



## Consultation Response

### Increasing the minimum notice period for a 'no fault eviction'

Welsh Government

September 2019

#### Introduction

Age Cymru is the leading charity working to improve the lives of all older people in Wales. We believe older people should be able to lead healthy and fulfilled lives, have adequate income, access to high quality services and the opportunity to shape their own future. We seek to provide a strong voice for all older people in Wales and to raise awareness of the issues of importance to them.

We are pleased to respond to the Welsh Government's consultation on Increasing the minimum notice period for a 'no fault eviction'.

With reference to Welsh Government's proposals to extend the minimum notice period for a notice under section 173 of the Renting Homes (Wales) Act 2016 from two months to six months, and to restrict the issue of such a notice until six months after the occupation date - we see these proposals as a step in the right direction to help to improve the security of renters. We do have concerns, however, about the use of break clauses which give the landlord a right to bring a fixed term contract to an end early where the tenant has not defaulted, as this would undermine the tenant's security of tenure.

With fewer people able to own their own home, renting privately may be the only option, but the way the system currently works means that renters are never on a sure footing. This can be stressful and uncertain for anyone, and can be even harder as people get older and need more stability. Home should be the place where people feel safest and the place where people can grow old.<sup>1</sup>

The Welsh Housing Conditions Survey 2017-2018 reports that the private rented sector generally has the oldest housing stock and a higher proportion of poor quality housing (eg containing damp and other hazards)<sup>2</sup> - which could constitute dangerous living

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<sup>1</sup> Age UK (2019) Security for older private renters [www.ageuk.org.uk/olderrenters](http://www.ageuk.org.uk/olderrenters)

<sup>2</sup> Welsh Government (2018) Welsh Housing Conditions Survey 2017-18: Headline Report. Statistical First Release. 6 Dec 2018.

<https://gweddi.gov.wales/docs/statistics/2018/181206-welsh-housing-conditions-survey-headline-report-2017-18-en.pdf>

conditions for older people. Some older people may be reluctant to raise such issues over fears of potentially being evicted at short notice, and those without family or friends to fall back on could find themselves homeless.<sup>3</sup>

In light of the announcement by the UK Government in April 2019 to repeal section 21 of the Housing Act 1988<sup>4</sup> and the Ministry of Housing, Communities & Local Government's consultation (in England) on new legislation to abolish section 21 evictions,<sup>5</sup> we believe that Welsh Government should do more to improve the security of tenants by taking measures to repeal the equivalent of section 21 of the Housing Act 1988 under section 173 of the Renting Homes (Wales) Act 2016.

We hope these comments are useful and would be happy to provide further information if required.

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<sup>3</sup> Age UK (2019) Security for older private renters [www.ageuk.org.uk/olderrenters](http://www.ageuk.org.uk/olderrenters)

<sup>4</sup> GOV.UK (2019) Government announces end to unfair evictions. 15 April 2019 <https://www.gov.uk/government/news/government-announces-end-to-unfair-evictions> Accessed 3/9/2019

<sup>5</sup> Ministry of Housing, Communities and Local Government (2019) A New Deal for Renting. Resetting the balance of rights and responsibilities between landlords and tenants: a consultation. July 2019. [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/819270/A\\_New\\_Deal\\_for\\_Renting\\_Resetting\\_the\\_Balance\\_of\\_Rights\\_and\\_Responsibilities\\_between\\_Landlords\\_and\\_Tenants.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/819270/A_New_Deal_for_Renting_Resetting_the_Balance_of_Rights_and_Responsibilities_between_Landlords_and_Tenants.pdf)