

Chris Philp MP
Parliamentary Under-Secretary of State (Minister for
Immigration and Compliance and the Courts)

16 March 2020

Impact of the Renting Homes (Wales) Act 2016 on courts in Wales

Dear Minister,

The National Assembly for Wales' **Equality, Local Government and Communities Committee** is scrutinising the **Renting Homes (Amendment) (Wales) Bill** at Stage 1. The Bill proposes to amend the **Renting Homes (Wales) Act 2016** which has not yet been commenced. The Bill's primary aim is to increase the length of the notice period given to tenants from landlords, when the tenant is not at fault (no fault evictions or 'Section 21 notices').

During the Committee's scrutiny of the Bill, the majority of stakeholders have raised concerns relating to the court process when landlords make claims for possession of their property. The Committee has been told that as a result, landlords commonly use Section 21 notices to claim possession of their property in instances where the tenant is at fault.

The Bill's **Explanatory Memorandum** cites that during the consultation process, some respondents "suggested that the current court system was 'not fit for purpose' and should be replaced by a dedicated housing court or tribunal similar to that in place in Scotland."

The Explanatory Memorandum also gives statistics on court claims in relation to no fault evictions: "During 2018 there were 783 claims made to the courts of Wales under the accelerated procedure, often referred to as Section 21...Therefore, of those PRS landlords with experience of gaining possession through a court process, approximately 84% used section 21." Furthermore, the Welsh Government has not provided an estimate of the



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amount of time spent by landlords when pursuing claims for possession through the court, and has cited in the Explanatory Memorandum that the cost is unknown.

To assist the Committee with our scrutiny of the Bill, I would be grateful for a response to the following questions:

- What impact is commencement of the Renting Homes (Wales) Act 2016, and the proposed amendments to be made by the Renting Homes (Amendment) (Wales) Bill likely to have on the courts in Wales?
- Will the changes in any way impact upon the average time it takes for a landlord to recover possession of their property?

It would be helpful to have a response by 22 April to inform our consideration.

Yours sincerely



John Griffiths AM

Chair

Croesewir gohebiaeth yn Gymraeg neu Saesneg.

We welcome correspondence in Welsh or English.

