

HYSBYSIAD YNGHYLCH GWELLIANNAU NOTICE OF AMENDMENTS

Cyflwynwyd ar 2 Chwefror 2021
Tabled on 2 February 2021

Bil Rhentu Cartrefi (Diwygio) (Cymru) Renting Homes (Amendment) (Wales) Bill

Delyth Jewell

32

Page 1, after line 5, insert a new section –

‘Repossession grounds

[] **Landlord’s notice under periodic standard contracts: repossession grounds**

- (1) The Renting Homes (Wales) Act 2016 is amended as follows.
- (2) After section 180, insert –

“180A Landlord’s notice on repossession grounds

- (1) The landlord under a periodic standard contract may make a possession claim on one or more of the repossession grounds.
- (2) The repossession grounds are set out in Schedule [*Schedule to be inserted by this amendment*].
- (3) Section 216A provides that the court must (subject to any defence based on the contract-holder’s Convention rights) make an order for possession of the dwelling if it is satisfied that one or more of the repossession grounds in Part 1 of Schedule [*Schedule to be inserted by this amendment*] are made out.
- (4) Section 210A provides that the court may not make an order for possession of the dwelling on any of the grounds in Part 2 of Schedule [*Schedule to be inserted by this amendment*] unless it considers it reasonable to do so.
- (5) This section is a fundamental provision which is incorporated as a term of all periodic standard contracts.

180B Restriction on section 180A



- (1) Before making a possession claim on the ground in section 180A, the landlord must give the contract-holder a possession notice specifying that ground.
 - (2) The landlord may not make the claim before the end of the period of 12 months starting with the day on which the landlord gives the contract-holder the possession notice.
 - (3) This section is a fundamental provision which is incorporated as a term of all periodic standard contracts, except periodic standard contracts which do not incorporate section 180A as a term of the contract.”
- (3) In section 204 (possession claims), in subsection (1)(a) after sub-paragraph (vii) insert –
- “() section 180B (restriction on making possession claim on repossession grounds)”.
- (4) In section 205 (orders for possession), in subsection (1) after paragraph (e) insert –
- “() section 180A (repossession grounds)”.
- (5) After section 210, insert –

“210A Discretionary repossession grounds

- (1) This section applies if the landlord under a periodic standard contract makes a possession claim under section 180A on one or more of the repossession grounds in Part 2 of Schedule [*Schedule to be inserted by this amendment*].
 - (2) The court may not make an order for possession on that ground (or those grounds) unless it considers it reasonable to do so.”
- (6) After section 216, insert –

“216A Absolute repossession grounds

- (1) This section applies if the landlord under a standard contract makes a possession claim under section 180A on one or more of the repossession grounds in Part 1 of Schedule [*Schedule to be inserted by this amendment*].
 - (2) If the court is satisfied that one or more of the grounds are made out it must make an order for possession of the dwelling (subject to any available defence based on the contract-holder’s Convention rights).”
- (7) After Schedule 8 of the 2016 Act insert –



“SCHEDULE [8ZA]
(to be introduced by Section 180A)

REPOSSESSION GROUNDS

PART 1

ABSOLUTE GROUNDS

Ground A (mortgagee in possession)

- 1 A mortgagee requires possession of the dwelling in order to sell the dwelling.

Ground B (disruptive works)

- 2 The landlord intends to carry out significantly disruptive works to, or in relation to, the dwelling.

Ground C (landlord intends to live in the dwelling)

- 3 The landlord intends to live in the dwelling.

Ground D (purposes other than housing)

- 4 The landlord intends to use the dwelling for a purpose other than housing.

Ground E (religious purposes)

- 5 The dwelling is required for use in connection with the purposes of a religion.

PART 2

DISCRETIONARY GROUNDS

Ground F (intention to sell the dwelling)

- 6 The landlord intends to sell the dwelling.

Ground G (family member intends to live in the dwelling)

- 7 A member of the landlord’s family intends to live in the dwelling.

Ground H (contract-holder no longer a qualifying employee)

- 8 The contract was entered into to provide an employee with a home and the contract-holder is not a qualifying employee.



Ground I (Community Care)

- 9 The contract was entered into on account of the contract-holder having an assessed need for community care and the contract-holder has since been assessed as no longer having that need.

Ground J (houses in multiple occupation)

- 10 The dwelling or associated living accommodation is in multiple occupation and is overcrowded.

PART 3

POWER TO AMEND SCHEDULE

- 11 The Welsh Ministers may by regulations amend this Schedule.”.

