

NOTICE ONLY PACK - PREVIEW

Jurisdiction: Wales

Notice Type: Fault-Based Notice - Wales (Renting Homes Act 2016)

DOCUMENTS INCLUDED:

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| 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

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

All documents are editable and can be regenerated anytime.

Fault-Based Breach Notice / Hysbysiad Torri Contract ar Fai

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

To / I: Megan ContractHolder

Dwelling / Annedd:

400 Wrexham Road Wrexham LL13 1AA

From / Oddi wrth: Gareth Landlord

Landlord's Address / Cyfeiriad y Landlord:

300 Newport Lane Newport NP20 1AA

Breach Details / Manylion Torri'r Contract

TODO: Replace with prescribed bilingual wording for breach types

Breach Type / Math o Doriad: Rent Arrears

Rent Arrears Amount / Swm Ôl-ddyledion Rhent: £1500

Breach Details / Manylion y Toriad:

Contract holder owes £1,500 in rent arrears covering 2 months (November-December 2024). Rent is due monthly on the 1st. Multiple payment reminders have been sent but arrears remain unpaid.

Notice Period / Cyfnod Hysbysiad

TODO: Add prescribed bilingual fields for notice period based on breach type

Service Date / Dyddiad Gwasanaeth: 2025-01-15

Expiry Date / Dyddiad Dod i Ben: 2025-02-15

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 specific to fault-based notices

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 Fault-Based Breach Notice

Property: 400 Wrexham Road
Wrexham
LL13 1AA


Contract-Holder: Megan ContractHolder

Notice Type: Fault-Based Breach Notice

Service Date: 15 January 2025

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.

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: May affect validity of breach notice

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

✓ **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

✓ **Evidence of Breach**

- Must have clear evidence of the breach you're claiming
- Document everything: dates, times, witnesses, photos, correspondence

- For rent arrears: Keep detailed rent payment records
- For anti-social behaviour: Police reports, witness statements, complaint logs

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
- ✓ Evidence of breach:
 - Rent arrears: Full rent payment history
 - Anti-social behaviour: Police reports, witness statements
 - Property damage: Photos, repair quotes
 - Other breaches: Relevant documentation

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Certificate of Service Template:

CERTIFICATE OF SERVICE

Property: 400 Wrexham Road
Wrexham
LL13 1AA

Contract-Holder(s): Megan ContractHolder

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: _____

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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

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
- **✓** Provide evidence of the breach
- **✓** Wait for the court hearing

- ✓ Only evict with a court order and bailiff

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

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

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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Wales Fault-Based Breach Notice - Service and Validity Checklist

Purpose: Use this checklist to verify your fault-based breach notice was served correctly under the Renting Homes (Wales) Act 2016. Keep this checklist with your evidence file.

Notice Details

Landlord: Gareth Landlord

Landlord Address: 300 Newport Lane

Newport

NP20 1AA

Contract-Holder: Megan ContractHolder

Property Address: 400 Wrexham Road

Wrexham

LL13 1AA

Occupation Contract Start Date: 1 June 2023

Notice Service Date: 15 January 2025

Service Evidence Checklist

Confirm you have collected and retained the following evidence of service:

- Original signed fault-based breach 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
- Evidence of the breach (photos, rent statements, correspondence, etc.)

Keep All Evidence: You must prove both service of the notice and the breach itself. Document everything thoroughly.

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Validity Requirements (Renting Homes (Wales) Act 2016)

Verify your notice meets these validity requirements:

- Notice is in writing and contains required information (landlord, contract-holder, property address)
- Notice clearly states the breach or ground for possession
- Breach details provided with sufficient particulars
- Contract is a standard occupation contract (not secure or prohibited)
- Appropriate notice period given:
 - Rent arrears (serious breach): 14 days minimum
 - Anti-social behaviour (serious breach): 14 days minimum
 - Other breaches: Check specific section requirements
- Notice signed and dated by landlord or landlord's agent
- Landlord is registered with Rent Smart Wales (legally required)

⚠ CRITICAL WALES-SPECIFIC REQUIREMENTS:

- You must be registered with Rent Smart Wales - unlicensed landlords cannot serve valid notices
- The breach must be genuine and provable with evidence
- Notice period varies by breach type - ensure you've given sufficient notice
- For serious breaches (rent arrears, ASB), 14 days notice is typically required
- Court will assess reasonableness - ensure breach is substantial

After Service

Post-service actions:

- Wait until notice period has expired
- Do not change locks or remove contract-holder belongings (illegal eviction)
- Do not harass contract-holder or cut off utilities
- Continue documenting the breach if it persists
- If contract-holder remains after notice expires, apply to court for possession order
- Keep proof of service, breach evidence, and Rent Smart Wales registration readily accessible for court

Legal Basis: Renting Homes (Wales) Act 2016, Sections 157, 159, 161, 162 (breach-based grounds)

Rent Smart Wales: All landlords in Wales must be registered

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