

**Y TRIBIWNLYS EIDDO PRESWYL
RESIDENTIAL PROPERTY TRIBUNAL**

Reference: RPT/0006/07/25

In the matter of: 3 Maes Y Bettws, Port Talbot, SA12 9YN

In the matter of an application under section 30(1) of the Housing (Wales) Act 2014 for a Rent Stopping Order

APPLICANT: Rent Smart Wales

RESPONDENT: Nicola Lewis

Tribunal: Tribunal Judge S. Westby
Mr D. Evans FRICS (Surveyor Member)
Ms C. Calvin-Thomas (Lay Member)

Date of determination 17 December 2025 on the papers.

FINAL DECISION

IT IS ORDERED THAT:

1. The Interim Rent stopping order made in relation to 3 Maes Y Bettws, Port Talbot, SA12 9YN ("the Dwelling") with effect from, and including, 19 August 2025 ("the Stopping Date"), is made final and will remain in force unless and until it is revoked.
2. All periodical payments payable in connection with a domestic tenancy of the Dwelling which relate to the period from and including the Stopping Date, are stopped.
3. Any periodical payments stopped by this Order but made by a tenant of the Dwelling (whether before or after the Stopping Date) must be repaid by the landlord Respondent.
4. An obligation under a domestic tenancy of the Dwelling to pay an amount stopped by the order is treated as being met, and all other rights and obligations under such a tenancy in relation to the Dwelling continue unaffected.

REASONS FOR FINAL DECISION

Background

1. By way of an application dated 25 June 2025, the Applicant, the licensing authority for Wales, applied for a rent stopping order against the Respondent pursuant to s.30(1) of the Housing (Wales) Act 2014 (“the 2014 Act”).
2. On 19 August 2025, the Tribunal made an interim Rent Stopping Order (“the Interim RSO”). When the Interim RSO was made, the Respondent had not had an opportunity to put forward any arguments on her behalf. Accordingly, the Interim RSO included directions as to how the matter was to proceed.
3. The Respondent was given the opportunity to provide evidence and to apply to the Tribunal to request that the Interim RSO be varied, set aside or revoked. A copy of the Interim RSO is attached at Appendix 1 to this decision.
4. Paragraph 10 of the Interim RSO directed the Respondent to provide the Tribunal with a witness statement and submissions in response to the Applicant’s bundle, by no later than 4pm on 28 October 2025. However, the Tribunal has not received any communication from the Respondent, neither in relation to the application made by the Applicant nor the Interim RSO.
5. The directions set out in the Interim RSO state that the final hearing would take place by video conference. However, on 19 November 2025, the Tribunal wrote to both parties to advise that the matter had been listed for a final determination, on 17 December 2025, on the paper evidence before it. No representations or correspondence was received from either party in response to this letter.

Discussion and Findings

6. In accordance with s. 30(4) of the 2014 Act, the Tribunal may make a rent stopping order only if it is satisfied of the matters mentioned in subsections (5) and (6).
7. Pursuant to s. 30(5) of the 2014 Act, the Tribunal ‘must be satisfied that an offence is being committed under section 7(5) or 13(3) in relation to the dwelling (whether or not a person has been convicted or charged for the offence)’.
8. Section 7(5) of the 2014 Act relates to the requirement that a landlord should be licensed to carry out property management activities.
9. The Respondent was convicted in Cardiff Magistrates Court on 16 November 2023 for committing an offence under s.7(5) of the 2014 Act. A copy of the memorandum of conviction, dated 19 February 2024, is included within the Applicant’s bundle.
10. From the evidence before us, the Tribunal is satisfied that the Respondent is continuing to commit an offence under s.7(5) of the 2014 Act. The Applicant’s submissions confirm that the Respondent is carrying out letting activities and is not licensed.
11. Pursuant to s.30(6) of the 2014 Act, the Tribunal must also be satisfied that

- ‘(a) the authority making the application for the order has given the landlord and the tenant of the dwelling a notice (a “notice of intended proceedings”)-
 - (i) explaining that the authority is proposing to apply for a rent stopping order,
 - (ii) setting out the reasons why it proposes to do so,
 - (iii) explaining the effect of a rent stopping order,
 - (iv) explaining how a rent stopping order may be revoked, and
 - (v) in the case of a notice given to a landlord, inviting the landlord to make representations to the authority within a period of not less than 28 days specified in the notice,
- (b) the period for making representations has expired, and
- (c) the authority has considered any representations made to it within that period by the landlord’.