Tudalen 1, ar ôl llinell 5, mewnosoder adran newydd –

‘Seiliau adfeddiannu

[] **Hysbysiad y landlord o dan gontractau safonol cyfnodol: seiliau adfeddiannu**

- (1) Mae Deddf Rhenti Cartrefi (Cymru) 2016 wedi ei diwygio fel a ganlyn.
(2) Ar ôl adran 180, mewnosoder –

“180A Hysbysiad y landlord ar seiliau adfeddiannu

- (1) Caiff y landlord o dan gontract safonol cyfnodol wneud hawliad meddiant ar un neu ragor o’r seiliau adfeddiannu.
(2) Mae’r seiliau adfeddiannu wedi eu pennu yn Atodlen [*yr Atodlen sy’n cael ei mewnosod gan y gwelliant hwn*].
(3) Mae adran 216A yn darparu bod yn rhaid i’r llys (yn ddarostyngedig i unrhyw amddiffyniad ar sail hawliau Confensiwn deiliad y contract) wneud gorchymyn adennill meddiant o’r annedd os yw’n fodlon bod un neu ragor o’r seiliau adfeddiannu yn Rhan 1 o Atodlen [*yr Atodlen sy’n cael ei mewnosod gan y gwelliant hwn*] wedi ei phrofi neu eu profi.
(4) Mae adran 210A yn darparu na chaiff y llys wneud gorchymyn adennill meddiant o’r annedd ar unrhyw un neu ragor o’r seiliau yn Rhan 2 o Atodlen [*yr Atodlen sy’n cael ei mewnosod gan y gwelliant hwn*] oni bai ei fod yn ystyried ei bod yn rhesymol gwneud hynny.
(5) Mae’r adran hon yn ddarpariaeth sylfaenol sydd wedi ei hymgorffori fel un o delerau pob contract safonol cyfnodol.

180B Cyfyngiad ar adran 180A

- (1) Cyn gwneud hawliad meddiant ar y sail yn adran 180A, rhaid i’r landlord roi hysbysiad meddiant i ddeiliad y contract yn nodi’r sail honno.



- (2) Ni chaiff y landlord wneud yr hawliad cyn diwedd y cyfnod o 12 mis sy'n dechrau â'r diwrnod y mae'r landlord yn rhoi'r hysbysiad adennill meddiant i ddeiliad y contract.
 - (3) Mae'r adran hon yn ddarpariaeth sylfaenol sydd wedi ei hymgorffori fel un o delerau pob contract safonol cyfnodol, ac eithrio contractau safonol cyfnodol nad ydynt yn ymgorffori adran 180A fel un o delerau'r contract."
- (3) Yn adran 204 (hawliadau meddiant), yn is-adran (1)(a) ar ôl is-baragraff (vii) mewnosoder –
- “() adran 180B (cyfyngiad ar wneud hawliad meddiant ar seiliau adfeddiannu)”.
- (4) Yn adran 205 (gorchymynion adennill meddiant), yn is-adran (1) ar ôl paragraff (e) mewnosoder –
- “() adran 180A (hysbysiad y landlord ar seiliau adfeddiannu)”.
- (5) Ar ôl adran 210, mewnosoder –

“210A Seiliau adfeddiannu yn ôl disgresiwn

- (1) Mae'r adran hon yn gymwys os yw'r landlord o dan gontract safonol cyfnodol yn gwneud hawliad meddiant o dan adran 180A ar un neu ragor o'r seiliau adfeddiannu yn Rhan 2 o Atodlen [*yr Atodlen sy'n cael ei mewnosod gan y gwelliant hwn*].
 - (2) Ni chaiff y llys wneud gorchymyn adennill meddiant ar y sail honno (neu'r seiliau hynny) oni bai ei fod yn ystyried ei bod yn rhesymol gwneud hynny.”
- (6) Ar ôl adran 216, mewnosoder –

“216A Seiliau adfeddiannu absoliwt

- (1) Mae'r adran hon yn gymwys os yw'r landlord o dan gontract safonol yn gwneud hawliad meddiant o dan adran 180A ar un neu ragor o'r seiliau adfeddiannu yn Rhan 1 o Atodlen [*yr Atodlen sy'n cael ei mewnosod gan y gwelliant hwn*].
 - (2) Os yw'r llys yn fodlon bod un neu ragor o'r seiliau wedi ei phrofi neu eu profi rhaid iddo wneud gorchymyn adennill meddiant o'r annedd (yn ddarostyngedig i unrhyw amddiffyniad sydd ar gael ar sail hawliau Confensiwn deiliad y contract).”
- (7) Ar ôl Atodlen 8 i Ddeddf 2016 mewnosoder –



“ATODLEN [8ZA]
(a gyflwynir gan Adran 180A)

SEILIAU ADFEDDIANNU

RHAN 1

SEILIAU ABSOLIWT

Sail A (morgeisai mewn meddiant)

- 1 Mae morgeisai angen meddiant o annedd er mwyn gwerthu'r annedd.

Sail B (gwaith sy'n tarfu)

- 2 Mae'r landlord yn bwriadu cynnal gwaith ar yr annedd neu mewn perthynas â'r annedd a fydd yn tarfu'n sylweddol.

Sail C (y landlord yn bwriadu byw yn yr annedd)

- 3 Mae'r landlord yn bwriadu byw yn yr annedd.

Sail D (dibenion heblaw tai)

- 4 Mae'r landlord yn bwriadu defnyddio'r annedd at ddiben heblaw tai.

Sail E (dibenion crefyddol)

- 5 Mae angen defnyddio'r annedd mewn cysylltiad â dibenion crefyddol.

