorporating section 163 and the landlord does not object to this in writing, within a reasonable period, the notice ceases to have effect.