

Service Instructions for Section 173 Notice

Property: 10 Downing Street, London, SW1 1AA W

Contract-Holder: Mrs Smith

Notice Type: Section 173 Landlord's Notice

Service Date: 25 January 2026

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.

Language Information: This notice is generated in English. Notices served in English are valid in Wales. Welsh-language versions of prescribed forms are available from the Welsh Government (gov.wales) if required.

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

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
- 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

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

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: 16 Waterloo Road Pudsey LS28 7PW

Contract-Holder(s): Sonia Shezadi

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: _____

What Happens After Service?

Waiting Period

Section 173 Notice Period: At least six months from the date of service. The notice expiry date must not be earlier than six months after the date of service.

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

- Wrong notice period - Section 173 requires at least six months' notice. The notice expiry date must not be earlier than six months after the date of service.
- 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

Rent Smart Wales:

- Website: www.rentsmart.gov.wales
- Phone: 03000 133 344

HM Courts & Tribunals Service:

- Website: www.gov.uk/government/organisations/hm-courts-and-tribunals-service
- Phone: 0300 123 1372

Shelter Cymru:

- Website: www.sheltercymru.org.uk
- Phone: 0345 075 5005

Legal Basis

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.

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