

**Y TRIBIWNLYS EIDDO PRESWL  
RESIDENTIAL PROPERTY TRIBUNAL WALES**

**Reference: RPT/0010/24**

**In the matter of an application under s27 Housing Act 2014 (“The Act”), appeal against refusal of licence**

**Tribunal Judge:** Ms Tonya Richards-Clarke

**Surveyor member:** Mr Tom Daulby

**Lay member:** Dr Angela Ash

**Applicant:** Mr Francis Kenneth Waters

**Respondent:** Rent Smart Wales

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

**Permission to appeal is refused.**

**DECISION AND REASONS**

1. The Tribunal has considered the applicant’s request for permission to appeal and determines that permission be refused.
2. The test for whether to grant permission to appeal is whether there is a realistic prospect of success.
3. In the present case, the tribunal does not consider that there is such a realistic prospect.
4. The applicant’s request for permission to appeal refers to matters already before the Tribunal at the hearing 24 October 2024. In particular, that despite his conviction for an offence listed in Schedule 3 the Sexual Offences Act 2003, he is innocent. The applicant also relies on his past performance as a landlord, that he has passed the required landlord examination and his dispute with trading standards and the local authority. These factors were put forward by the Applicant and considered by the Tribunal following the hearing 24 October 2024 when the Tribunal determined that applicant is not a “fit and proper” person to be licensed as a landlord. This was because of the applicant’s conviction and sentence in 2017 for sexual offences with a child. It was for this reason that the Tribunal was not satisfied that the applicant is of sufficient integrity and good character to be involved in the letting and management of his property. Nor was the Tribunal satisfied that the applicant does not pose a risk to the welfare or safety of persons that may occupy his property. This remains the case, and the Tribunal does not consider that there is a realistic prospect of success at appeal.

Dated this 5<sup>th</sup> day of December 2024

Judge Richards-Clarke