

Y TRIBIWNLYS EIDDO PRESWYL  
RESIDENTIAL PROPERTY TRIBUNAL (WALES)

REFERENCE: RPT/0083/01/26

In the matter of an Appeal to a Revocation of a Licence

APPLICANT: S H PROPERTY TRADING LIMITED  
Represented by: Mr Sandeep Singh Sahota (Director)

RESPONDENT: RENT SMART WALES  
Represented by: Mr R Grigg (Solicitor)

With Ms Rebeca Duncan (Senior Housing Surveyor) and Mr Huw Saunders from Rent Smart Wales in attendance.

BEFORE: Judge T Lloyd (Legal Chair)  
Mr H Lewis FRICS (Surveyor Member)

The Hearing was constituted by way of a Virtual Case Management Conference at 2.30pm on the 16<sup>th</sup> February 2026.

**Decision in relation to an Application to Appeal Out of Time**

The Application to appeal out of time is allowed.

**REASONS FOR THE TRIBUNAL'S DECISION**

**BACKGROUND**

1. The Respondent's case is that it served a notice of intention to Revoke the Applicant's Licence by way of a letter dated the 17<sup>th</sup> of October 2025 sent by ordinary post therefore deemed service by the 19<sup>th</sup> of October 2025. As a consequence, an application to appeal should have been filed and served by the 16<sup>th</sup> of November 2025 being 28 days from receipt of the notice of intention to revoke.
2. Conversely, the Applicant's case is that the first it knew of this was receipt of an e-mail dated the 24<sup>th</sup> of December 2025 when it's director Mr Andreep Singh Sahota received an e-mail from Conway County Council with a copy of the letter of the 17<sup>th</sup> of October revocation notice attached. Mr Sahota acting on behalf of the Applicant in his capacity as director completed an application to appeal on the 27<sup>th</sup> of December 2025 and it was sent by way of a hard copy to the Tribunal Office with the date stamp on the envelope being the 29<sup>th</sup> of December 2025.
3. In summary the Respondent asserts that the application is out of time by some 41 days whereas the Applicant denies receipt of the notice of revocation until

the e-mail received from Conway County Council on the 24th of December 2025.

4. Following on from some questioning by the panel of the representatives the following information was obtained:
  - (i) Ms Rebecca Duncan confirmed that the letter of the 17th of October 2025 was sent out by ordinary post only as was customary in terms of such notices and it was not also sent by e-mail but other correspondence was a mixture of e-mail and / or hard copy letters. The hard copy letters were sent to the Applicant's registered company address.
  - (ii) Mr Sahota confirmed that the company's registered address was 32 Byron Hill Road, Harrow on the Hill, Middlesex, HA2 0HY being the same address as the one the letter of the 17<sup>th</sup> of October 2025 was sent to. He also confirmed this address was the company accountant's address and was used as the registered office for the Applicant Company. Mr Sahota further confirmed that the convention was for post to be forwarded on by the company accountants as and when received.
  - (iii) Mr Sahota again made the point that the first time the Applicant received a copy of this letter was the 24th of December 2025 by way of the e-mail from Conwy County Council.
  - (iv) Mr Sahota went on to confirm that as soon as he received the e-mail from Conwy County Council he acted swiftly despite it being the Christmas holidays and arranged for the appeal application to arrive at the Tribunal office on the 29th of December 2025.

### **The Law**

5. Regulation 4 of the Residential Property Tribunal Procedures and Fees (Wales) Regulations 2016 deals with requests for extensions of time to make an Application. The Regulation further adds that any request must be in writing and give reasons for the failure to make the Application before the end of the period and for any delay since then. In addition, the Applicant making such a request must at the same time send the completed Application Form to the Tribunal. As referred to above the application form has been received. As there is reference in the application form to the delay we have, (to which the Respondent via Mr Grigg agreed at the hearing) treated this as also in part an application to appeal out of time.
6. Furthermore, Regulation 3 of the Residential Property Tribunal Procedures and Fees (Wales) Regulations 2016 relates to the overriding objective of the Tribunal. When exercising any power under the Regulations or interpreting any Regulation the Tribunal must:  
*"Seek to give effect to the overriding objective of dealing fairly and justly with Applications which it is to determine".*
7. Further, guidance is given in Regulation 3(2) in relation to dealing with an Application fairly and justly including:  
*"2a Dealing with it in ways which are proportionate to the complexity of the issues and to the resources of the parties;*

- b Ensuring, so far as practicable that the parties are on an equal footing procedurally and are able to participate fully in the proceedings”.*

