

# NOTICE ONLY PACK - PREVIEW

Jurisdiction: Wales

Notice Type: Section 173 Notice (No-Fault) - Wales

## DOCUMENTS INCLUDED:

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| 2. Service Instructions (Wales)           | Page 5 |
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## WHAT YOU GET:

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

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## LANDLORD'S NOTICE UNDER SECTION 173

Renting Homes (Wales) Act 2016, Section 173

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TO: Bethan ContractHolder

OF: 200 Swansea Street

Swansea

SA1 1AA

FROM: Dafydd Landlord

ADDRESS: 100 Cardiff Road

Cardiff

CF10 1AA

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### 1. DETAILS OF THE DWELLING

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The dwelling which is the subject of this notice is:

**\*\*200 Swansea Street**

**Swansea**

**SA1 1AA\*\***

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## 2. DETAILS OF THE OCCUPATION CONTRACT

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This notice relates to the occupation contract which began on **2023-01-01**.

The contract is a periodic contract.

**Contract Category:** standard

The current rent is **£800** payable **monthly**.

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## 3. NOTICE TO CONTRACT HOLDER

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**I/WE GIVE YOU NOTICE** under Section 173 of the Renting Homes (Wales) Act 2016 that I/we require possession of the dwelling described above.

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## 4. NOTICE PERIOD AND POSSESSION DATE

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This notice was served on: **2025-12-17**

**You must give up possession of the dwelling on or after: 31 December 2025**

This notice provides you with the minimum statutory notice period required under Section 173 of the Renting Homes (Wales) Act 2016.

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## 5. IMPORTANT INFORMATION FOR CONTRACT HOLDERS

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### What This Notice Means

This is a formal legal notice that I/we intend to apply to the court for a possession order requiring you to give up possession of the dwelling.

Under a standard occupation contract, a landlord can serve a Section 173 notice without providing a reason for possession.

### What You Should Do

1. **Read this notice carefully** - It tells you when you must leave the property.
  2. **Seek advice immediately** - Contact one or more of the following:
    - Citizens Advice Cymru
    - Shelter Cymru (housing charity)
    - A solicitor (you may qualify for Legal Aid)
    - Your local council housing department
  3. **Do not ignore this notice** - If you do nothing, court proceedings will be started and you may have to pay the costs as well as giving up possession of your home.
  4. **Respond** - If you believe this notice is not valid or you have concerns, get legal advice immediately.
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## 6. COMPLIANCE REQUIREMENTS

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### Rent Smart Wales Registration

- ☒ The landlord confirms they are registered with Rent Smart Wales.

### Deposit Protection

- ☒ Your deposit of £0 is protected in MyDeposits Wales.
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## 7. PROHIBITED PERIOD (FIRST 6 MONTHS)

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**Important:** Under Section 173, a landlord cannot serve a Section 173 notice within the first 6 months of a standard occupation contract (the "prohibited period").

Contract Start Date: **2023-01-01**

Service Date: **2025-12-17**

- ☒ This notice was served after the prohibited period ended.
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## 8. WHERE TO GET HELP

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### **Citizens Advice Cymru:**

- Website: [www.citizensadvice.org.uk/cymraeg/](http://www.citizensadvice.org.uk/cymraeg/)
- Phone: 0800 702 2020

### **Shelter Cymru (Housing Charity):**

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

### **National Debtline:**

- Website: [www.nationaldebtline.org](http://www.nationaldebtline.org)
- Phone: 0808 808 4000

### **Local Council Housing Department:**

- Contact your local council for advice on homelessness prevention

### **Rent Smart Wales:**

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

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If you do not leave the property by the date specified in Section 4, I/we may apply to the court for a possession order.

You will be sent:

- A copy of the court claim
- A defence form
- Information about the court hearing

**You have the right to:**

- Attend the court hearing
- Present your case to the judge
- Be represented by a solicitor (legal aid may be available)
- Ask for more time to leave if possession is granted

**Court Costs**

If possession is granted, you may be ordered to pay:

- The landlord's court fees
- The landlord's legal costs
- Any rent arrears

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## **10. AFTER A POSSESSION ORDER**

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If the court grants a possession order:

1. **Outright Possession Order** - You must leave by the date specified by the court
2. **Suspended Possession Order** - You can stay if you keep to the conditions set by the court
3. **If you don't leave** - The landlord can apply for a bailiff's warrant to evict you
4. **Illegal eviction** - Your landlord cannot evict you without a court order and bailiff. It is a criminal offence for a landlord to force you to leave without following the proper legal process.

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## 11. WELSH LANGUAGE RIGHTS

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You have the right to receive this notice and all court documents in Welsh. If you wish to receive documents in Welsh or conduct court proceedings in Welsh, please inform the court.

Mae gennych yr hawl i dderbyn y rhybudd hwn a'r holl ddogfennau llys yn Gymraeg. Os hoffech dderbyn dogfennau yn Gymraeg neu gynnal achosion llys yn Gymraeg, rhowch wybod i'r llys.

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## 12. DECLARATION

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I/We declare that the information given in this notice is correct to the best of my/our knowledge and belief.

