



# Renting Homes (Wales) Act 2016

2016 anaw 1

## PART 9

### TERMINATION ETC. OF OCCUPATION CONTRACTS

#### CHAPTER 4

##### TERMINATION OF SECURE CONTRACTS (CONTRACT-HOLDER'S NOTICE)

###### 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)**)

#### 163 Contract-holder's notice

- (1) The contract-holder under a secure contract may end the contract by giving the landlord notice that he or she will give up possession of the dwelling on a date specified in the notice.
- (2) This section is a fundamental provision which is incorporated as a term of all secure contracts.

###### Commencement Information

- II [S. 163](#) in force at 1.12.2022 by [S.I. 2022/906](#), art. 2

#### 164 Minimum notice period

- (1) The date specified in a notice under section 163 may not be less than four weeks after the day on which the notice is given to the landlord.

*Changes to legislation: Renting Homes (Wales) Act 2016, CHAPTER 4 is up to date with all changes known to be in force on or before 13 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*

- (2) This section is a fundamental provision which is incorporated as a term of all secure contracts.

**Commencement Information**

**I2** [S. 164](#) in force at 1.12.2022 by [S.I. 2022/906](#), [art. 2](#)

**165 Recovery of possession**

- (1) If the contract-holder fails to give up possession of the dwelling on the date specified in a notice under section 163, the landlord may on that ground make a possession claim.
- (2) Section 212 provides that if the court is satisfied that the ground is made out, it must make an order for possession of the dwelling (subject to any available defence based on the contract-holder's Convention rights).
- (3) This section is a fundamental provision which is incorporated as a term of all secure contracts.

**Commencement Information**

**I3** [S. 165](#) in force at 1.12.2022 by [S.I. 2022/906](#), [art. 2](#)

**166 Restrictions on section 165**

- (1) Before making a possession claim on the ground in section 165 the landlord must give the contract-holder a possession notice specifying that ground.
- (2) The landlord may make the possession claim on or after the day on which the landlord gives the contract-holder the possession notice.
- (3) But the landlord may not make the possession claim after the end of the period of six months starting with that day.
- (4) The landlord may not give the contract-holder a possession notice specifying the ground in section 165 after the end of the period of two months starting with the date specified in the notice under section 163 as the date on which the contract-holder would give up possession of the dwelling.
- (5) This section is a fundamental provision which is incorporated as a term of all secure contracts.

**Commencement Information**

**I4** [S. 166](#) in force at 1.12.2022 by [S.I. 2022/906](#), [art. 2](#)

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

- (1) If the contract-holder gives up possession of the dwelling on or before the date specified in a notice under section 163, the contract ends on the date specified in the notice.

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- (2) If the contract-holder gives up possession of the dwelling after that date but in connection with the notice, the contract ends—
  - (a) on the day on which the contract-holder gives up possession of the dwelling, or
  - (b) if an order for possession is made, on the date determined in accordance with section 206.
- (3) The notice ceases to have effect if, before the contract ends—
  - (a) the contract-holder withdraws the notice by further notice to the landlord, and
  - (b) the landlord does not object to the withdrawal in writing before the end of a reasonable period.
- (4) This section is a fundamental provision which is incorporated as a term of all secure contracts.

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**Commencement Information**

**I5** [S. 167](#) 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](#)