

Y TRIBIWNLYS EIDDO PRESWYL
RESIDENTIAL PROPERTY TRIBUNAL

Reference: RPT/0070/11/25

In the matter of: 7 St Davids Road, Pembroke, SA71 5JH

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: Colin Kaijaks
Tribunal: Tribunal Judge S. Westby
Mr N. Martindale FRICS (Surveyor Member)
Mr W. Brereton (Lay Member)

Date of determination: 1 May 2026 on the papers.

FINAL DECISION

IT IS ORDERED THAT:

1. The Interim Rent stopping order made in relation 7 St Davids Road, Pembroke, SA71 5JH (“the Dwelling”) with effect from, and including, 17 December 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 7 November 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 7 St Davids Road, Pembroke, SA71 5JH (“the Dwelling”).
2. On 17 December 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 2 March 2026. 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 16 March 2026, the Tribunal wrote to both parties to advise that the matter had been listed for a final determination, on 1 May 2026, on the paper evidence before it. No representations or correspondence was received from either party in response to this correspondence.
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 May 2025 for committing an offence under s.7(5) of the 2014 Act in relation to the Dwelling. A copy of the memorandum of conviction is included within the Applicant's bundle.
11. 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 bundle confirms that the situation is unchanged since the Respondent's conviction and the Applicant's submissions and evidence confirm that the Respondent is continuing to carry out letting activities and is not licensed to do so.

Whether the statutory notices were served and representations considered

12. 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'.
13. 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 tenants. Both notices are dated 23 September 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). No representations were received from the Respondent.
14. Accordingly, the Tribunal is satisfied that both notices, the notice to the Respondent and the notice to the tenants, comply with s.30(6) of the 2014 Act, the period for making representations has expired and that, as no

representations were made to the Applicant within that period, there are no representations for the Applicant to consider.

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

15. The bundle from the Applicant shows that the Respondent has been in contact with the Applicant on two occasions.
16. On 23 June 2025, the Respondent telephoned the Applicant. During this call, the Respondent stated that he had been diagnosed with dementia, amongst other health issues, and that he has problems with his memory. The Respondent also confirmed that he owned the Dwelling jointly. Accordingly, his individual landlord registration was deactivated over the phone, and he was guided on how to create a joint landlord registration, which he was advised to complete, and pay the fee for, before a 24 June 2025 deadline. During the call, the Respondent mentioned that he had appointed John Frances (a local letting agent) to carry out the letting and management activities for him.
17. Following this call, the Respondent created a new joint landlord registration, with Deborah Kaijaks, on 23 June 2025, and registered the Dwelling. In the registration, the Respondent declared that he is responsible for the letting and management activities and declared that there are no agents in place. The Respondent named Deborah Kaijaks as an employee on the account. This was queried by the Applicant in a letter to the Respondent dated 7 July 2025, which was sent by both post and by email, and which informed the Respondent that he would need to apply for a licence or appoint a licenced agent.
18. On 12 August 2025, the Applicant called the letting agents, John Frances, which confirmed that it had not managed the Dwelling since June 2019.
19. The Applicant sent a further letter, dated 28 August 2025, to the Respondent, again by both post and email. The letter informed the Respondent that the Applicant was considering applying for a Rent Stopping Order in respect of the Dwelling if the Respondent did not apply for a licence or appoint an agent within 14 days. The letter also confirmed that if he required any additional support, he should contact the Applicant.
20. The Respondent called the Applicant again on 5 September 2025 stated that he had completed training and had a landlord licence so did not understand why he needed another one. The Applicant explained that he had previously completed training and held a licence but that this had expired in 2023. The Respondent was advised that he needed to complete the training and pay and submit the licence before a 11 September 2025 deadline. The Respondent stated that he suffers with neurological issues which affect his memory and that

he had a hospital appointment the following day and he was unsure how long he would be in the hospital for, but he would keep the Applicant updated.

