

Y TRIBIWNLYS EIDDO PRESWYL
RESIDENTIAL PROPERTY TRIBUNAL

Reference: RPT/0014/09/25

In the matter of: 3 Teifi Lane, Lampeter, SA48 7AE

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: Patrick Michael O’Keeffe

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

Date of determination 13 February 2026 on the papers.

FINAL DECISION

IT IS ORDERED THAT:

1. The Interim Rent stopping order made in relation 3 Teifi Lane, Lampeter, SA48 7AE (“the Dwelling”) with effect from, and including, 13 October 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 15 September 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”) in respect of 3 Teifi Lane, Lampeter, SA48 7AE (“the Dwelling”).
2. On 13 October 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 his 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 15 December 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 January 2026, the Tribunal wrote to both parties to advise that the matter had been listed for a final determination, on 13 February 2026, on the paper evidence before it. No representations or correspondence was received from either party in response to this letter.
6. The Tribunal has a bundle of documents provided by the Applicant. There are no other documents for the Tribunal to consider.

Discussion and Findings

7. 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).
8. 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)’.

Whether the Respondent is committing an offence under s.7(5)

9. Section 7(5) of the 2014 Act relates to the requirement that a landlord should be licensed to carry out property management activities.
10. The Respondent was convicted in Cardiff Magistrates Court on 16 November 2023 for committing an offence under s.7(5) of the 2014 Act in respect of two properties. A copy of the memorandum of conviction is included within the Applicant's bundle. The two properties do not, however, include the Dwelling. Upon the evidence of the Applicant this was because, at the time the papers were submitted to bring the prosecution against the Respondent, the Applicant did not have evidence that the Dwelling was tenanted. The Applicant states that, following the prosecution, further investigations were carried out and on 11 December 2023 the Applicant received evidence, by way of council tax reports, that the Dwelling was tenanted and had been since 18 March 2023 by Mr Daniel Wintle and Mr Matthew Head.
11. The Applicant confirms, by way of a sworn statement of Ms Magdalena Stachowiak, an Enforcement Officer for the Applicant that the Respondent is not licenced to carry out management activities. Evidence in the Applicant's bundle, being a Council tax report dated 24 November 2025, shows that as at that date the Dwelling was occupied by tenants and was owned by the Respondent. There is no evidence before the Tribunal that this situation has changed, and the Tribunal has not received any representations from the Respondent.
12. From the evidence before us, the Tribunal is satisfied that the Respondent is committing an offence under s.7(5) of the 2014 Act. The Applicant's submissions and evidence confirm that the Respondent is carrying out letting activities and is not licensed to do so.

Whether the statutory notices were served and representations considered

13. 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'.

14. 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 3 April 2025 and include the information required by s.30(6)(a)(i)-(iv). The notice to the Respondent invited him to make representations in respect of the proposed application within 28 days of the date of the letter, in accordance with s.30(6)(a)(v). On 6 May 2025, the Applicant received an email from the Respondent which attached representations which the Respondent wished the Applicant to consider. The representations are dated 1 May 2025 and state that the Dwelling is 'now managed by West Wales Letting, Bridge Street, Lampeter, Ceredigion'.

15. The Applicant states that on 16 May 2025 Ms Stachowiak telephoned West Wales Lettings Ltd and was advised that it was not letting or managing the Dwelling. Therefore, a response was sent to the Respondent on 19 June 2025 by post and by email confirming the outcome of the call with West Wales Letting and confirming that Respondent remained unlicensed. The letter, sent by both post and by email, gave the Respondent until 3 July 2025 to complete his landlord registration and either (1) apply for a licence for the Dwelling; or (2) appoint a Rent Smart Wales licensed agent to conduct letting and managing activities at the Dwelling. The Applicant later discovered that the letter of 19 June 2025 had been sent to an old address of the Respondent's. The letter was therefore re-sent to his new address on 29 August 2025 and the deadline for compliance was extended to 12 September 2025.

16. Accordingly, the Tribunal is satisfied that both notices comply with s.30(6) of the 2014 Act, the period for making representations has expired and that the Applicant considered the representations made to it within that period by the Respondent.

