



# Renting Homes (Wales) Act 2016

2016 anaw 1

## PART 9

### TERMINATION ETC. OF OCCUPATION CONTRACTS

#### CHAPTER 9

##### POSSESSION CLAIMS: POWERS OF COURT

(THIS CHAPTER APPLIES TO ALL OCCUPATION CONTRACTS)

#### **204 Possession claims**

- (1) The court may not hear a possession claim made by the landlord under an occupation contract—
- (a) if the landlord has failed to act in accordance with whichever of the following sections apply—
    - (i) section 126 (variation of periodic standard contract by landlord's notice);
    - (ii) section 159 (restrictions on making a possession claim following breach of contract);
    - (iii) section 161 (restrictions on making a possession claim on estate management grounds);
    - (iv) section 166 (restrictions on making a possession claim following contract-holder's notice: secure contracts);
    - (v) section 171 (restrictions on making a possession claim following contract-holder's notice: periodic standard contracts);
    - (vi) section 175 (restriction on giving landlord's notice under a periodic standard contract during first four months of occupation);
    - (vii) sections 176, 177 and 179 (restrictions relating to landlord's notice: periodic standard contracts);

- (viii) section 182 (restrictions on making a possession claim following serious rent arrears: periodic standard contracts);
  - (ix) section 186 (restrictions relating to notice in connection with the end of fixed term);
  - (x) section 188 (restrictions on making a possession claim following serious rent arrears: fixed term standard contracts);
  - (xi) section 192 (restrictions on making a possession claim following use of contract-holder's break clause in a fixed term standard contract);
  - (xii) section 196 (restriction on use of landlord's break clause in a fixed term standard contract during first four months of occupation);
  - (xiii) sections 197, 198 and 200 (restrictions relating to landlord's break clause in a fixed term standard contract);
  - (xiv) section 203 (review of a decision to give a notice requiring possession: introductory standard contracts and prohibited conduct standard contracts), or
- (b) if the landlord was required to give a possession notice and has failed to comply with section 150 or (in relation to an introductory standard contract or a prohibited conduct standard contract) section 151.
- (2) Subsection (1) does not apply if the court considers it reasonable to dispense with the requirements mentioned in that subsection.
- (3) Subsection (1) does not apply to an application for an order for possession against a sub-holder under section 65(2) (extended possession order).