

RHA 23

Bil Rhentu Cartrefi (Diwygio) (Cymru)

Renting Homes (Amendment) (Wales) Bill

Ymateb gan: Unigol 2

Response from: Individual 2

This email is in submission to the above consultation. I am a tenant campaigner and activist living in Scotland* paying some attention to the situation for tenants in Wales and the Renting Homes Wales Bill. I have some concerns about the Welsh Govt's intentions with this Bill, going forwards and detailed below. Sadly, I have not had the time I would like to make more important points, but sincerely hope that you can amend the bill further before it is passed into legislation to address the points I have raised. Many thanks for extending the deadline and allowing me to submit this to you a little late. It is greatly appreciated.

* (I have a secure Scottish tenancy, living in a Housing Association home)

> Extension of 6 months notice on the s173 no-fault possession, 2 months to 6

I welcome your intention to increase the notice that s173 possessions must come with but I am concerned that 6 months notice is longer than landlords are honestly happy to wait, which may now result in some unintended consequences. Since tenants can remain in the property past the expiry date on this notice, landlords could ultimately be waiting longer than 6 months if the eviction moved to court. As new grounds have not been drafted for e.g landlord selling then I find myself wondering:

> Will landlords looking to sell, for example, just accept the longer wait now?

> Will landlords perhaps start misusing s157 fault grounds, instead, to dramatically reduce their notice obligation to just one month?

One month would be even less notice than tenants get presently and could mean, in effect, that tenants turn out being worse-off from this new legislation. I am concerned that the real world outcomes of this bill are not going to be the desired outcomes that it's premised on. I am specifically concerned that the s157 possession ground is too easy for landlords to misuse.

Some landlords have just one rental property; buy-to-let portfolio landlords will typically own more than one. And landlords are keen to take possession for any number of personal reasons, be they financial or domestic. Plenty of them will want to sell, others might look to live in the property themselves. (having possibly lived there before). In either case the landlord might consider that their need is "urgent" and resent waiting longer to do this. Their needs will effectively trump the tenant's, as they see it.

> s157 possession ground is too easy to mis-use.

s159 tells us that the s157 asb ground relies on a breach of s55 which tells us in Chapter 3 that all that the tenant has to do to breach a contract is "annoy the landlord". This is frankly astonishing and open to abuse, as it stands. The legislation is remarkably broad. It doesn't even stipulate behaviour that causes annoyance, the tenant just has to be 'capable of causing it'. I really think landlords who want to use this ground will engineer a disagreement with the tenant to get them out for annoying them.

That disagreement could really be anything quite trivial, really. The majority of tenants who are without legal-aid will not want to go to court to defend any spurious application because it costs money to do so, and they will be unsure of even being successful, because the ground is so weak and weighted against them. It could also be misused, very easily, again. Faced with losing their home in

literally just one month tenants will be extremely anxious and focussed on finding somewhere new to live before that time is up. It cannot be overstated what great anxiety only one month's notice will engender and this ground urgently needs revising so that it cannot be abused.