



# Renting Homes (Wales) Act 2016

2016 anaw 1

## PART 9

### TERMINATION ETC. OF OCCUPATION CONTRACTS

#### CHAPTER 13

#### ABANDONMENT

(THIS CHAPTER APPLIES TO ALL OCCUPATION CONTRACTS)

#### **222 Contract-holder's remedies**

- (1) A contract-holder may, before the end of the period of six months starting with the day on which he or she is given notice under section 220(5), apply to the court on a ground in subsection (2) for a declaration or order under subsection (3).
- (2) The grounds are—
  - (a) that the landlord failed to give notice under section 220(3) or failed to make the inquiries required by section 220(4);
  - (b) that the contract-holder had not abandoned the dwelling and there is a good reason for his or her failure to respond (or to respond adequately) to the notice under section 220(3);
  - (c) that when the landlord gave the notice to the contract-holder under section 220(5) the landlord did not have reasonable grounds for being satisfied that the contract-holder had abandoned the dwelling.
- (3) If the court finds that one or more of the grounds is made out it may—
  - (a) make a declaration that the notice under section 220(5) is of no effect and the occupation contract continues to have effect in relation to the dwelling,
  - (b) order the landlord to provide suitable alternative accommodation to the contract-holder, or
  - (c) make any other order it thinks fit.

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**Changes to legislation:** *Renting Homes (Wales) Act 2016, Section 222 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*

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- (4) If the court does either of the things mentioned in paragraph (a) or (b) of subsection (3), it may make such further order as it thinks fit.
- (5) The suitability of alternative accommodation is to be determined in accordance with Schedule 11.

**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)**)

**Commencement Information**

- I1** S. 222 in force at 1.12.2022 by [S.I. 2022/906](#), **art. 2**

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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](#)