

# NOTICE ONLY PACK - PREVIEW

Jurisdiction: Wales

Notice Type: Fault-Based Notice - Wales (Renting Homes Act 2016)

## DOCUMENTS INCLUDED:

- |   |        |
|---|--------|
| 1. Fault-Based Breach Notice (Wales)      | Page 2 |
| 2. Service Instructions (Wales)           | Page 5 |
| 3. Service and Validity Checklist (Wales) | Page 7 |

## WHAT YOU GET:

- \* Court-ready legal documents
- \* Professional service instructions
- \* Pre-service compliance checklist
- \* Next steps guidance
- \* Lifetime dashboard access
- \* Free regeneration anytime

## IMPORTANT: This is a PREVIEW ONLY

Complete purchase (£29.99) to download full unredacted documents.

All documents are editable and can be regenerated anytime.

# Fault-Based Breach Notice / Hysbysiad Torri Contract ar Fai

## Renting Homes (Wales) Act 2016 / Deddf Rhentu Cartrefi (Cymru) 2016

**To / I: Megan ContractHolder**

**Dwelling / Annedd:**

400 Wrexham Road Wrexham LL13 1AA

**From / Oddi wrth: Gareth Landlord**

**Landlord's Address / Cyfeiriad y Landlord:**

300 Newport Lane Newport NP20 1AA

### Breach Details / Manylion Torri'r Contract

**TODO:** Replace with prescribed bilingual wording for breach types

**Breach Type / Math o Doriad:** Rent Arrears

**Rent Arrears Amount / Swm Ôl-ddyledion Rhent:** £1500

**Breach Details / Manylion y Toriad:**

Contract holder owes £1,500 in rent arrears covering 2 months (November-December 2024). Rent is due monthly on the 1st. Multiple payment reminders have been sent but arrears remain unpaid.

### Notice Period / Cyfnod Hysbysiad

**TODO:** Add prescribed bilingual fields for notice period based on breach type

**Service Date / Dyddiad Gwasanaeth:** 2025-01-15

**Expiry Date / Dyddiad Dod i Ben:** 2025-02-15

### Landlord's Signature / Llofnod y Landlord

**TODO:** Add signature block per prescribed bilingual form

Signed / Llofnodwyd: \_\_\_\_\_

Date / Dyddiad: \_\_\_\_\_

### Notes for Contract Holder / Nodiadau i Ddeiliaid Contract

**TODO:** Add prescribed bilingual notes specific to fault-based notices

*This is a placeholder template. Replace with exact prescribed bilingual form content.*

*Mae hwn yn dempled dros dro. Amnewid gyda chynnwys ffurflen ragnodedig union.*

## Service Instructions for Fault-Based Breach Notice

**Property:** 400 Wrexham Road  
Wrexham  
LL13 1AA


**Contract-Holder:** Megan ContractHolder

**Notice Type:** Fault-Based Breach Notice

**Service Date:** 15 January 2025

### **IMPORTANT: WALES-SPECIFIC NOTICE**

This guidance is for serving fault-based breach notices under the **Renting Homes (Wales) Act 2016**. Wales has different laws from England. Do not use English guidance or forms.

 **CRITICAL:** You must serve this notice correctly or it will be invalid. Incorrect service is the most common reason for court rejection.

## Before You Serve - Compliance Requirements

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You **MUST** have complied with all legal requirements before serving any notice:

### **Rent Smart Wales Registration**

- All landlords and letting agents in Wales must be registered with Rent Smart Wales
- Check: [www.rentsmart.gov.wales](http://www.rentsmart.gov.wales)
- Penalty: Serving a notice while unregistered may invalidate the notice

### **Deposit Protection (if deposit taken)**

- Must be protected in a Welsh government-approved scheme:
  - Deposit Protection Service Wales
  - MyDeposits Wales
  - Tenancy Deposit Scheme Wales

- Must have provided prescribed information within 30 days
- Penalty: May affect validity of breach notice

#### **Written Statement of Contract**

- Must have provided contract-holder with written statement within 14 days of occupation
- Penalty: Cannot serve possession notice until provided

