

SERVICE AND VALIDITY CHECKLIST

Section 173 Notice (Wales)

Purpose: Use this checklist to verify your Section 173 notice (no-fault possession) was served correctly under the Renting Homes (Wales) Act 2016. Keep this checklist with your evidence file.

1 Notice Details

Landlord:	Mr Smith
Landlord Address:	10 Downing Street, London, SW1 2AA
Contract-Holder:	Mrs Smith
Property Address:	1 Hyde Park, London, SW2 2AA
Contract Start Date:	14 July 2025
Notice Service Date:	25 January 2026
Earliest Possession Date:	2026-02-08

2 Service Evidence Checklist

Evidence of Service

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

- ☐ Original signed Section 173 Landlord's 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

Keep All Evidence

If you need to apply for a possession order, you must prove service. Without clear evidence, your claim may be rejected by the court.

3 Validity Requirements

Notice Validity (Renting Homes (Wales) Act 2016, Section 173)

Verify your notice meets these validity requirements:

- ☐ Notice is in writing and contains required information (landlord, contract-holder, property address)
- ☐ The landlord has given at least six months' notice as required by section 173 of the Renting Homes (Wales) Act 2016. The notice expiry date is not earlier than six months after the date of service.
- ☐ Notice not served within the first 6 months of occupation contract (prohibited period)
- ☐ Contract is a standard occupation contract (not secure or prohibited)
- ☐ Notice specifies possession date is on or after: **2026-02-08**
- ☐ Notice signed and dated by landlord or landlord's agent
- ☐ Landlord is registered with Rent Smart Wales (legally required)
- ☐ If deposit taken, deposit protected in approved Welsh scheme (DPS Wales, TDS Wales, MyDeposits Wales)

CRITICAL WALES-SPECIFIC REQUIREMENTS

- Section 173 notices can only be used for standard occupation contracts (most AST-equivalent tenancies)
- You must be registered with Rent Smart Wales - unlicensed landlords cannot serve valid notices
- The six-month prohibited period is absolute - notices served within the first six months of the occupation contract are invalid
- The notice must give at least six months' notice under section 173 of the Renting Homes (Wales) Act 2016. The notice expiry date must not be earlier than six months after the date of service.

Post-Service Actions

- ☐ Wait until possession date has passed: **2026-02-08**
- ☐ Do not change locks or remove contract-holder belongings (illegal eviction)
- ☐ Do not harass contract-holder or cut off utilities
- ☐ If contract-holder remains after possession date, apply to court for possession order
- ☐ Keep proof of service and Rent Smart Wales registration readily accessible for court

Legal Basis: Renting Homes (Wales) Act 2016, Section 173

Rent Smart Wales: All landlords in Wales must be registered

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