

Renting Homes

A better way for Wales



Llywodraeth Cymru
Welsh Government

A guide to the Welsh Government's White Paper



www.cymru.gov.uk

Why is change needed?

These days, renting a home is becoming an even more important option. The Welsh Government is committed to a flexible, efficient and responsive housing system that helps people to meet their housing needs.

Nearly 1 in 3 households rent their home from a local authority, a housing association or a private landlord. The law for renting a home is complex and this often leads to problems between tenants and landlords. We want to make the law easier to understand for everyone.

Many people, including tenants, housing experts, judges and lawyers, have said the law for renting a home needs to be improved. At the moment, those who rent from housing associations and local councils have different rental contracts with different rights. We believe the contracts should be the same.

We remain committed to the principles of social housing and the secure tenancy, which currently provides the greatest level of protection for tenants. We do not intend introducing the fixed-term 'flexible tenancy' for social housing, as has happened in England.

The private rented sector is also increasingly important but suffers from a poor image. We believe that both private landlords and their tenants will be helped by having clear rental contracts, which set out their rights and responsibilities.

Our proposals are based on recommendations by the Law Commission. We have reviewed these to ensure they meet the needs of people in Wales. More information is on our website: www.wales.gov.uk/rentinghomes.

In developing our proposals, we have worked closely with many different organisations representing tenants, landlords and other organisations working in and around the field of housing. We have taken into account relevant research, including that of Consumer Focus Wales. We have also looked at changes made in other parts of the UK.

How will our proposals affect tenants and landlords?

If passed by the National Assembly for Wales, the Renting Homes Bill will change most housing tenancy contracts to one of two main types:

- A 'secure contract', based on the local authority secure tenancy, which will be used mainly for long term housing by councils and housing associations.
- A 'standard contract', which will be similar to the current assured shorthold tenancy used mainly in the private rented sector.

Together, these contracts will replace several existing, and different, types of rental contract. They will help ensure equality and flexibility across the different types of rented housing. We will support landlords and tenants by issuing model contracts. These will set out, in plain language, the essential terms of the new secure and standard contracts.

As well as making the law easier to understand, the other benefits of our proposals include:

- Dealing more effectively with domestic abuse and the anti-social behaviour of some households through having a 'prohibited conduct' term in every contract.
- Removing differences on grounds for eviction for those renting from housing associations by bringing them into line with those for local councils.
- Making it easier for people to join or leave joint rental contracts.
- Easier arrangements for short-term renting.
- Helping young people by making renting easier for 16 and 17 year olds.
- Standardising the right to take over a housing association or council tenancy when the current tenant dies, and giving a new right to a long-term resident carer.
- A requirement in all contracts for the landlord to maintain the property and to ensure there are no serious health and safety risks.
- Reducing costs by having a simpler legal framework.
- Making it easier for landlords to recover abandoned properties.
- Making it harder for bad landlords to undercut good ones.

How and when will the changes happen?

We want to ensure everyone has the opportunity to understand and comment on the changes, which is why we are consulting now. The Renting Homes Bill is not expected to be considered by the National Assembly for Wales before 2015.

If passed by the Assembly, the changes may take effect in late 2015 or early 2016. It is proposed that all current housing tenancies would convert automatically to one of the two new types of rental contract on a set date. It would not be necessary for landlords to immediately issue new contracts for the change to take effect. A tenant's "right to buy" or "right to acquire" their council or housing association property would remain unchanged.

Your comments are important

Whether you are someone that rents your home, may rent in the future, or are a landlord or organisation that works in the housing field, we want to hear from you. The full White Paper is available at <http://www.wales.gov.uk/consultations>.

The consultation closes on 16 August 2013. Responses to the consultation may be made public. While we welcome comments on all aspects of our proposals, we are particularly interested in responses to some key questions set out in Appendix 2 of the White Paper. These can be accessed through the website. Comments can be submitted in a number of ways:

Online: <http://www.wales.gov.uk/consultations>

E-mail: rentinghomes@wales.gsi.gov.uk

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