**Signed:** \_\_\_\_\_

**Name:** Dafydd Landlord

**Date:** 2025-12-17

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### 13. NOTES FOR LANDLORDS

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This notice must be served correctly to be valid:

1. **Personal service** - Hand it to the contract holder personally
2. **Substituted service** - Leave it at the property in a sealed envelope addressed to the contract holder
3. **Postal service** - Send by first class post to the contract holder's last known address

**Important:**

- Keep proof of service (certificate of posting, witness statement, etc.)
  - The notice period runs from the date the notice is served, not from the date it is prepared
  - You must be registered with Rent Smart Wales for this notice to be valid
  - This notice cannot be served within the first 6 months of a standard occupation contract
  - Consider whether Alternative Dispute Resolution might resolve the issue without court proceedings
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**END OF NOTICE**

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**PREVIEW DOCUMENT - NOT FOR LEGAL USE**

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**Legal Disclaimer:** This notice has been generated based on the information provided. While every effort has been made to ensure accuracy and compliance with the Renting Homes (Wales) Act 2016,

this service does not constitute legal advice. You should seek independent legal advice before taking any action based on this document. Landlord Heaven is not responsible for any consequences arising from the use of this document.

# SERVICE INSTRUCTIONS

## Serving Your Section 173 Notice in Wales

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### IMPORTANT: WALES-SPECIFIC REQUIREMENTS

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This guidance is for serving eviction notices under the **Renting Homes (Wales) Act 2016**. ⚠️ **This is NOT the same as England** - Wales has different laws and procedures. Do not use English guidance or forms.

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## 1. BEFORE YOU SERVE THE NOTICE

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### Check Your Compliance

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: Cannot serve Section 173 notice if deposit not protected ☒ **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 ☒ **Prohibited Period (Section 173 only)** - Cannot serve Section 173 notice in first 6 months of contract - Contract start: 2023-01-01 - Earliest service date: 6 months after contract start

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## 2. METHODS OF SERVICE

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Under Welsh law, you can serve a notice by:

### Option 1: Personal Service (RECOMMENDED)

- 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

### Option 2: 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

### Option 3: 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)

### Option 4: 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

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## 3. PROOF OF SERVICE

**CRITICAL:** You will need to prove service when applying to court. Keep ALL of the following: -

☒ 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

### Create a Service Pack

Make a file containing: 1. Copy of the notice served 2. Proof of service 3. Certificate of Service (template below) 4. Witness statement (if applicable)

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## 4. CERTIFICATE OF SERVICE TEMPLATE

You can use this template to record service: `` CERTIFICATE OF SERVICE Property: 200

Swansea Street Swansea SA1 1AA Contract-Holder(s): Bethan ContractHolder I certify that on

[DATE], I served the Section 173 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: \_\_\_\_\_

## 5. AFTER SERVING THE NOTICE

### Wait for the Notice Period to Expire

**Section 173 Notice Period:** - Minimum 2 months from service date - Cannot apply to court before this date

### 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 - ☒ Wait for the court hearing - ☒ Only evict with a court order and bailiff

## 6. APPLYING TO COURT (IF NEEDED)

If the contract-holder does not leave after the notice expires: 1. **Complete Court Forms:** - Form N5 (Claim for Possession) - Particulars of Claim - Copy of the tenancy agreement - Copy of the notice with proof of service - Evidence of compliance (deposit protection, gas safety, etc.) 2. **Pay Court Fee:** - Online: [www.gov.uk/make-court-claim-for-money](http://www.gov.uk/make-court-claim-for-money) - Current fee: Check [www.gov.uk/government/publications/fees-in-the-civil-and-family-courts](http://www.gov.uk/government/publications/fees-in-the-civil-and-family-courts) 3. **Serve Court Papers:** - Court will serve the papers on the contract-holder - Or you can arrange service yourself 4. **Attend Court Hearing:** - Bring all evidence - Be prepared to answer questions from the judge

## 7. COMMON MISTAKES TO AVOID

☒ **Wrong notice period** - Check the minimum period for your notice type ☒ **Wrong dates** - Ensure all dates are calculated correctly ☒ **Not registered with Rent Smart Wales** - Register before serving ☒ **Deposit not protected** - Protect deposit before serving Section 173 ☒ **Prohibited period** - Cannot serve Section 173 in first 6 months ☒ **Retaliatory eviction** - Cannot serve within 6 months of legitimate complaint ☒ **Poor proof of service** - Always get proof ☒ **Self-help eviction** - Never change locks or remove belongings without court order

## 8. GET LEGAL ADVICE

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**⚠ This is not legal advice** - These are instructions for serving a notice only. Consider getting advice from: - **Shelter Cymru Landlord Advisory Service:** 0300 124 0021 - **Solicitor specializing in Welsh housing law** - **Landlord association** (e.g., Residential Landlords Association Wales)

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## 9. 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 (for contract-holder rights):** - Website: [www.sheltercymru.org.uk](http://www.sheltercymru.org.uk) - Phone: 0345 075 5005 **Citizens Advice Cymru:** - Website: [www.citizensadvice.org.uk/cymraeg/](http://www.citizensadvice.org.uk/cymraeg/) - Phone: 0800 702 2020

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## **Section 173 Landlord's Notice - Service and Validity Checklist**

**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.

## Notice Details

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Landlord: Dafydd Landlord

Landlord Address: 100 Cardiff Road

Cardiff

CF10 1AA

Contract-Holder: Bethan ContractHolder

Property Address: 200 Swansea Street

Swansea

SA1 1AA

Occupation Contract Start Date: 1 January 2023

Notice Service Date: 17 December 2025

Earliest Possession Date (on or after):



## Service Evidence Checklist

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**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.

## **Validity Requirements (Renting Homes (Wales) Act 2016, Section 173)**

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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 gives at least 6 months notice
- 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:
- 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 6-month prohibited period is absolute - notices served earlier are invalid
- The notice must give at least 6 months notice (not 2 months like England Section 21)

## After Service

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### Post-service actions:

- Wait until possession date has passed:
- 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

**Generated:** 17 December 2025

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