



# Renting Homes (Wales) Act 2016

2016 anaw 1

## PART 5 **E+W**

### PROVISIONS APPLYING ONLY TO SECURE CONTRACTS

## CHAPTER 5 **E+W**

### PROHIBITED CONDUCT STANDARD CONTRACTS

#### 116 **Order imposing periodic standard contract because of prohibited conduct** **E** **+W**

- (1) If the landlord under a secure contract is a community landlord or a registered charity, the landlord may apply to the court for an order under this section on the ground that the contract-holder is in breach of section 55 (anti-social behaviour and other prohibited conduct).
- (2) The effect of an order under this section is—
  - (a) to end the secure contract from a date specified in the order, and
  - (b) if the contract-holder remains in occupation after the specified date, to create a periodic standard contract whose occupation date is the date specified in the order (and which is a periodic standard contract until the end of the probationary period).
- (3) The court may make an order under this section only if it is satisfied that—
  - (a) the contract-holder is in breach of section 55,
  - (b) it would have made an order for possession on the ground in section 157 (breach of contract) in reliance only on that breach,
  - (c) the landlord will make available to the contract-holder a programme of social support the aim of which is the prevention of prohibited conduct, and
  - (d) it is reasonable to make the order.

**Changes to legislation:** *Renting Homes (Wales) Act 2016, CHAPTER 5 is up to date with all changes known to be in force on or before 24 April 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*

- (4) The Welsh Ministers may issue guidance as to the activities and services (including assistance, advice and counselling services) that may be included in a programme of social support for the purposes of subsection (3).
- (5) Schedule 7 makes provision about probation periods, the procedure for obtaining an order under this section, and about the terms of a periodic standard contract created under this section.
- (6) In this Act “prohibited conduct standard contract” means a contract which is a periodic standard contract created because of an order under this section, and in relation to which the probation period has not yet ended.

**Commencement Information**

- I1** S. 116(1)-(3), (5)(6) in force at 1.12.2022 by [S.I. 2022/906, art. 2](#)
- I2** S. 116(4) in force at 5.8.2016 for specified purposes by [S.I. 2016/813, art. 2\(b\), Sch. Pt. 2](#)
- I3** S. 116(4) in force at 1.12.2022 in so far as not already in force by [S.I. 2022/906, art. 2](#)

**117 Conversion to secure contract** **E+W**

- (1) A periodic standard contract which arose because of an order under section 116 and which subsists at the end of the probation period—
  - (a) ends at the end of the probation period, and
  - (b) is replaced with a secure contract that has an occupation date falling immediately after that period ends.
- (2) But subsection (1) does not apply if the probation period ends because of paragraph 3(9) of Schedule 7.
- (3) Schedule 7 makes provision about the terms of a secure contract which arises at the end of a probation period.

**Commencement Information**

- I4** S. 117 in force at 1.12.2022 by [S.I. 2022/906, art. 2](#)

**Changes to legislation:**

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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](#)