

RENTING HOMES (WALES) ACT 2016

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 9 - Termination Etc. of Occupation Contracts

Chapter 6 – Fixed Term Standard Contracts: End of the Fixed Term

Section 184 – End of fixed term

422. A contract made for a fixed term agreed between landlord and contract-holder ends at the expiry of that term. But where the contract-holder remains in occupation following the end of the fixed term, a new periodic standard contract will automatically be created.
423. The occupation date for the new contract immediately follows the end of the fixed term and the rental periods remain as they were. The fundamental and supplementary terms of the new contract will be those applying to periodic standard contracts. The terms of the preceding contract will otherwise continue to apply, so far as compatible with the new fundamental and supplementary terms.
424. Instead of a new periodic standard contract arising automatically in the way described above, a landlord and contract-holder may agree a new contract in the normal way, with an occupation date immediately following the end of the fixed term.
425. If, on or before the occupation date of the new contract, the contract-holder does something which would otherwise cause the new contract to end, that will not have the effect of ending the contract.
426. Where a periodic standard contract arises under subsection (2) following the end of a fixed term standard contract there is no requirement for the landlord to again provide the contract-holder with an address to which documents can be sent under the term of the contract incorporating section 39(1). The address of the landlord will not have altered purely as a consequence of the creation of the new periodic standard contract.

Section 185 – Written statement may address periodic standard contract arising under section 184(2)

427. The section provides for a written statement of a fixed term standard contract to set out the terms of the periodic standard contract which may arise at the end of the fixed term under section 184(2). Where such a contract arises and the landlord has previously given the contract-holder a written statement as permitted by this section, he or she is treated as having complied with the requirement to provide a written statement in relation to a new contract under section 31(1).