Respondent's non-engagement, personal circumstances and other matters

17. The bundle from the Applicant shows that the Respondent has been in contact with the Applicant since the Interim RSO was made to ask for confirmation about what postal address was used for 'the court documents' and stating that he has not been able to register on the Applicant's system and requires assistance in this regard. He also asked for a copy of 'the letter from the first court case'. The Applicant responded to these emails and there is evidence that the Applicant also tried to call the Respondent on a number of occasions but was unable to speak to him. The Tribunal has not received any form of communication from the Respondent.

18. The Tribunal has also considered the tenant's evidence, recorded in the Applicant's bundle, that rent was paid to a person identified as 'Niall'. The Council Tax reports and the H.M. Land Registry's register view information consistently confirm that the Respondent, Mr Patrick Michael O'Keeffe, is and remains the sole registered proprietor of the Dwelling. There is no evidence before the Tribunal that any licensed agent has been appointed to carry out letting or management activities on his behalf. The tenant's reference to 'Niall' — understood from the Applicant's investigations to be the Respondent's son — does not alter the identity of the landlord and the Tribunal is satisfied that any such informal familial involvement does not affect the statutory responsibilities placed upon the Respondent, nor does it provide evidence of compliance or a reasonable excuse for the Respondent's continuing failure to be licensed.
19. The Tribunal has considered whether there is any evidence of personal circumstances that might reasonably explain the Respondent's failure to engage. The Applicant states that there is no such evidence. The Tribunal notes that the Applicant's bundle confirms that on 31 January 2024, the Applicant received notification from Joint Fixed Charge Receivers that they had been appointed by the Bank of Scotland Plc in respect of another property owned by the Respondent. A copy of H.M. Land Registry's Register View for the Dwelling, as at 13 November 2025, is also provided in the bundle. This shows that in February 2024, a bankruptcy notice and restriction was entered on the proprietorship register for the Dwelling. This indicates that the Respondent may have been going through some financial difficulties during this time.
20. However, although this may point to difficult personal circumstances in 2024, it does not reasonably explain the Respondent's failure to engage and address the matter. The Respondent has clearly been able to respond to the Applicant and, indeed, made representations against the notice of intended proceedings. Accordingly, on the information before it, the Tribunal cannot, therefore, conclude that there is evidence of any health or other reason that prevents the Respondent from addressing this matter.
21. 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 to the expanded reasons set out above. 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.
22. Accordingly, the Tribunal is satisfied that a final Rent Stopping Order should be made, with effect from 13 February 2026, (confirming for the avoidance of doubt

that the rent stopping date is 13 October 2025), and is to remain in force unless and until it is revoked.

Dated this 17th day of February 2026.

Tribunal Judge S. Westby

Appendix 1

The Interim RSO

Y TRIBIWNLYS EIDDO PRESWYL

RESIDENTIAL PROPERTY TRIBUNAL

Reference: RPT/0014/09/25

In the Matter of: 3 Teifi Lane, Lampeter, SA48 7AE

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: Patrick Michael O’Keeffe

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 Teifi Lane, Lampeter, SA48 7AE (“the dwelling”) with effect from, and including, 13th October 2025 (“the stopping date”).
2. All periodical payments payable in connection with a domestic tenancy of 3 Teifi Lane, Lampeter, SA48 7AE, which relate to the period from and including the stopping date of 13th October 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 **30th October 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 6th November 2025**;
 - b. by application in writing to the tribunal or by application by email to the tribunal by no later **than 4pm on 6th November 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 1st December 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 22nd September 2025) is to provide to the Tribunal by **4pm 15th December 2025**, by e mail, 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 22nd December 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 15th September 2025. This contained information within the application form itself signed and verified with a statement of truth by Magdalena Stachowiak, 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 3rd April 2025, and the memorandum of conviction from Cardiff Magistrates Court dated 28th August 2025.
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 Stachowiak’s application form confirms that a Rent Smart Wales investigation established that the dwelling at 3 Teifi Lane, Lampeter, SA48 7AE was owned by the Respondent Mr Patrick Michael O’Keeffe 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 Mr O’Keeffe on 3rd April 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 22nd September 2025 the tribunal sent a copy of the application and enclosures, together with a Respondent Notice to Mr O’Keeffe seeking confirmation that he had received the application and enclosures, whether or not he 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 7th October 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 22nd September 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 28th August 2025 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 3rd April 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

DATE this 13th day of October 2025