

# SERVICE INSTRUCTIONS

## Fault-Based Notice (Wales)

**Property:** 2 High Street, London, SW2 2AA  
**Contract-Holder:** Mrs Smith  
**Notice Type:** Fault-Based Breach Notice  
**Service Date:** 25 January 2026

### 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.

## 1 Before You Serve - Compliance Requirements

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)

Serving a notice while unregistered may invalidate the notice

### Deposit Protection (if deposit taken)

Must be protected in a Welsh government-approved scheme (DPS Wales, MyDeposits Wales, or TDS Wales)

Must have provided prescribed information within 30 days

Non-compliance may affect validity of breach notice

## Written Statement of Contract

Must have provided contract-holder with written statement within 14 days of occupation

Cannot serve possession notice until provided

## Property Safety Requirements

Annual gas safety check by Gas Safe engineer (copy given to contract-holder)

Electrical Installation Condition Report (EICR) within last 5 years

Working smoke alarms on each storey

Carbon monoxide alarms in rooms with solid fuel appliances

### 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

## 2 How to Serve This Notice

Under Welsh law, you can serve a notice by the following methods:

### RECOMMENDED: 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: 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: 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.

## **NOT RECOMMENDED: Email**

- Can only use email if the contract specifically allows it
- Keep a copy of the sent email and any read receipts
- Most contracts do NOT allow email service - check your contract carefully
- Follow up with postal or personal service to be safe

## **3 Evidence You Must Keep**

**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
- 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 the breach (rent arrears records, ASB reports, photos, etc.)

### Certificate of Service Template

#### CERTIFICATE OF SERVICE

Property: 16 Waterloo Road  
Pudsey  
LS28 7PW  
Contract-Holder(s): Sonia Shezadi

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: \_\_\_\_\_

## 4 What Happens After Service

### 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

### Do NOT

- 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

## 5 Common Mistakes to Avoid

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

## 6 Useful Contacts

**Rent Smart Wales:** [www.rentsma...](http://www.rentsma...) | Phone: 03000 133 344

**HM Courts & Tribunals Service:** [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:** [www.sheltercymru.org.uk](http://www.sheltercymru.org.uk) | Phone: 0345 075 5005

## 7 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

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

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**Landlord Heaven Notice Only Pack | Wales**