

Frequently Asked Questions

Renting Homes (Wales) Act 2016

Q. What is the Renting Homes (Wales) Act 2016?

- A. The Renting Homes (Wales) Act 2016 is a new law by the Welsh Government that came into place on the 1st of December 2022.

These changes have been planned by Welsh Government for some time and have been scrutinised and supported by tenant organisations such as TPAS Cymru and Shelter Cymru.

Q. What is the purpose of the act?

- A. To make it simpler and easier for landlords and tenants (Contract holders) to rent a home in Wales. Simplifies agreements and improves the condition of rental homes in Wales. The changes will offer greater security and certainty to tenants (contract holders) and landlords.

Q. How will I have greater security?

- A. Provided that a standard tenant (contract-holder) has not breached any terms of their occupation contract, Landlords must now provide six-months' notice to end a standard occupation contract. Previously, it was two months. These notices are known as 'no-fault' notices and cannot be given within the first six months of occupation. This effectively means that a standard tenant (contract holder) is secure for 12 months from the date of occupation in a 'no-fault' situation.

Q. Who does the law affect?

- A. All Landlords – Private and Social
All Tenants (Contract Holders) – Private and Social

Q. Will Adra still be my landlord?

- A. Yes. You will continue to receive the same housing service from us.

Q. Will I still be called a tenant?

- A. No. the Act has changed the term to contract-holder

Q. Will I have to move home?

- A. No. This does not mean you have to move home. Your right to remain in your home is unaffected.

Q. How will it affect me as an Adra tenant (contract holder) ?

A. There is no need to worry. You will still be able to live in your home, you will still pay rent and we will still do your repairs and look after your estates and communal areas.

Adra will be known as a 'community landlord', a change from the term 'social landlord'

Q. Is it going to cost me money?

A. No

Q. Will my rent go up?

A. No. the amount of rent you pay will be unaffected. We will continue to increase you rent in line with Welsh Government.

Q. Will my welfare benefits be affected?

A. No. There will be no impact on your benefits if you're in receipt of any.

Q. What is an 'occupation contract'?

A. This is the new name for your tenancy agreement.

Q. When will I receive the written statement of my contract?

A. New Adra tenants (contract-holders) will sign the contracts from 1st December in the usual way at the start of their tenancy (contract).

As an existing tenant (contract holder) of Adra, you will receive a written statement of your contract within 6 months from the 1st of December 2022 replacing your Tenancy Agreement.

Regardless of when you receive your written statement of your contract, the Act will apply to everyone from the 1st of December 2022.

Q. Do I need to sign the contract?

A. No. You do **NOT** need to sign the contract. The written statement of your contract is not a new contract, it's a written statement (written copy) of the existing terms and conditions of your tenancy agreement, incorporating additions and/or changes required by the Renting Homes (Wales) Act 2016.

Q. Is there anything I need to do?

A. The only thing you will need to do is read your contract when you receive it and familiarise yourself with your rights and responsibilities. Please keep it safe so that you can refer to it when you need to.

Q. Will I be able to have a joint tenancy?

A. Yes. The new law makes it easier to add or remove others to a contract as there will no longer be a need to end one contract and start another.

If you are a joint tenant (contract holder) . You will now be called a joint tenant (contract-holder).

Also, it's now much easier for a person to remove themselves from a contract, without putting the remaining person's contract at risk.

Q. Will the housing services I receive be affected?

A. No. There will not be any changes to the housing services you receive as a result of the new law.

Q. How much notice must I give Adra if I want to end my tenancy?

A. You must provide us with at least four weeks written notice if you wish to end your contract. The same as previously.

Q. Can I still apply for a transfer?

A. Yes. Contact our Lettings team in the same way to discuss a transfer.

Q. Can I still arrange a mutual exchange?

A. Yes, but you must ask our permission before you do so. This process will be called a 'transfer to a secure contract holder' under the new law.

Q. Am I allowed to make improvements to my home?

A. You still have the same rights to carry our improvements to you home. You will need our written permission to do so before carrying out the work. You may also need planning and building regulation approval.

