



Renting Homes (Wales) Act 2016

2016 anaw 1

PART 3

PROVISIONS APPLYING TO ALL OCCUPATION CONTRACTS

CHAPTER 8

DEALING

Sub-occupation contracts

65 Extended possession order against sub-holder

- (1) This section applies if—
 - (a) the contract-holder (“C”) under an occupation contract (“the head contract”) enters into a sub-occupation contract in accordance with the head contract, and
 - (b) after the sub-occupation contract is entered into, C's landlord makes a possession claim against C.
- (2) In the proceedings on the claim against C, C's landlord may apply for an order for possession against the sub-holder (“S”) (an “extended possession order”); but an application under this subsection may be made only if—
 - (a) the requirements set out in subsection (3) have been met, or
 - (b) the court considers it reasonable to dispense with those requirements.
- (3) The requirements are as follows—
 - (a) C's landlord must have given S a [F1]notice in accordance with section 64(2)], and
 - (b) at the same time, C's landlord must have given S notice—
 - (i) of C's landlord's intention to apply for an extended possession order in the proceedings on the claim against C, and

Changes to legislation: *Renting Homes (Wales) Act 2016, Section 65 is up to date with all changes known to be in force on or before 25 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*

- (ii) of S's right to be a party to proceedings on the possession claim against C.
- (4) Where C's landlord may apply for an extended possession order against S, S is entitled to be a party to proceedings on the possession claim against C (regardless of whether C's landlord makes an application for an extended possession order in the proceedings).
- (5) The court may consider C's landlord's application for an extended possession order only if it has decided to make an order for possession against C.
- (6) The court may make an extended possession order against S only if, had C made a possession claim against S, the court would have made an order for possession against S.

Textual Amendments

- F1** Words in s. 65(3)(a) substituted (7.6.2021) by [Renting Homes \(Amendment\) \(Wales\) Act 2021 \(asc 3\)](#), s. 19(3), [Sch. 6 para. 8](#)
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Commencement Information

- I1** S. 65 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](#)