### **Submissions**

8. Prior to the parties final submission we reminded them of the Tribunal’s discretion as set out above to extend time for making applications and the considerations involved.
9. We firstly heard from Mr Grigg who in summary stated:
- (i) The letter dated the 17<sup>th</sup> of October 2025 was sent that day and deemed service would be effective two days later on the 19<sup>th</sup> October 2025;
  - (ii) The above meant any appeal had to be in place on or before the 28 day deadline of the 16<sup>th</sup> of November 2025;
  - (iii) The 17<sup>th</sup> of October letter had been sent to the Applicant Company’s registered address, had not come back therefore the Applicant had been properly served.
  - (iv) When asked if the Respondent would suffer any prejudice Mr Grigg made two points being viz: without the delay the matter would have been resolved by now and; allowing the appeal to proceed would necessitate Rent Smart Wales spending time on the Appeal and having to gather documents and information. In fairness to Mr Grigg however he stated that he could not place any prejudice the Respondent would suffer as any higher than his submissions as set out above.
10. We lastly heard from Mr Sahota on behalf of the Applicant Company who in summary stated:
- (i) He on behalf of the Applicant did not receive a copy of the 17<sup>th</sup> October 2025 letter;
  - (ii) As soon as he received the 24<sup>th</sup> December 2025 email from Conwy County Council ( to which the letter of 17<sup>th</sup> October 2025 was attached) he took steps to make the application explaining in the application the reason for the delay;
  - (iii) He had a large portfolio of some 100 plus properties in the area and had no reason not to engage having done so in the past;
  - (iv) He maintained all regulatory matters were dealt with as and when received.
  - (v) When asked about any prejudice the Applicant might sustain if the permission to Appeal out of time failed he stated that all the 100 plus tenants would have to be re-housed and the properties sold.

### **Discussion**

11. We accept Ms Rebecca Duncan’s evidence that notice letters such as the one dated the 17<sup>th</sup> of October 2025 are sent by post and agree with Mr Grigg in so far as deemed service is effected two days after a letter is sent as in this instance there is no evidence of it being returned.
12. We also however accept Mr Sahota’s evidence in so far as the first time he on behalf of the Applicant Company saw the letter of the 17<sup>th</sup> of October 2025 was

when it came as an attachment to the 24<sup>th</sup> December email from Conwy County Council to the Applicant's email account which is operated by Mr Sahota in his capacity as Director. This latter acceptance of evidence is based upon our collective view that there can be no other explanation as it is abundantly clear that despite the Christmas holidays the Applicant via Mr Sahota takes steps to appeal and does so within a few days even noting on the application the reason(s) for the delay. Put another way there was nothing for the Applicant to gain from ignoring the hard copy letter of the 17<sup>th</sup> of October 2025 if the same had actually been successfully brought to its notice.

13. The above however does not in our view mean we can simply conclude that service was effected on the 24<sup>th</sup> December 2025 with the result that the application is in time and negates the need to consider an application to appeal out of time. We come to this conclusion as the 17<sup>th</sup> of October 2025 letter was sent to the correct address, being the Applicant's registered office, albeit we were told at the hearing this was the Applicants Accountant's office.
14. As a consequence, we cannot conclude that service by way of the letter of the 17<sup>th</sup> of October 2025 did not occur and accordingly, we have to proceed upon the basis that service was effected and therefore are tasked to consider the application to appeal out of time.
15. Accordingly, we are mindful of the Tribunal's duty to consider the overriding objective to deal fairly and justly with applications. In this case, unless permission to appeal is granted, there is likely to be significant prejudice to the applicant company (and as a consequence the applicants tenants) in that, not being able to challenge the licence revocation notice, would result in the applicant having to sell 100 plus houses with the knock on effect of tenants having to leave their homes. To allow the appeal only puts the Applicant in the position it would be in any event if appealed in time. The consequence of not allowing the appeal is far more significant than the Respondent having to attend to spending time in gathering evidence and information (something it would have to do in any event in answer to an appeal submitted in time).
16. In this latter regard we do not accept Mr Grigg's point that the matters would have been concluded by now if the Appeal been submitted on time as in our experience cases of this nature inevitably take months rather than weeks from initial application to the hearing stage before a judgment is handed down.
17. We bear in mind the above and also the importance of this matter to the Applicant of being able to put its case and refusal causing significant prejudice as opposed to minimal prejudice conceded by the Respondent.
18. Accordingly, on balance we allow the appeal for the application to proceed out of time based upon the reasons given. Directions to progress the case will be issued in due course.
19. In considering this matter we confirm that we have only dealt with this procedural application. No consideration has been given to the substantive Appeal in respect of the revocation of licence which will be a decision to be taken in due course by a fully constituted Tribunal.

Dated this 19<sup>th</sup> day of February 2026  
Tribunal Judge T Lloyd