Q. Will you help me if I have problems with my neighbours?

A. Yes. We will continue to help and support you if you have problems with your neighbours. All contracts will include a term about anti-social behaviour and other prohibited conduct. If a tenant (contract-holder) breaches this term of the contract, we are able to take action.

Q. Will it be easier for you to evict me?

A. No. Your right to live in your home remains the same. You can only be evicted if you break the terms of your contract such as serious rent arrears or anti-social behaviour.

Q. Will I be allowed to have a pet?

A. Yes. If you keep pets, you must make sure they don't become a nuisance to your neighbours or the community or cause damage to your home. Please see our website for further information on animals we do **not** allow. Your contract will provide more detail.

Q. What happens to my succession rights?

- A. The new law improves your succession rights. If you share your home, two potential successions can take place e.g. spouse followed by another family member.

A new succession right is created, if the carer meets a certain criteria, including having been living with the contract-holder for at least 12 months as their main home.

Q. What happens if I have already succeeded to a tenancy?

- A. We at Adra have decided to provide every converting tenant (contract-holder) with a 'clean slate'. Any successions prior to December 1st 2022 will not be taken into account – you will have the full benefit of the succession term in the Act.

Q. Will I be able to have a lodger?

- A. Yes, if you are a secure tenant (contract-holder) you continue to have the right to have a lodger as long as this does not create statutory overcrowding. You will need to inform us of any lodgers in writing.

Q. The Renting Homes Act is improving the condition of rental properties. How will this happen?

- A. The new law states that all properties must be safe and fit for human habitation. The aim of these regulations is to ensure all landlords properly maintain properties and that they are safe to live in.

This includes installing hardwired smoke alarms, carbon monoxide detectors and regular electrical safety testing. These are all things that we at Adra do already.

However, if you have any concerns about the condition of your property, please contact us.

Q. My neighbour who is also an Adra tenant (Contract Holder) has already received the written statement of their contract, but I have not. Do I need to contact Adra?

- A. No, do not worry if you haven't received yours yet. We are working hard to send this out to all tenants (contract holders) as quickly as we can. Due to the amount that needs to be checked and sent, this can take time. They will be sent out in weekly batches. This means that not all tenants (contract holders) will receive them at the same time. The deadline to send this information to you is by the end of May 2023 and we are on track to complete on time.

Q. I've received the written statement of my contract before the 1st of April 2023, why is my rent and service charge amount different on my written statement to the rent increase letter I received recently?

A. Your written statement shows your rent and other charges as it is at the date it was sent. Your rent increase notice sent by Adra shows your rent and service charges for the period of April 2023- March 2024. The rent and other charges included on the rent increase notice will come into effect on the 1st April 2023.

Q. Why does the written statement of my contract state a maximum number of people allowed to live in my home?

A. The maximum number of people noted on your written statement is the same as the tenancy agreement you originally signed, this has not changed. If you are concerned about overcrowding, please contact Adra or your Local Authority housing team for further advice.

Q. What electrical testing report should I receive from Adra in line with the Renting Homes (Wales) Act 2016?

- A. Since the 1st of December 2022 Adra will be required to:
- Provide all new tenants (contract holders) whose tenancies (contracts) began after the 1st of December 2022 with a valid Electrical Installation Condition Report (EICR). These will be provided as part of the sign-up documents.
 - Provide all historical tenants (contract holders) whose tenancies (contracts) began before the 1st of December 2022 with a valid Electrical Installation Condition Report (EICR). These will be sent directly to you in due course and in line with the Welsh Government deadline.
 - Provide all new tenants (contract holders) (moving into new build properties) whose tenancies (contracts) began after the 1st of December 2022 with a valid Electrical Installation Certificate (EIC). These will be provided as part of the sign-up documents.

Q. Is there anywhere I can get more information on these changes?

A. Yes.

Welsh Government website:

Tenants: housing law is changing (Renting Homes) | GOV.WALES

Housing law is changing: Renting Homes Wales | GOV.WALES

You can also find an easy read guide on the Welsh Government website: Tenants: housing law is changing (Renting Homes) (easy read) | GOV.WALES

Our Website: <https://www.adra.co.uk/en/my-home/renting-homes>