

APPENDIX B



**STRONGER
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Renting Homes (Wales) Act 2016



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Background

The Renting Homes (Wales) Act 2016, will come into force on 1st December 2022.

- The Act intends to provide greater security of tenure and clarify individual rights and responsibilities.
- It applies to council, housing association, supported housing and privately rented properties.

New terminology

- Local Authorities and Registered Social Landlords will be known as **‘Community Landlords’**.
- Tenants will become **‘contract-holders’**.



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Key Changes for Council Tenants

Occupation Contracts

- **New Occupation Contracts** will replace existing tenancy agreements.
- Proposed new contracts have been developed for tenants - contents of the new occupation contracts are largely prescribed by legislation.
- Landlords can insert additional terms only in certain limited circumstances - it is proposed to include additional terms already included in current tenancy agreement.
- Additions include requirements regarding **keeping pets, keeping gardens in good condition** and the **council's ability to recharge a tenant to make good damage from 'lack of care.'**
- The contracts will be used for properties that are let from 1st December 2022.
- A converted contract will be issued to **all existing tenants** on a phased basis after that date.
- Procedures are being developed to fully implement the changes.



Key Changes for Council Tenants



Changes to Joint Contracts

- A joint contract-holder (formerly known as joint-tenant) will now be able to leave a property without ending the contract entirely.
- These changes are intended to help where there is a breakdown in a relationship and one partner leaves the property.

Abandoned Council Properties



- The Council will be able to repossess an abandoned property without needing a court order, after carrying out proper investigations and serving a 4 week notice.

Enhanced Succession Rights

- Currently only one succession can take place in a council tenancy - under the new legislation, up to two successions will be allowed, subject to strict criteria. This can now include unpaid carers.
- While the enhanced succession rights will be good for some residents, this may reduce the number of family properties becoming available to let.
- Those who are under-occupying can be required to move – as is currently the case.

Key Changes for Council Tenants

Rent Increases



- The notice period for any rent increase will be extended from 1 month to 2 months.
- The annual rent setting process will have to be decided ahead of the normal budget process.
- The rent setting timeline will be even more challenging than at present.
- A new process and timeline has been prepared for the next rent increase cycle in 2023.

New Repair Standard

- The Act introduces a new repair standard – with **29 matters** that must be considered when deciding if a property is fit for human habitation, including smoke alarms, electrical testing, damp and mould growth, lighting, noise, domestic hygiene, pests and refuse.
- **Contract-holders in private and social housing will have the right to withhold rent if they believe their property is not fit for human habitation.**



Key Changes

Supported Accommodation

- A licence will be issued, after 6 months a **supported standard occupation contract** will be given providing more security.
- The licence can be extended in cases of poor behaviour or conduct.
- The Council will need to review licence extensions for other landlords.
- Supported Standard contract-holders can be temporarily excluded for up to 48 hours for poor conduct.

Council Owned Temporary Accommodation

- Residents will sign a licence until a full homelessness duty is accepted and then a **standard occupation contract** will be issued.
- The standard occupation contract provides more security, including an extended two-month notice period.



Changes for Private Rented Sector

- The Act lengthens the **notice period that private landlords are required to give from 2 months to 6 months.**
- A landlord cannot serve a notice within the first 6 months, unless the contract has been breached.
- Protection will be in place to prevent retaliatory evictions.
- There are concerns that landlords may choose to leave the rental market.
- Free training courses are being provided, which are mandatory for all Rent Smart Wales Licensees to obtain and renew their licences.
- Training provides detailed information about the changes and impact for landlords – Classroom sessions are taking place across Wales and virtual sessions are also available.



Leasing Schemes

- We support landlords by offering to lease their properties and take over complex management issues.
- **The Council is operating the Welsh Government leasing scheme** - landlords receive a £5000 renovation grant to improve the property, in exchange for a lease of at least 5 years.
- We are continuing to develop other initiatives to encourage landlords to remain in the sector.



Supporting Tenants



TOGETHER WE CAN DO IT

- **Tenants Factsheet & Frequently Asked Questions Leaflet** – to be distributed to all existing tenants.
- **The Tenants Conference** – Presentation delivered on the main changes and impacts on tenants.
- **New Occupation Contracts to be available in different formats/languages** - including Welsh, English, large print & braille.
- **Communicating changes through our Hubs** - fully accessible to members of the public & use of language line.
- **Welsh Government Marketing Materials** – sent to the Communications team to share on social media platforms.
- **Cardiff Housing Website** – Updated information for tenants on the new website available from December 2022.

TENANTS CONFERENCE

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ANNUAL TENANTS CONFERENCE.



Conclusion

- This is a major change in legislation and steps are being taken to ensure that the Council is fully compliant with the changes in law.
- Support and training is being provided to private landlords - and schemes are in place to help them
- Legal advice is being taken on the new occupation contracts for council tenants – it is recommended that finalising these to be delegated to officers in consultation with Cabinet Member.

