

# NOTICE ONLY PACK - PREVIEW

Jurisdiction: Wales

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

## DOCUMENTS INCLUDED:

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| 1. Section 173 Landlord's 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

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All documents are editable and can be regenerated anytime.

**FORM RHW17****Landlord's Notice of Termination: Periodic Standard Contract with Two-Month Minimum Notice Period (Other Than Introductory Standard Contract or Prohibited Conduct Standard Contract)**

This form is for use by a landlord to give notice to a periodic standard contract-holder entitled to a two-month minimum notice period (except those holding an introductory standard contract or prohibited conduct standard contract) under section 173(1) of the Renting Homes (Wales) Act 2016 that he or she must give up possession of the dwelling on a specified date.

Part A: Landlord

**Name:**

Dafydd Landlord

**Address:**

100 Cardiff Road  
Cardiff  
CF10 1AA

Part B: Contract-Holder(s)

**Name(s):**

Bethan ContractHolder

**Part C: Dwelling****Address:**

200 Swansea Street  
Swansea  
SA1 1AA

**Part D: Notice to Give Up Possession**

In accordance with section 173 of the Renting Homes (Wales) Act 2016, the landlord gives notice to you, the contract-holder(s), that you must give up possession of the dwelling above on [date]

**29 January 2025**

If you, the contract-holder(s), do not give up possession of the dwelling on the date specified above, the landlord may make a possession claim to the court.

**Note:** *The specified date must not be less than two months after the day on which this notice is given to the contract-holder(s).*

## Part E: Signature

Signed by, or on behalf of, the landlord:

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Date:

15 January 2025

## Use of this form

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This form should only be used where the periodic standard contract has a two-month minimum notice period and is not an introductory standard contract or prohibited conduct standard contract. If the periodic standard contract has a six-month minimum notice period, Form RHW16 should be used. If the periodic standard contract is an introductory standard contract or prohibited conduct standard contract, Form RHW18 should be used, regardless of the length of the notice period.

## Guidance notes for contract-holders

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This notice is the first step requiring you to give up possession of the dwelling identified at Part C. You should read it very carefully. If you do not give up possession by the date given in Part D, your landlord may apply to the court for an order requiring you to give up possession.

If you are in any doubt or need advice about any aspect of this notice, you should first contact your landlord. Many problems can be resolved quickly by raising them when they first arise. If you are unable to reach an agreement with your landlord, you may wish to contact an advice agency (such as Citizens Advice Cymru or Shelter Cymru) or independent legal advisors. Disputes regarding your contract may ultimately be settled through the county courts.

If you believe you are at risk of homelessness as a result of receiving this notice, you should contact your local authority for support.

### **Two-month minimum notice period**

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An occupation contract may have a two-month minimum notice period because the occupation contract falls within Schedule 8A to the Renting Homes (Wales) Act (section 174A of that Act).

### **Restrictions on giving this notice**

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#### **First four/six months of occupation**

In accordance with section 175 of the Renting Homes (Wales) Act 2016, this notice may not be given within the first six months of the occupation date of the contract.

#### **Breaches of statutory obligations**

In accordance with section 176 of the Renting Homes (Wales) Act 2016, this notice may not be given at a time when there is a breach of any statutory obligations listed in Schedule 9A to that Act.

### **Withdrawal of previous notice**

In accordance with section 177 of the Renting Homes (Wales) Act 2016, if the landlord has previously given a notice under section 173 of that Act and has subsequently withdrawn it, the landlord may not give the contract-holder(s) a further notice of termination under section 173 of that Act within six months of the date that the notice was withdrawn.

### **Retaliatory possession claim**

A contract-holder may enforce or rely upon the landlord's obligations in relation to fitness for human habitation and to keep the dwelling in repair under sections 91 and 92 of the Renting Homes (Wales) Act 2016. If the landlord issues this notice in response, a court may consider that the landlord is making a possession claim to avoid complying with those obligations (a retaliatory claim). In accordance with section 217 of that Act, the court may refuse to make an order for possession if it considers that the possession claim is a retaliatory claim.

### **Restrictions on bringing a possession claim**

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#### **Time limits**

In accordance with section 179 of the Renting Homes (Wales) Act 2016, the landlord may not make a possession claim before the date listed in Part D of this notice or after two months of that date.

## Service Instructions for Section 173 Notice

**Property:** 200 Swansea Street  
Swansea  
SA1 1AA

**Contract-Holder:** Bethan ContractHolder


**Notice Type:** Section 173 Landlord's Notice

**Service Date:** 15 January 2025

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

This guidance is for serving eviction 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:** 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
- Earliest service date: 6 months after contract start

## 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



## Certificate of Service Template:

### 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 Landlord's 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

**Section 173 Notice Period:** Minimum 2 months from service date

You cannot apply to court before this date expires.

### 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

## Common Mistakes to Avoid

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- **✗** Wrong notice period - minimum 2 months for Section 173
- **✗** Not registered with Rent Smart Wales
- **✗** Deposit not protected before serving notice
- **✗** Serving in prohibited period (first 6 months of contract)
- **✗** 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, Section 173

**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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## **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: 15 January 2025

Earliest Possession Date (on or after): 2025-07-30

## 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: **2025-07-30**
- 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 under the Renting Homes (Wales) Act 2016

## After Service

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### Post-service actions:

- Wait until possession date has passed: **2025-07-30**
- 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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