Terms

The Renting Homes (Wales) Act 2016 requires all landlords to issue a 'written statement' of the occupation contract to the contract-holder.

But what must a written statement contain? Unlike previously where a tenancy would be a list of agreements, the new standard contract categorises and standardises these 'terms' and makes them easier to be understood by all parties.

Key Matters

The following key matters must be included in **all** standard occupation contracts:

- The address of the dwelling
- The occupation date (the date from which the contract-holder is able to occupy the dwelling)
- The amount of rent or other consideration
- The rental periods (for example weekly or monthly)
- Whether the contract is periodic or made for a fixed term
- If it is made for a fixed term, the term for which it is made (how long does the contract run, when does it begin and when does it end)
- Any periods during which the contract-holder is not entitled to occupy the dwelling as a home (for example, to allow university landlords to use their student accommodation for other purposes during non-term time).

Fundamental terms

Set out within The Act and covering the most important aspects of the contract, including the possession procedures and the landlord's obligations regarding repair.

Supplementary Terms

Set out in secondary legislation, these terms deal with the more practical, day to day matters applying to the occupation contract, for example, the requirement to pay rent on time or taking care of the property.

Additional Terms

These terms address any other specifically agreed matters, for example a term which relates to keeping pets or garden maintenance. Any additional terms must be fair, as required by the Consumer Rights Act 2015.

What terms you include in your standard contracts will depend on whether they are periodic or fixed term contracts. Using the model written statement (MWS) of contracts benefits you by using terms which are standard across most private rented accommodation in Wales and they have have been assessed by Welsh Government as being fair and suitable.

If you do wish to change a term, with the agreement of the contract-holder, you may be able to, however the nature of the term impacts on the right to vary.

(F) (F+) (S)

In the MWS you will find that Fundamental Terms that cannot be left out of the contract or changed have (F) added after the term sub-heading. Fundamental terms that can be left out or changed (but only by agreement with the contract-holder and to their benefit) have (F+) added. Supplementary terms have (S) added.

Editable model written statements (MWS) that you can use for free can be downloaded from:
gov.wales/renting-homes-model-written-statements