

# NOTICE ONLY PACK - PREVIEW

Jurisdiction: Wales

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

## DOCUMENTS INCLUDED:

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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

Complete purchase (£29.99) to download full unredacted documents.

All documents are editable and can be regenerated anytime.

# Section 173 Landlord's Notice / Hysbysiad Landlord Adran 173

## Renting Homes (Wales) Act 2016 / Deddf Rhentu Cartrefi (Cymru) 2016

### To / I: Bethan ContractHolder

#### Dwelling / Annedd:

200 Swansea Street Swansea SA1 1AA

#### From / Oddi wrth: Dafydd Landlord

#### Landlord's Address / Cyfeiriad y Landlord:

100 Cardiff Road Cardiff CF10 1AA

#### Notice Period / Cyfnod Hysbysiad

**TODO:** Replace with prescribed bilingual wording for notice period

**Contract Start Date / Dyddiad Dechrau'r Contract:** 2023-01-01

**Service Date / Dyddiad Gwasanaeth:** 2025-01-15

**Expiry Date / Dyddiad Dod i Ben:** 29 January 2025

#### Rent Smart Wales / Rhentu Doeth Cymru

**TODO:** Add prescribed bilingual fields for:

- Rent Smart Wales registration confirmation
- Licence number (if applicable)

#### Landlord's Signature / Llofnod y Landlord

**TODO:** Add signature block per prescribed bilingual form

Signed / Llofnodwyd: \_\_\_\_\_

Date / Dyddiad: \_\_\_\_\_

#### Notes for Contract Holder / Nodiadau i Ddeiliaid Contract

**TODO:** Add prescribed bilingual notes and warnings

*This is a placeholder template. Replace with exact prescribed bilingual form content.*

*Mae hwn yn dempled dros dro. Amnewid gyda chynnwys ffurflen ragnodedig union.*

## 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.rentsma.rt.gov.wales](http://www.rentsma.rt.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: \_\_\_\_\_

## 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.rentsma...](http://www.rentsma...)
- 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.

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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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