RHAN 2

SEILIAU YN ÔL DISGRESIWN

Sail F (bwriad i werthu'r annedd)

- 6 Mae'r landlord yn bwriadu gwerthu'r annedd.

Sail G (aelod o'r teulu yn bwriadu byw yn yr annedd)

- 7 Mae aelod o deulu'r landlord yn bwriadu byw yn yr annedd.

Sail H (nid yw deiliad y contract bellach yn gyflogai cymwys)

- 8 Ymrwymwyd i'r contract er mwyn darparu cartref i gyflogai ac nid yw deiliad y contract yn gyflogai cymwys.



Sail I (Gofal Cymunedol)

- 9 Ymrwymwyd i'r contract oherwydd bod gan ddeiliad y contract angen asedig am ofal cymunedol ac ers hynny aseswyd nad oes gan ddeiliaid y contract yr angen hwnnw bellach.

Sail J (tai amlfeddiannaeth)

- 10 Mae'r annedd neu'r llety cysylltiedig yn annedd neu'n llety amlfeddiannaeth ac yn orlawn.

RHAN 3

PŴER I DDIWYGIO ATOLEN

- 11 Caiff Gweinidogion Cymru drwy reoliadau ddiwygio'r Atodlen hon.''.

Delyth Jewell

33

Page 1, line 7, leave out section 1 and insert –

‘[] Landlord’s notice under periodic standard contract restricted to certain contracts

- (1) The Renting Homes (Wales) Act 2016 is amended as follows.
- (2) In section 173 (landlord’s notice), in subsection (1) after “periodic standard contract” insert “which is within Schedule 8A”.
- (3) Omit section 175.’.

Tudalen 1, llinell 7, hepgorer adran 1 a mewnosoder –

‘[] Hysbysiad y landlord o dan contract safonol cyfnodol wedi ei gyfyngu i contractau penodol

- (1) Mae Deddf Rhenti Cartrefi (Cymru) 2016 wedi ei diwygio fel a ganlyn.
- (2) Yn adran 173 (hysbysiad y landlord), yn is-adran (1) ar ôl “contract safonol cyfnodol” mewnosoder “sydd o fewn Atodlen 8A”.
- (3) Hepgorer adran 175.’.

Delyth Jewell

34

Section 1, page 1, line 10, leave out ‘six’ and insert ‘12’.

Adran 1, tudalen 1, llinell 12, hepgorer ‘chwe’ a mewnosoder ‘12’.

Delyth Jewell

35

Section 1, page 1, line 10, leave out ‘six’ and insert ‘24’.

Adran 1, tudalen 1, llinell 12, hepgorer ‘chwe’ a mewnosoder ‘24’.



Delyth Jewell 36

Section 1, page 1, line 10, leave out 'six' and insert '36'.

Adran 1, tudalen 1, llinell 12, hepgorer 'chwe' a mewnosoder '36'.

Delyth Jewell 37

Section 1, page 1, line 10, leave out 'six months' and insert 'four years'.

Adran 1, tudalen 1, llinell 12, hepgorer 'chwe mis' a mewnosoder 'phedair blynedd'.

Delyth Jewell 38

Section 1, page 1, line 10, leave out 'six months' and insert 'five years'.

Adran 1, tudalen 1, llinell 12, hepgorer 'chwe mis' a mewnosoder 'phum mlynedd'.

Delyth Jewell 39

Section 1, page 1, line 10, leave out 'six months' and insert 'ten years'.

Adran 1, tudalen 1, llinell 12, hepgorer 'chwe mis' a mewnosoder 'deng mlynedd'.

Delyth Jewell 40

Section 2, page 2, line 2, leave out 'six' and insert '12'.

Adran 2, tudalen 2, llinell 2, hepgorer 'chwe' a mewnosoder '12'.

Delyth Jewell 41

Section 2, page 2, line 2, leave out 'six' and insert '24'.

Adran 2, tudalen 2, llinell 2, hepgorer 'chwe' a mewnosoder '24'.

Delyth Jewell 42

Section 2, page 2, line 2, leave out 'six' and insert '36'.

Adran 2, tudalen 2, llinell 2, hepgorer 'chwe' a mewnosoder '36'.

Delyth Jewell 43

Section 2, page 2, line 2, leave out 'six months' and insert 'four years'.

Adran 2, tudalen 2, llinell 2, hepgorer 'chwe mis' a mewnosoder 'phedair blynedd'.



Delyth Jewell

44

Section 2, page 2, line 2, leave out 'six months' and insert 'five years'.

Adran 2, tudalen 2, llinell 2, hepgorer 'chwe mis' a mewnosoder 'phum mlynedd'.

Delyth Jewell

45

Section 2, page 2, line 2, leave out 'six months' and insert 'ten years'.

Adran 2, tudalen 2, llinell 2, hepgorer 'chwe mis' a mewnosoder 'deng mlynedd'.

Delyth Jewell

46

Page 2, line 26, leave out section 4.

Tudalen 2, llinell 26, hepgorer adran 4.

