



OFFERYNNAU STATUDOL
CYMRU

WELSH STATUTORY
INSTRUMENTS

2019 Rhif 1493 (Cy. 272)

2019 No. 1493 (W. 272)

TAI, CYMRU

HOUSING, WALES

Rheoliadau Rhentu Cartrefi
(Ffioedd etc.) (Blaendal Cadw)
(Gwybodaeth Benodedig) (Cymru)
2019

The Renting Homes (Fees etc.)
(Holding Deposit) (Specified
Information) (Wales) Regulations
2019

NODYN ESBONIADOL

(Nid yw'r nodyn hwn yn rhan o'r Rheoliadau)

Mae'r Rheoliadau hyn yn nodi gwybodaeth y mae rhaid i naill ai'r landlord neu ei asiant gosod eiddo ei darparu i ddarpar ddeiliad contract, cyn y telir blaendal cadw mewn cysylltiad â chontract meddiannaeth safonol. Mae'r Rheoliadau hyn hefyd yn pennu'r ffordd y mae rhaid darparu'r wybodaeth.

Mae rheoliad 2 yn dirymu Rheoliadau Rhentu Cartrefi (Ffioedd etc.) (Gwybodaeth Benodedig) (Cymru) 2019.

Os na ddarperir yr wybodaeth yn rheoliad 3(2) i ddarpar ddeiliad contract cyn y telir blaendal cadw, ni chaiff y landlord na'r asiant gosod eiddo ddibynnu ar yr eithriadau a nodir ym mharagraffau 8, 9 a 10 o Atodlen 2 i Ddeddf Rhentu Cartrefi (Ffioedd etc.) (Cymru) 2019 a rhaid ad-dalu'r blaendal cadw. Mae rheoliad 3(3) yn nodi'r ffordd y mae rhaid darparu'r wybodaeth.

Ystyriwyd Cod Ymarfer Gweinidogion Cymru ar gynnal Aseidiadau Effaith Rheoleiddiol mewn perthynas â'r Rheoliadau hyn. O ganlyniad, ystyriwyd nad oedd yn angenrheidiol cynnal asesiad effaith rheoleiddiol o'r costau a'r manteision sy'n debygol o ddeillio o gydymffurfio â'r Rheoliadau hyn.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations set out information which must be provided to a prospective contract-holder by either the landlord or their letting agent, before a holding deposit is paid in respect of a standard occupation contract. These Regulations also specify the way in which the information must be provided.

Regulation 2 revokes the Renting Homes (Fees etc.) (Specified Information) (Wales) Regulations 2019.

If the information in regulation 3(2) is not provided to a prospective contract-holder before a holding deposit is paid, the landlord or letting agent may not rely upon the exceptions set out in paragraphs 8, 9 and 10 of Schedule 2 to the Renting Homes (Fees etc.) (Wales) Act 2019 and the holding deposit must be repaid. Regulation 3(3) sets out how the information must be provided.

The Welsh Ministers' Code of Practice on the carrying out of Regulatory Impact Assessments was considered in relation to these Regulations. As a result, it was not considered necessary to carry out a regulatory impact assessment as to the likely costs and benefits of complying with these Regulations.

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2019**

**The Renting Homes (Fees etc.)
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Information) (Wales) Regulations
2019**

Gwnaed 4 Rhagfyr 2019

Made 4 December 2019

*Gosodwyd gerbron Cynulliad Cenedlaethol
Cymru* 6 Rhagfyr 2019

*Laid before the National Assembly for
Wales* 6 December 2019

Yn dod i rym yn unol â rheoliad 1(2)

*Coming into force in accordance with
regulation 1(2)*

Mae Gweinidogion Cymru, drwy arfer y pŵer a roddir iddynt gan baragraff 11(3) a (4) o Atodlen 2 i Ddeddf Rhentu Cartrefi (Ffioedd etc.) (Cymru) 2019(1), yn gwneud y Rheoliadau a ganlyn.

The Welsh Ministers, in exercise of the power conferred on them by paragraph 11(3) and (4) of Schedule 2 to the Renting Homes (Fees etc.) (Wales) Act 2019(1), make the following Regulations.

Enwi a chychwyn

Title and commencement

1.—(1) Enw'r Rheoliadau hyn yw Rheoliadau Rhentu Cartrefi (Ffioedd etc.) (Blaendal Cadw) (Gwybodaeth Benodedig) (Cymru) 2019.

1.—(1) The title of these Regulations is the Renting Homes (Fees etc.) (Holding Deposit) (Specified Information) (Wales) Regulations 2019.

(2) Daw'r Rheoliadau hyn i rym ar 10 Rhagfyr 2019 at ddiben rheoliad 2 ac ar 28 Chwefror 2020 at bob diben arall.

(2) These Regulations come into force on 10 December 2019 for the purpose of regulation 2 and 28 February 2020 for all other purposes.

Dirymu

Revocation

2. Mae Rheoliadau Rhentu Cartrefi (Ffioedd etc.) (Gwybodaeth Benodedig) (Cymru) 2019(2) wedi eu dirymu.

2. The Renting Homes (Fees etc.) (Specified Information) (Wales) Regulations 2019(2) are revoked.

(1) 2019 decc 2 ("Deddf 2019"); gweler adran 28 am y diffiniad o "rheoliadau". Cyflwynir Atodlen 2 gan adran 9 o Ddeddf 2019.