#### **Gas Safety (if applicable)**

- Annual gas safety check by Gas Safe engineer
- Copy given to contract-holder

#### **Electrical Safety**

- Electrical Installation Condition Report (EICR) within last 5 years

- Copy given to contract-holder

### **Smoke and Carbon Monoxide Alarms**

- Working smoke alarms on each storey
- Carbon monoxide alarms in rooms with solid fuel appliances
- Tested at start of contract

### **Retaliatory Eviction Protection**

- Cannot serve notice within 6 months of contract-holder making a legitimate complaint
- Cannot serve notice if local authority is investigating the property

### **Evidence of Breach**

- Must have clear evidence of the breach you're claiming
- Document everything: dates, times, witnesses, photos, correspondence

- For rent arrears: Keep detailed rent payment records
- For anti-social behaviour: Police reports, witness statements, complaint logs



## How to Serve This Notice

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Under Welsh law, you can serve a notice by:

### **RECOMMENDED METHOD: Personal Service**

- Hand the notice directly to the contract-holder
- Get them to sign a copy confirming receipt
- If they refuse to sign, have a witness present
- Take a photo of the handover

✓ **Why this is best:** Clear proof that the contract-holder received the notice. If they dispute service, you have witness testimony and photographic evidence.


### **Alternative Method 1: Leaving at the Dwelling**

- Leave the notice at the dwelling in a sealed envelope
- Address it to the contract-holder

- Put it through the letterbox or hand it to an adult at the property
- Take a photo as evidence

### **Alternative Method 2: Postal Service**


- Send by First Class post to the dwelling address
- **RECOMMENDED:** Use Royal Mail Signed For or Special Delivery
- Keep proof of postage (certificate of posting or tracking number)
- Notice is deemed served when it would be delivered in ordinary course of post (usually 2 working days)

 **Note:** If using postal service, add extra days to be safe. The contract-holder can claim non-receipt.

### **Alternative Method 3: Email (Only If Agreed in Contract)**

- Can only use email if the contract specifically allows it

- Keep a copy of the sent email and any read receipts
- Follow up with postal or personal service to be safe

 **Risk:** Most contracts do NOT allow email service. Check your contract carefully before using this method.

## **Evidence You Must Keep**

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**CRITICAL:** You will need to prove service when applying to court.

**Service Evidence Checklist:**

- ✓ Original copy of the notice (for your records)
- ✓ Copy showing date of service
- ✓ Proof of service:
  - Personal service: Signed acknowledgment or witness statement
  - Postal service: Certificate of posting or tracking receipt
  - Email: Sent email with timestamp and read receipt
- ✓ Evidence of breach:
  - Rent arrears: Full rent payment history
  - Anti-social behaviour: Police reports, witness statements
  - Property damage: Photos, repair quotes
  - Other breaches: Relevant documentation

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# **Certificate of Service Template:**

## **CERTIFICATE OF SERVICE**

Property: 400 Wrexham Road  
Wrexham  
LL13 1AA

Contract-Holder(s): Megan ContractHolder

I certify that on [DATE], I served the Fault-Based Breach Notice dated [NOTICE DATE] by:

☒ Personal service - handed to contract-holder at [TIME] on [DATE]

☐ Left at dwelling - left in sealed envelope at [TIME] on [DATE]

☐ Postal service - sent by [METHOD] on [DATE], tracking/reference: [REF]

☐ Email - sent to [EMAIL] at [TIME] on [DATE]

Served by: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

Witness (if applicable):

Name: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

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## What Happens After Service?

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### Waiting Period

#### Breach Notice Period:

- Rent arrears: Minimum 14 days
- Other breaches: 14 days to 1 month depending on severity

You cannot apply to court before this date expires.

### If Breach is Remedied

If the contract-holder fixes the breach during the notice period:

- For rent arrears: They pay all outstanding rent
- For other breaches: They stop the behaviour or fix the problem
- The notice may no longer be valid - consult a solicitor before proceeding

## **If Contract-Holder Does Not Leave**

You **CANNOT**:

- **✗** Change the locks
- **✗** Remove their belongings
- **✗** Cut off utilities
- **✗** Harass or threaten them
- **✗** Enter without permission

**These are criminal offences in Wales**

You **MUST**:

- **✓** Apply to the county court for a possession order
- **✓** Provide evidence of the breach
- **✓** Wait for the court hearing

