

**Y TRIBIWNLYS EIDDO PRESWYL  
RESIDENTIAL PROPERTY TRIBUNAL (WALES)  
RENT ASSESSMENT COMMITTEE**

**Reference: RAC/0001/06/25**

**In the matter of 7 Richard Street, Bridgend, CF32 8HU**

**In the matter of an application under Section 123 of the Renting Homes (Wales) Act 2016 and the Renting Homes (Rent Determination) (Converted Contracts) (Wales) Regulations 2022**

Applicant: Mr Alex Randall

Respondent: Mr Leslie Carl Clatworthy

Tribunal: R Price – Chair  
Mr A Lewis – Surveyor

**ORDER AND REASONS FOR THE DECISION OF TRIBUNAL**

The Committee strikes out the application under as the Committee has no jurisdiction to determine the rent.

**BACKGROUND**

1. We convened as a Rent Assessment Committee, under the provisions of the Renting Homes (Wales) Act 2016 (“the Act”). The Respondent, through their agents, had served a Notice on the Applicant, dated 19/05/2025 pursuant to section 104(1)/123(1) of the Act proposing a new rent from 10<sup>th</sup> August 2025, of £720.
2. No party had elected an oral hearing in respect of the application.
3. The Committee undertook an inspection of the property on the morning of 21 August 2025.
4. The Committee, upon deliberating the application noted that the Applicant entered into a fixed term standard occupation contract from 10 February 2023 to 9 February 2024, and thereafter from month to month. The Applicant now occupies the property on a standard periodic occupation contract.

**LAW**

5. The Renting Homes (Wales) Act 2016 now governs landlord and tenant agreements of residential dwellings in Wales. Section 239 of the Act came into force on 1 December 2022 and abolished assured, secure and other tenancies in Wales. Tenancies that existed before 1 December 2022 were regulated by the Housing Act 1988, and were converted

into standard occupation contracts by section 240 of the Act. The Applicant has a standard periodic occupation contract.

6. Section 123 of the Act relates to the variation of rent under converted periodic standard occupation contracts. Section 123 states:

***“Variation of rent***

- (1) The Respondent may vary the rent payable under a periodic standard contract by giving the contract-holder a Notice setting out a new rent to take effect on the date specified in the Notice.*
- (2) **The period between the day on which the Notice is given to the contract-holder and the specified date may not be less than two months.***
- (3) Subject to that—*
  - (a) the first Notice may specify any date, and*
  - (b) subsequent Notices must specify a date which is not less than one year after the last date on which a new rent took effect.*
- (4) This section is a fundamental provision which is incorporated as a term of all periodic standard contracts under which rent is payable.” [Our emphasis].*

7. Paragraph 15(2) of Schedule 12 to the Act allows the Welsh Ministers to make provision, by regulations, to enable contract holders following receipt of a notice of variation of rent under the Act; to be able to apply for a determination of the rent for the dwelling. Accordingly, the Renting Homes (Rent Determination) (Converted Contracts) (Wales) Regulations 2022 (“the Regulations”) govern the determination of the rent on appeal to the Rent Assessment Committee. The relevant parts of the Regulations are set out below:

***“Application to a rent assessment committee***

**3.—***(1) Following receipt of a Notice under section 104 or 123 of the Act, a relevant contract-holder may apply to a rent assessment committee for a determination of the rent for the dwelling.*

- a The application to a rent assessment committee must be made—*
  - (a) in the prescribed form, and*
  - (b) within 2 months following receipt of the Notice under section 104 or 123 of the Act.*
- b The prescribed form is as set out in the Schedule.*
- c An application in a form substantially to the same effect as the prescribed form is valid.*

*\_ (2) “relevant contract-holder” means a contract-holder (which has the meaning given by the Act (see section 7(5)) under a relevant converted contract;*

*“relevant converted contract” has the meaning given by the Act (see paragraph 15(3) of Schedule 12 to the Act);*

Paragraph 15 of the Renting Homes Act 2016 states:

*“A converted contract is a relevant converted contract if—  
(a)immediately before the appointed day it was a tenancy or licence to which section 13 of the Housing Act 1988 (c. 50) (increases of rent under assured periodic tenancies) applied,  
(b)it is a periodic standard contract which is a substitute contract -  
(i) arising under section 184(2), or  
(ii) within section 184(6)”  
and which immediately before the appointed day was an assured tenancy, but not an assured shorthold tenancy, for a fixed term,*

### **THE TENANCY AGREEMENT**

8. The Applicant entered into a standard occupation contract with the Respondent on 10<sup>th</sup> February 2023 in respect of 7 Richard Street Pontycymmer Bridgend Mid Glamorgan CF32 8HU, at a rent of £695per calendar month. The terms are set out in the agreement contained in the hearing bundle.
9. This is a new standard occupation contract, Mr Randall did not occupy 7 Richard Street before 10<sup>th</sup> February 2023, and therefore it is not a relevant converted standard occupation contract as defined above. Therefore, there is no statutory provision for Mr Randall to refer the notice to increase the rent to the Rent Assessment Committee and for this reason the application is struck out.
10. By way of observation, had the Committee had jurisdiction (power) to determine the application it would have been successful as due to the significant disrepair/damp to the property the Committee took the view the increase in rent sought was unreasonable.
11. Whilst this is of no assistance to Mr Randall, the Welsh Government are currently considering allowing Applicants who have a new standard periodic contract to be able to refer any notice of increase in rent to the Rent Assessment Committee for Wales, but as the law currently stands this remedy is not available for the reasons set out above.
12. The Committee urge Mr Randall to seek independent legal advice in respect of his housing situation.

### **Determination**

The Rent Assessment Committee hereby strikes out the application dated 8 June 2025 made by Mr Randall

**DATED this 3<sup>rd</sup> day of September 2025**

**R. Price**

**Tribunal Judge**

## **CHALLENGING THE DETERMINATION**

Under 65(A) of the Rent Act 1977 an appeal on any point of law from a decision of a Rent Assessment Committee may be made to the upper tribunal.

There is no appeal on the facts decided by the committee. However, if you think it has made a mistake in applying the law, you may be able to take the case to the Upper Tribunal (Lands Chamber). If you are thinking of going to the Upper Tribunal (Lands Chamber) you should take legal advice on the proper procedure. You should seek advice as quickly as possible as there is a time limit of 28 days for appealing. This runs from the date you are given the decision itself, or, if later, the date you are given the reasons for the decision. Upper tribunal details:

The Upper Tribunal (Lands Chamber)

5<sup>th</sup> Floor Rolls Building

7 Rolls Buildings

Fetter Lane

LONDON

EC4A 1NL

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