12. The Applicant’s bundle includes a notice of intended proceedings that was sent to the Respondent and a notice of intended proceedings which was sent to the tenant. Both notices are dated 23 May 2025. The notice to the Respondent invited her to make representations in respect of the proposed application within 28 days of the date of the letter. The Applicant confirms that no representations were received from the Respondent within that period, or at all.
13. The Tribunal is satisfied that both notices comply with s.30(6) of the 2014 Act and that there has not been any change since the Tribunal was satisfied of those matters and made the Interim RSO.
14. The Applicant’s bundle confirms that it believes that a call was received from the Respondent on 22 December 2022. The Applicant confirms that the notes from the call are unclear as to who the caller was, but the Applicant has assumed that it was the Respondent. This is the only contact the Applicant has received from the Respondent to date. The notes from the call state that the caller had received a letter from the Applicant and was very upset and distressed. The caller informed the officer that she had mental health issues and was struggling. The officer advised the caller on what needed to be done, and the caller confirmed that she would just ask the tenant to leave as she could not deal with the stress.
15. The Applicant has attempted to contact the Respondent on numerous occasions by post, email and telephone but, save for the call on 22 December 2022, no further communications have been received.
16. The Tribunal has considered whether there is any evidence of personal circumstances that might reasonably explain the Respondent’s failure to engage. The only indication is the telephone call received by the Applicant in December 2022, almost three years ago, in which the caller—believed to be the Respondent—mentioned experiencing mental health difficulties. No further information or supporting evidence has been provided, and there has been no subsequent communication from the Respondent. In

the absence of any current or corroborated evidence, the Tribunal cannot conclude that health or disability prevents the Respondent from addressing this matter.

17. The Tribunal refers to the reasons given for the making of the Interim RSO on 19 August 2025 as set out in Appendix 1 and does not propose to repeat these reasons here. There has been no change in circumstances. The Tribunal remains satisfied of the matters in s.30(5) and (6) of the 2014 Act and the reasons given for the making of the Interim RSO continue to apply.
18. Accordingly, the Tribunal is satisfied that a final Rent Stopping Order should be made, with effect from 17 December 2025, (confirming for the avoidance of doubt that the rent stopping date is 19 August 2025), and is to remain in force unless and until it is revoked.

Dated this 22nd day of December 2025.

Tribunal Judge S. Westby

Appendix 1

The Interim RSO

Y TRIBIWNLYS EIDDO PRESWYL
RESIDENTIAL PROPERTY TRIBUNAL

Reference: RPT/0006/07/25

In the Matter of: 3 Maes y Bettws, Port Talbot, SA12 9YN

In the matter of an Application under Section 30(1) Housing (Wales) Act 2014 ("the Act") for a Rent Stopping Order

APPLICANT: Rent Smart Wales

RESPONDENT: Nicola Lewis

Tribunal: Tribunal Judge Lloyd

INTERIM DECISION AND DIRECTIONS ORDER

UPON consideration of the matter on the papers on an interim basis on 19th August 2025.

