



# Renting Homes (Wales) Act 2016

2016 anaw 1

## PART 3

### PROVISIONS APPLYING TO ALL OCCUPATION CONTRACTS

#### CHAPTER 5

##### JOINT CONTRACT-HOLDERS AND JOINT LANDLORDS

###### *Joint contract-holders*

#### **48 Joint contract-holders: joint liability etc.**

- (1) If there are two or more joint contract-holders under an occupation contract, each joint contract-holder is fully liable to the landlord for the performance of every obligation owed to the landlord under the contract.
- (2) References in this Act to the contract-holder, except where otherwise provided, are to the joint contract-holders.
- (3) Subsection (2) applies even if the occupation contract is a tenancy and the leasehold estate is vested in one or more, but not all, of the joint contract-holders.

#### **49 Adding a joint contract-holder**

- (1) The contract-holder under an occupation contract and another person may, with the consent of the landlord, make that person a joint contract-holder under the contract.
- (2) If a person is made a joint contract-holder under this section he or she becomes entitled to all the rights and subject to all the obligations of a contract-holder under the contract from the day on which he or she becomes a joint contract-holder.
- (3) This section is a fundamental provision which is incorporated as a term of all occupation contracts.

**50 Adding a joint contract-holder: landlord's consent**

Where a landlord refuses consent or consents subject to conditions to adding a joint contract-holder under section 49, what is reasonable for the purposes of section 84 (landlord's consent) is to be determined having regard to Schedule 6.

**51 Adding a joint contract-holder: formalities**

- (1) The addition of a joint contract-holder under an occupation contract may be effected only by a document signed or executed by each of the parties to the transaction.
- (2) If the contract requires the landlord's consent to the addition, the document must also be signed or executed by the landlord.
- (3) But subsection (2) does not apply if the landlord is treated as having consented under section 84(6), (8) or (10).