(2) O.S. 2019/1466 (Cy. 258).

(1) 2019 anaw 2 ("the 2019 Act"); see section 28 for the definition of "regulations". Schedule 2 is introduced by section 9 of the 2019 Act.

(2) S.I. 2019/1466 (W. 258).

Gwybodaeth benodedig

3.—(1) Mae'r Rheoliadau hyn yn pennu gwybodaeth y mae rhaid i landlord (neu, os cyfarwyddir felly, ei asiant gosod eiddo) ei darparu i ddarpar ddeiliad contract(1) cyn y telir blaendal cadw(2) i landlord neu asiant gosod eiddo mewn cysylltiad â contract meddiannaeth safonol a'r ffordd y mae rhaid darparu'r wybodaeth honno.

(2) Rhaid darparu'r wybodaeth a ganlyn i ddarpar ddeiliad contract—

- (a) swm y blaendal cadw(3),
- (b) cyfeiriad yr annedd y telir y blaendal mewn cysylltiad â hi,
- (c) pan fo blaendal cadw i'w dalu i asiant gosod eiddo, enw a manylion cyswllt yr asiant gosod eiddo hwnnw,
- (d) pan fo blaendal cadw i'w dalu i landlord, enw a manylion cyswllt y landlord hwnnw,
- (e) hyd y contract,
- (f) dyddiad meddiannaeth arfaethedig,
- (g) swm y rhent neu gydnabyddiaeth arall,
- (h) cyfnod rhentu,
- (i) unrhyw delerau contract ychwanegol arfaethedig neu addasiadau arfaethedig i delerau sylfaenol neu atodol neu delerau y bwriedir eu hepgor o'r contract,
- (j) swm unrhyw flaendal sicrwydd,
- (k) a oes angen gwarantwr ac, os felly, unrhyw amodau perthnasol,
- (l) gwiriadau geirda y bydd y landlord (neu'r asiant gosod eiddo) yn eu cynnal, ac
- (m) gwybodaeth y mae ar y landlord neu'r asiant gosod eiddo ei hangen gan y darpar ddeiliad contract.

(3) Rhaid darparu'r wybodaeth i ddarpar ddeiliad contract yn ysgrifenedig a chaniateir ei rhoi yn bersonol neu ei darparu drwy ddulliau electronig os yw'r darpar ddeiliad contract yn cydsynio i'w chael yn electronig.

Specified information

3.—(1) These Regulations specify information which a landlord (or if instructed, their letting agent) must provide to a prospective contract-holder(1) before a holding deposit(2) is paid to the landlord or letting agent in respect of a standard occupation contract and the way in which that information must be provided.

(2) The following information must be provided to a prospective contract-holder—

- (a) amount of holding deposit(3),
- (b) address of the dwelling in respect of which the deposit is paid,
- (c) where a holding deposit is to be paid to a letting agent, the name and contact details of that letting agent,
- (d) where a holding deposit is to be paid to a landlord, the name and contact details of that landlord,
- (e) duration of the contract,
- (f) proposed occupation date,
- (g) amount of rent or other consideration,
- (h) rental period,
- (i) any proposed additional contract terms or proposed modifications to fundamental or supplementary terms or terms proposed to be omitted from the contract,
- (j) amount of any security deposit,
- (k) whether a guarantor is required and, if so, any relevant conditions,
- (l) reference checks the landlord (or letting agent) will undertake, and
- (m) information the landlord or letting agent requires from the prospective contract-holder.

(3) The information must be provided to a prospective contract-holder in writing and may be given in person or provided by electronic means if the prospective contract-holder consents to receiving it electronically.

(1) Yn rhinwedd rheoliad 3 o O.S. 2019/1151 (Cy. 201), mae cyfeiriadau yn Neddf 2019 at ddeiliad contract i'w darllen fel cyfeiriadau at denant o dan denantiaeth fyrddaliadol sicr o dan Ran 1 o Ddeddf Tai 1988 (p. 50).

(2) *Gweler* paragraff 4 o Atodlen 1 i Ddeddf 2019 am y diffiniad o "blaendal cadw".

(3) O dan baragraff 4(c) o Atodlen 1 i Ddeddf 2019, ni chaiff blaendal cadw fod yn fwy na swm sy'n gyfwerth ag un wythnos o rent o dan y contract.

(1) By virtue of regulation 3 of S.I. 2019/1151 (W. 201), the references in the 2019 Act to a contract-holder are to be read as references to a tenant under an assured shorthold tenancy under Part 1 of the Housing Act 1988 (c. 50).

(2) *See* paragraph 4 of Schedule 1 to the 2019 Act for the definition of "holding deposit".

(3) Under paragraph 4(c) of Schedule 1 to the 2019 Act, a holding deposit must not exceed an amount equivalent to one week's rent under the contract.

Julie James

Y Gweinidog Tai a Llywodraeth Leol, un o
Weinidogion Cymru
4 Rhagfyr 2019

Minister for Housing and Local Government, one of
the Welsh Ministers
4 December 2019

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