IT IS ORDERED THAT:

1. An interim Rent stopping order is made in relation to 3 Maes y Bettws, Port Talbot, SA12 9YN ("the dwelling") with effect from, and including, 19th August 2025 ("the stopping date").
2. All periodical payments payable in connection with a domestic tenancy of 3 Maes y Bettws, Port Talbot, SA12 9YN, which relate to the period from and including the stopping date of 19th August 2025 are stopped.
3. Any periodical payments stopped by this order but made by a tenant of the dwelling (whether before or after the stopping date) must be repaid by the landlord Respondent.
4. An obligation under a domestic tenancy of the dwelling to pay an amount stopped by the order is treated as being met, and all other rights and obligations under such a tenancy in relation to the dwelling continue unaffected.

5. This order is to be served by the Applicant upon the Respondent, and any tenants of the dwelling forthwith and the Applicant is to provide a statement of service to the tribunal, by e mail, verified by a statement of truth detailing the methods of service and the names of those served as soon as reasonably practicable and in any event by no later than 4pm on **Friday 5th September 2025**.

Further directions.

6. The rent stopping order above is made on an interim basis and is an interim order. The interim order was made without first giving the parties the opportunity to make representations with regard to making it and therefore either party may request that the interim order be varied, set aside or revoked. Any such request may be made;
 - a. orally at a hearing requested by either party or listed by the tribunal, any such request to be made by no later than **4pm 9th September 2025**;
 - b. by application in writing to the tribunal or by application by email to the tribunal by no later **than 4pm on 9th September 2025**.
7. The tribunal will review the interim order at a hearing to take place by Video Conference on Microsoft Teams at/on a date to be advised if applicable (or such earlier date that may be listed on application by either of the parties), when a decision on a final order will be made.
8. Any application by the Respondent to vary, set aside or revoke the interim Rent Stopping Order is to include a statement of case as set out below.
9. The Applicant is, by **4pm on 30th September 2025**, to provide to the tribunal by e mail, and copied to and served on the Respondent, a statement of case and witness statement and exhibits, to be indexed if appropriate and with the pages consecutively numbered, containing full details of the steps taken and evidence in support of the application for a full rent stopping order in accordance with section 30 of the Housing (Wales) Act 2014. Such statement is to include evidence of all steps taken to communicate with the Respondent and whether the Applicant has any knowledge of any health or other reason for the Respondent's failure to respond to communications and an update on whether rent had continued to be paid up until the stopping date. The statement is to be verified with a statement of truth ("*I believe that the facts stated in this witness statement are true. I understand that proceedings for contempt of court may be brought against anyone who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief in its truth*").
10. The **Respondent**, (who has failed to respond to the tribunal's letter and respondent's notice of 16th July 2025) is to provide to the Tribunal by **4pm 28th**

October 2025, by e mail, (or hard copy by the post) and a copy to be served on the Applicant, a witness statement and submissions containing the following;

- a. A response to the Application and the witness statement of the Applicant served in accordance with paragraph 9 above.
- b. A statement of case, to be indexed if appropriate and with the pages consecutively numbered, verified by a statement of truth (“*I believe that the facts stated in this witness statement are true. I understand that proceedings for contempt of court may be brought against anyone who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief in its truth*”) containing:
 - i. all other relevant information, evidence and documents that the Respondent wishes the Tribunal to take into account. The statement should include full information on the reasons why the Respondent failed to obtain a license to carry out property management activities as he was required to do, and any information in support of any application to revoke the rent stopping order.
 - ii. any further response that the Respondent has to the Applicant’s statement.

11. The Applicant is at liberty to file by e mail at the tribunal and to serve upon the Respondent, by **4pm on 4th November 2025** any statement in response to the Respondent’s statement, if appropriate, verified by a statement of truth.

12. There be liberty to the parties to apply to the Tribunal for further directions.

WARNING

It is important that these Directions are complied with. Failure to do so may result in the Tribunal being unable to consider important evidence or documents which could prejudice your case.

Reasons for the making of the interim order.

