

Y Tribiwnlys Eiddo Preswyl

Residential Property Tribunal Service (Wales)

First Floor, West Wing, Southgate House, Wood Street, Cardiff. CF10 1EW
Telephone 0300 025 2777. Fax 0300 0256146. E-mail: rpt@gov.wales

**DECISION AND REASONS OF RESIDENTIAL PROPERTY TRIBUNAL
In the matter of an Application under section 27 of the Housing (Wales) Act 2014,
appeal against refusal to grant a license.**

RPT ref: RPT/0047/07/18

Hearing: 22nd January 2019

Applicant: Martin Rohde

Respondents: Rent Smart Wales

Tribunal: Mr JE Shepherd – Legal Chairman
Mr K Watkins FRICS
Ms Jo Coupe FRICS
Dr A Ash (Lay Member)

**DECISION ON APPLICATION FOR PERMISSION TO APPEAL MADE BY
APPLICANT**

Decision

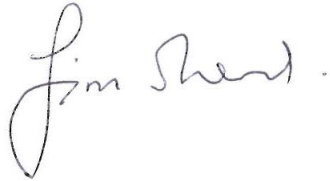
Permission to appeal is refused.

Reasons

1. Permission to appeal will only be granted where:
 - (a) The Tribunal has wrongly interpreted or applied the law;
 - (b) The Tribunal has wrongly applied or misinterpreted or disregarded a principle of valuation or professional practice;
 - (c) The Tribunal has taken account of irrelevant considerations or failed to take account of relevant considerations or evidence or there was a substantial procedural defect;
 - (d) The point or points at issue is/are of potentially wide implication

2. The Respondent has not identified any such defect in the decision by the Tribunal. The case of *Malik* cited by the Applicant is not binding on this Tribunal. In any event the facts in *Malik* were different from the present case. In *Malik* the convictions were not housing related and one of the convictions was very spent. In the present case the convictions of Mayya Kostyuk and Hereford which formed the central basis of the RSW decision were only just spent at the date of the tribunal hearing. Further the convictions were the latest in a line of housing related misconduct involving the Applicant.

Dated this 25th day of February 2019

A handwritten signature in cursive script that reads "Jim Shepherd".

J Shepherd
Chairman