21. The Applicant received no further correspondence or contact from the Respondent since this date, despite writing to the Respondent on 23 September 2025 with a Rent Stopping Order Notice of Proceedings and advising him that if he required any additional support, he should contact the Applicant or, if someone was assisting him, they should get in contact.
22. The Tribunal has received no contact from the Respondent, or anyone on behalf of the Respondent, in respect of these proceedings. The Tribunal is satisfied, from the evidence in the Applicant's bundle, that the Applicant has served all the relevant paperwork upon the Respondent and that the correct address for the Respondent has been used.
23. The Tribunal has carefully considered whether there is any evidence of personal circumstances which might reasonably explain the Respondent's failure to engage with these proceedings and, more generally, his continued non-compliance with the licensing requirements under the 2014 Act. The Tribunal accepts that the Respondent has informed the Applicant that he suffers from neurological issues, including memory difficulties. However, the evidence before the Tribunal does not support a finding that those issues prevent him from understanding or complying with his statutory obligations, or from engaging with the Applicant or the Tribunal.
24. The Respondent has, at various points, been able to telephone the Applicant, to discuss his situation, to question the need for a licence, and to take positive steps towards compliance, including creating a joint landlord registration and registering the Dwelling. He has also demonstrated an ability to engage with related matters, including previous licensing and training requirements. Despite repeated offers of assistance from the Applicant, and clear explanations of what was required of him, the Respondent has failed to complete the licensing process, to appoint a licensed agent, or to provide any explanation to the Tribunal for his continued non-compliance.
25. In those circumstances, and on the evidence before it, the Tribunal is not satisfied that the Respondent's asserted health difficulties provide a reasonable explanation for his failure to comply with the requirement of the 2014 Act or to engage with these proceedings. Nor is there any evidence before the Tribunal that reasonable adjustments or additional support, if sought, would have enabled a different outcome.

26. The Tribunal refers to the reasons given for the making of the Interim RSO on 17 December 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.

27. Accordingly, the Tribunal makes a final Rent Stopping Order with effect from 1 May 2026. The Rent Stopping Order is to remain in force unless and until it is revoked pursuant to section 31 of the 2014 Act. For the avoidance of doubt, the rent stopping date for the purposes of section 30(3) of the 2014 Act remains 17 December 2025.

Dated this 6th day of May 2026.

Tribunal Judge S. Westby

Appendix 1

The Interim RSO

Y TRIBIWNLYS EIDDO PRESWYL

RESIDENTIAL PROPERTY TRIBUNAL

Reference: RPT/0070/11/25

In the Matter of: 7 St Davids Road, Pembroke, SA71 5JH

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: Mr Colin Kaijaks

Tribunal: Tribunal Judge Lloyd

INTERIM DECISION AND DIRECTIONS ORDER

UPON consideration of the matter on the papers on an interim basis on 17th December 2025.

IT IS ORDERED THAT;

1. An interim Rent stopping order is made in relation to 7 St Davids Road, Pembroke, SA71 5JH (“the dwelling”) with effect from, and including, 17th December 2025 (“the stopping date”).
2. All periodical payments payable in connection with a domestic tenancy of 7 St Davids Road, Pembroke, SA71 5JH, which relate to the period from and including the stopping date of 17th December 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 12th January 2026**.

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 19th January 2026**;
 - b. by application in writing to the tribunal or by application by email to the tribunal by no later **than 4pm on 19th January 2026**.
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 9th February 2026**, 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 17th November 2025) is to provide to the Tribunal by **4pm 2nd March 2026**, 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 16th March 2026** 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 7th November 2025. 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 23rd September 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 Wellbeloveds application form confirms that a Rent Smart Wales investigation established that the dwelling at 7 St Davids Road, Pembroke, SA71 5JH was owned by the Respondent Colin Kaijaks 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 Kaijaks on 23rd September 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 Mr Kaijaks to the Notice.
6. On 17th November 2025 the tribunal sent a copy of the application and enclosures, together with a Respondent Notice to Mr Kaijaks 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 8th December 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 17th November 2025.
8. Accordingly, and in the light of the information in the application and attachments, the tribunal is satisfied, 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 September 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.

DATED this 17th day of December 2025

T Lloyd, Tribunal Judge

President, RPT for Wales