1. Under section 30 (1) of the Housing (Wales) Act 2014, (“the Act”), the tribunal has the power to make a rent stopping order if certain conditions are met. Under regulation 21 of the Residential Property Tribunal Procedures and Fees (Wales) Regulations 2016, (“the regulations”), the tribunal has the power to make an interim order. Under regulation 21(1)(b) the tribunal may make an interim order “*for the time being granting any remedy which it would have had power to grant in its final decision.*” The tribunal therefore has the power to make a rent stopping order on an interim basis and for the reasons given below, considers that it is appropriate to do so in this case.

2. This application is made by Rent Smart Wales (“RSW”), the Licensing Authority for Wales under the Act. RSW applied for a rent stopping order to the tribunal by application form dated 25th June 20253. This contained information within the application form itself signed and verified with a statement of truth by Megan Wellbeloved, Enforcement Officer with Rent Smart Wales. Also included were copies of the notice of intended proceedings sent to the tenant and to the landlord dated 2nd May 2025, and the memorandum of conviction from Cardiff Magistrates Court dated 19th February 2024.
3. The tribunal may only make a rent stopping order if it is satisfied of the matters mentioned in section 30 (5) and (6) are met. Firstly, under section 30 (5), the tribunal must be satisfied that an offence is being committed under section 7 (5) or 13 (3) in relation to the dwelling, whether or not a person has been convicted or charged for the offence. Section 7(5) relates to the requirement that a landlord should be licensed to carry out property management activities, and that if not so licensed an offence is committed, liable on summary conviction to a fine.
4. Ms Megan Wellbeloved's application form confirms that a Rent Smart Wales investigation established that the dwelling at 3 Maes y Bettws, Port Talbot, SA12 9YN was owned by the Respondent Ms Nicola Lewis who was not licenced whilst carrying out letting activities during the period.
5. A Notice of Intended Proceedings for a rent stopping order was sent to Ms Lewis on 23rd May 2025. Details were given in the Notice that representations could be made in person, in writing, by the ‘contact us’ form on the Rent Smart Wales website or by email, and full addresses were given. There has been no response from Ms Lewis to the Notice.
6. On 16th July 2025 the tribunal sent a copy of the application and enclosures, together with a Respondent Notice to Ms Lewis seeking confirmation that she had received the application and enclosures, whether or not she intended to oppose the application, the name and address of each interested person known to the Respondent and his address. That information was requested by 4th August 2025. The Respondent’s Notice also clearly contained a warning that if the Respondent does not respond as requested then the tribunal may assume that the Respondent does not intend to oppose the application and may proceed with the matter in any way it considers to be reasonable in the circumstances of the case.
7. The tribunal has received no response to its correspondence to the landlord dated 16th July 2025.

8. Accordingly, and in the light of the information in the application and attachments, the tribunal is satisfied, by reason of the conviction in Cardiff Magistrates Court on 19th February 2024 referred to above, that an offence was committed under section 7(5) of the Act. Upon the basis of the information before us, we remain satisfied that an offence under section 7(5) continues to be committed in that the Respondent is not licensed to carry out property management activities.
9. Further, the tribunal is satisfied that a notice of intended proceedings was given to the respondent landlord of the property on 23rd May 2025, as such notices were included with the application. Those notices contained the mandatory information set out in section 30(6)(a) (i) to (v) of the Act. The period for making any representations has expired. The Respondent landlord did not make any representations and there was therefore nothing for RSW to consider in this regard.
10. The tribunal therefore makes the rent stopping order sought, but upon an interim basis. The matter will be further considered in accordance with the directions given above. The tribunal has made this interim order without first giving the parties the opportunity to make representations with regard to making it and therefore either party may request that the interim order be varied or set aside. Any such request may be made orally at a hearing, in writing by letter to the tribunal, or by email to the tribunal.
11. The tribunal will send a copy of the order to the Respondent, but the Applicant is to ensure that this order and decision is served upon the Respondent and the tenant of the dwelling as ordered above.

T Lloyd, Tribunal Judge

President, RPT for Wales

DATED this 19th day of August 2025