
WELSH STATUTORY INSTRUMENTS

2022 No. 1166

**The Renting Homes (Wales) Act 2016
(Consequential Amendments) Regulations 2022**

Housing Act 2004

28.—(1) The Housing Act 2004⁽¹⁾ is amended as follows.

(2) In section 33 (recovery of possession of premises in order to comply with order)—

- (a) at the end of paragraph (a), omit “or”;
- (b) at the end of paragraph (b), insert “or”;
- (c) after paragraph (b), insert—

“(c) Part 9 of the Renting Homes (Wales) Act 2016 (anaw 1).”.

(3) In section 75(2) (other consequences of operating unlicensed HMOs: restriction on terminating tenancies), in the heading, at the end, insert “(England)”.

(4) After section 75, insert—

“75A Other consequences of operating unlicensed HMOs: restriction on terminating tenancies (Wales)

(1) No section 173 notice, no section 186 notice, no paragraph 25B of Schedule 12 notice and no section 194 notice may be given in relation to a standard contract of a part of an unlicensed HMO as long as it remains such an HMO.

(2) In this section—

“2016 Act” means the Renting Homes (Wales) Act 2016 (anaw 1);

“paragraph 25B of Schedule 12 notice” means a notice under paragraph 25B of Schedule 12 to the 2016 Act (termination of contract by landlord);

“section 173 notice” means a notice under section 173 of the 2016 Act (landlord’s notice);

“section 186 notice” means a notice under section 186 of the 2016 Act (landlord’s notice in connection with end of term of contract within Schedule 9B);

“section 194 notice” means a notice under section 194 of the 2016 Act (landlord’s break clause);

“standard contract” has the same meaning as in the 2016 Act (see section 8 of the 2016 Act);

“unlicensed HMO” has the same meaning as in section 73 of this Act.”

(5) In section 98 (other consequences of operating unlicensed houses: restriction on terminating tenancies), in the heading, at the end, insert “(England)”.

(6) After section 98, insert—

(1) 2004 c. 34.

(2) There are modifications to section 75 which are not relevant to these Regulations.

“98A Other consequences of operating unlicensed houses: restriction on terminating tenancies (Wales)

(1) No section 173 notice, no section 186 notice, no paragraph 25B of Schedule 12 notice and no section 194 notice may be given in relation to a standard contract of the whole or part of an unlicensed house as long as it remains such a house.

(2) In this section—

“2016 Act” means the Renting Homes (Wales) Act 2016 (anaw 1);

“paragraph 25B of Schedule 12 notice” means a notice under paragraph 25B of Schedule 12 to the 2016 Act (termination of contract by landlord);

“section 173 notice” means a notice under section 173 of the 2016 Act (landlord’s notice);

“section 186 notice” means a notice under section 186 of the 2016 Act (landlord’s notice in connection with end of term of contract within Schedule 9B);

“section 194 notice” means a notice under section 194 of the 2016 Act (landlord’s break clause);

“standard contract” has the same meaning as in the 2016 Act (see section 8 of the 2016 Act);

“unlicensed house” has the same meaning as in section 96 of this Act.”

(7) In section 212(3) (tenancy deposit schemes)—

(a) for “appropriate national authority”, in each place it occurs, substitute “Secretary of State”;

(b) in subsection (8), in the definition of “shorthold tenancy”, after “assured shorthold tenancy”, insert “of a dwelling-house in England”.

(8) In section 213(4) (requirements relating to tenancy deposits), in subsection (10), in the definition of “prescribed”, for “appropriate national authority”, substitute “Secretary of State”.

(9) In Schedule 10 (provisions relating to tenancy deposit schemes), for “appropriate national authority”, in each place it occurs, substitute “Secretary of State”.

Commencement Information

II Reg. 28 in force at 1.12.2022, see [reg. 1\(1\)](#)

(3) Section 212 was amended by section 128(1) and (2) of the Housing and Planning Act 2016 (c. 22).

(4) Section 213 was amended by section 184(1) and (2) of the Localism Act 2011 (c. 20).

Changes to legislation:

There are currently no known outstanding effects for the The Renting Homes (Wales) Act 2016 (Consequential Amendments) Regulations 2022, Section 28.