

ELGC(5)-21-18 Papur 14/ Paper 14

**Rebecca Evans AM**

Minister for Housing and Regeneration  
Welsh Government

26 June 2018

Dear Rebecca

**Renting Homes (Fees etc.) (Wales) Bill**

Thank you for attending our meeting on 21 June to give evidence in connection with our scrutiny of the Renting Homes (Fees etc.) (Wales) Bill.

At the meeting you agreed to provide further details on:

- An assessment of the evidence considered in Westminster during scrutiny of the Tenants Fees Bill that there was a 4.2% increase in rent in Scotland when equivalent legislation was passed compared to a decrease of 0.7% in England over the same time period.
- Whether the provision in Schedule 2, paragraph 3, sub-sub-paragraph (b), is sufficient to cover incidences when a landlord/agency breaches this agreement, in particular in instances when students secure properties months before they move into the property and the agreement is pending further works by the landlord.
- Whether fines issued by the Courts given to those in breach of the Bill should go to local authorities, as with fixed penalty notices.

At the end of the meeting, I advised that I would also write to you with some technical and drafting questions that weren't reached during the evidence session. I should be grateful if you could provide a response to the following:



- Section 4 refers to “letting agency work”. Section 8 refers simply to “lettings work” which is the term used in the Housing (Wales) Act 2014. Why is this the case?
- Under Sections 2(6), 3(5) and 17, should the Bill require that interest also be payable or would a court automatically award interest?
- Section 2(3) allows landlords to require a person to enter into a contract for services as a condition of the grant, renewal or continuation of an occupation contract where the contract for services confers the right to occupy a dwelling. Could you explain the purpose of this provision and why is there no equivalent provision in Section 3?
- Providing false or misleading information in relation to a notice under Section 10 is an offence if a person is “reckless as to whether it is false or misleading”. What was the rationale behind setting “reckless” as the threshold for Section 12(1)(b) and 12(2)(a)? Why was the lower threshold of negligence, not chosen?

I should be grateful if you would respond by **7 September** in time to inform the next stage of our scrutiny of the Bill.

Yours sincerely



John Griffiths AM  
Chair

Croesewir gohebiaeth yn Gymraeg neu Saesneg.

We welcome correspondence in Welsh or English.