- ✓ Only evict with a court order and bailiff

## Common Mistakes to Avoid

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- ✗ Wrong notice period - check minimum period for your breach type
- ✗ Not registered with Rent Smart Wales
- ✗ Insufficient breach evidence - document everything thoroughly
- ✗ Retaliatory eviction - cannot serve within 6 months of legitimate complaint
- ✗ Poor proof of service - always get evidence
- ✗ Self-help eviction - never change locks without court order

## Useful Contacts

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### **Rent Smart Wales:**

- Website: [www.rentsmart.gov.wales](http://www.rentsmart.gov.wales)
- Phone: 03000 133 344

### **HM Courts & Tribunals Service:**

- Website: [www.gov.uk/government/organisations/hm-courts-and-tribunals-service](http://www.gov.uk/government/organisations/hm-courts-and-tribunals-service)
- Phone: 0300 123 1372

### **Shelter Cymru:**

- Website: [www.sheltercymru.org.uk](http://www.sheltercymru.org.uk)
- Phone: 0345 075 5005

## Legal Basis

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**Service Requirements:** Renting Homes (Wales) Act 2016

**Deposit Protection:** Renting Homes (Wales) Act 2016

**Illegal Eviction:** Protection from Eviction Act 1977

**Important:** This is guidance only and does not constitute legal advice. If you're unsure about any step, consult a solicitor or legal advisor.

**Generated:** 18 December 2025

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## **Wales Fault-Based Breach Notice - Service and Validity Checklist**

**Purpose:** Use this checklist to verify your fault-based breach notice was served correctly under the Renting Homes (Wales) Act 2016. Keep this checklist with your evidence file.

## Notice Details

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Landlord: Gareth Landlord

Landlord Address: 300 Newport Lane

Newport

NP20 1AA

Contract-Holder: Megan ContractHolder

Property Address: 400 Wrexham Road

Wrexham

LL13 1AA

Occupation Contract Start Date: 1 June 2023

Notice Service Date: 15 January 2025

## **Service Evidence Checklist**

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**Confirm you have collected and retained the following evidence of service:**

- Original signed fault-based breach notice
- Copy of the notice served to contract-holder
- Date and time of service recorded
- Method of service documented (hand delivery / first class post / recorded delivery)
- Proof of service:
  - If hand delivered: Photo of letterbox with notice visible, witness statement
  - If posted: Proof of postage receipt (Royal Mail certificate of posting)
  - If recorded delivery: Tracking number and delivery confirmation
- Witness details recorded (name, address, signature) if applicable
- Any correspondence from contract-holder acknowledging receipt
- Evidence of the breach (photos, rent statements, correspondence, etc.)

**Keep All Evidence:** You must prove both service of the notice and the breach itself. Document everything thoroughly.

## **Validity Requirements (Renting Homes (Wales) Act 2016)**

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**Verify your notice meets these validity requirements:**

- Notice is in writing and contains required information (landlord, contract-holder, property address)
- Notice clearly states the breach or ground for possession
- Breach details provided with sufficient particulars
- Contract is a standard occupation contract (not secure or prohibited)
- Appropriate notice period given:
  - Rent arrears (serious breach): 14 days minimum
  - Anti-social behaviour (serious breach): 14 days minimum
  - Other breaches: Check specific section requirements
- Notice signed and dated by landlord or landlord's agent
- Landlord is registered with Rent Smart Wales (legally required)

**⚠ CRITICAL WALES-SPECIFIC REQUIREMENTS:**

- You must be registered with Rent Smart Wales - unlicensed landlords cannot serve valid notices
- The breach must be genuine and provable with evidence
- Notice period varies by breach type - ensure you've given sufficient notice
- For serious breaches (rent arrears, ASB), 14 days notice is typically required
- Court will assess reasonableness - ensure breach is substantial

## After Service

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### Post-service actions:

- Wait until notice period has expired
- Do not change locks or remove contract-holder belongings (illegal eviction)
- Do not harass contract-holder or cut off utilities
- Continue documenting the breach if it persists
- If contract-holder remains after notice expires, apply to court for possession order
- Keep proof of service, breach evidence, and Rent Smart Wales registration readily accessible for court

**Legal Basis:** Renting Homes (Wales) Act 2016, Sections 157, 159, 161, 162 (breach-based grounds)

**Rent Smart Wales:** All landlords in Wales must be registered

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