



# Renting Homes (Wales) Act 2016

2016 anaw 1

## PART 5

### PROVISIONS APPLYING ONLY TO SECURE CONTRACTS

#### CHAPTER 5

##### PROHIBITED CONDUCT STANDARD CONTRACTS

#### **116 Order imposing periodic standard contract because of prohibited conduct**

- (1) If the landlord under a secure contract is a community landlord or a registered charity, the landlord may apply to the court for an order under this section on the ground that the contract-holder is in breach of section 55 (anti-social behaviour and other prohibited conduct).
- (2) The effect of an order under this section is—
  - (a) to end the secure contract from a date specified in the order, and
  - (b) if the contract-holder remains in occupation after the specified date, to create a periodic standard contract whose occupation date is the date specified in the order (and which is a periodic standard contract until the end of the probationary period).
- (3) The court may make an order under this section only if it is satisfied that—
  - (a) the contract-holder is in breach of section 55,
  - (b) it would have made an order for possession on the ground in section 157 (breach of contract) in reliance only on that breach,
  - (c) the landlord will make available to the contract-holder a programme of social support the aim of which is the prevention of prohibited conduct, and
  - (d) it is reasonable to make the order.

---

*Status: This is the original version (as it was originally enacted).*

---

- (4) The Welsh Ministers may issue guidance as to the activities and services (including assistance, advice and counselling services) that may be included in a programme of social support for the purposes of subsection (3).
- (5) Schedule 7 makes provision about probation periods, the procedure for obtaining an order under this section, and about the terms of a periodic standard contract created under this section.
- (6) In this Act “prohibited conduct standard contract” means a contract which is a periodic standard contract created because of an order under this section, and in relation to which the probation period has not yet ended.

### **117 Conversion to secure contract**

- (1) A periodic standard contract which arose because of an order under section 116 and which subsists at the end of the probation period—
  - (a) ends at the end of the probation period, and
  - (b) is replaced with a secure contract that has an occupation date falling immediately after that period ends.
- (2) But subsection (1) does not apply if the probation period ends because of paragraph 3(9) of Schedule 7.
- (3) Schedule 7 makes provision about the terms of a secure contract which arises at the end of a probation period.