

Y TRIBIWNLYS EIDDO PRESWYL
RESIDENTIAL PROPERTY TRIBUNAL

Reference: RPT/0073/12/25

In a matter under the Housing (Wales) Act 2014 – s.27 Revocation of Licence Appeal

APPLICANT: Hello New Home 2 Limited
RESPONDENT: Rent Smart Wales
Tribunal: Tribunal Judge S. Westby
Mr M. Williams FRICS (Surveyor Member)
Dr A. Ash FRSA (Lay Member)
Date of hearing: 22 April 2026

FINAL DECISION

1. The Tribunal dismisses the appeal.
2. The Respondent's decision dated 2 November 2025 to revoke the Applicant's licence stands.

REASONS FOR FINAL DECISION

Preliminary

1. Although the Application form named Mrs Jeanmarie Howard as the Applicant in this matter, the appeal is against the revocation of Hello New Home 2 Limited's licence. It was agreed by all parties at the outset of the hearing that the proper Applicant in this matter is Hello New Home 2 Limited and the Tribunal's records have been amended accordingly.

Background

2. The Applicant is Hello New Home 2 Limited ("the Company"). The Company was granted a corporate agent licence by Rent Smart Wales on 23 May 2022 under Part 1 of the Housing (Wales) Act 2014 ("the 2014 Act"). The licence authorised the Company to undertake lettings and property management activities in Wales, subject to compliance with statutory requirements, the Code

of Practice for Licensed Landlords and Agents (“the Code”), and the conditions attached to the licence.

3. Ms Jeanmarie Howard is the Company’s sole Director and has acted on the Company’s behalf in bringing the present appeal.
4. The Respondent is Rent Smart Wales, the licensing scheme established following the designation of Cardiff Council by Welsh Ministers as the Single Licensing Authority under the 2014 Act in April 2015.

The Appeal

5. The Company lodged an appeal to this Tribunal using form HWA2. The application form was completed and signed by Ms Howard on behalf of the Company.
6. By Directions Order dated 9 December 2025, the Tribunal directed the Respondent to file its evidence and submissions and directed the Company to file a witness statement and any responding submissions by 11 February 2026. The Directions Order warned that failure to comply might prejudice a party’s case.
7. The Respondent complied with the Directions Order and filed extensive evidence and submissions, including a detailed chronology and documentary exhibits dealing with the audit process, communications and outstanding compliance failures.
8. The Company did not file any witness statement, evidence or submissions in response. There was initially some confusion at the outset of the hearing as Mrs Howard stated that a bundle had been provided to Rent Smart Wales by email. It transpired that this bundle was sent to Rent Smart Wales on 16 January 2025 as part of the Company’s representations on the Respondent’s audit process and this documentation was included in the Respondent’s bundle.

The Hearing

9. A hearing was held on 22 April 2026 via Microsoft Teams. Rent Smart Wales was represented by Mr Grigg, Solicitor for Rent Smart Wales, and the Company was represented by Ms Howard, together with her husband, Mr Howard.
10. The Respondent called 3 witnesses:
 - Ms Sarah Rivers, Group Leader for Rent Smart Wales.
 - Mr Daniel Williams, Senior Housing Surveyor at Rent Smart Wales.
 - Ms Alice Marks, Team Leader – Private Sector Housing for Swansea Council.

The Company's Submissions

11. The Company's submissions, contained in the application form and made orally at the hearing, can be summarised as follows:
 - a) Following a meeting with the Respondent, attended by Mr Howard, it was believed that the audit had been 'passed'.
 - b) No further communication had been received to indicate that the audit remained incomplete or that further action was required.
 - c) Correspondence had been sent to Mr Howard, who had only recently been appointed manager, and Ms Howard contended that she had not received meeting minutes or an outcome; and
 - d) The Company had complied with all requests made of it and had 'ticked every box'.
 - e) All the documents that had been requested by Rent Smart Wales had been sent to it.
 - f) Rent Smart Wales had consistently failed to respond to the Company's emails.
 - g) Rent Smart Wales had not provided sufficient support to the Company.

The Respondent's Submissions

12. The Respondent filed extensive evidence and submissions with the Tribunal and Mr Grigg relied upon those submissions at the hearing. The Respondent's submissions are summarised in the paragraphs below.
13. In August 2024 Swansea Council raised concerns to Rent Smart Wales regarding the Company's management of a number of properties, including Houses in Multiple Occupation. Those concerns included failures to attend inspections, difficulties in securing access, poor communication with local authority officers, and apparent non-compliance with HMO licensing and safety requirements.
14. As a result of those concerns, Rent Smart Wales initiated a regulatory audit of the Company's activities. The audit commenced on 14 August 2024. The audit was intended to test compliance with licence conditions, the Code and relevant housing legislation.
15. During the audit process the Company was asked to provide documentary evidence in relation to a wide range of matters, including gas safety records, fire safety documentation, electrical safety reports, smoke and carbon monoxide alarms, HMO licensing status, tenant fee information, deposit protection arrangements, occupation contracts and management procedures.
16. An interim audit report was issued on 25 November 2024. The report identified numerous apparent breaches of licence conditions and failures to evidence

compliance with legal requirements. Matters of concern included, amongst other things:

- a) missing or incomplete gas safety records for properties under management.
- b) lack of evidence to demonstrate compliance with HMO licensing and fire safety requirements.
- c) insufficient evidence to show that smoke alarms and carbon monoxide alarms were installed and functioning as required.
- d) non-compliance with statutory requirements relating to tenant fees, holding deposits and prescribed information; and
- e) occupation contract documentation which did not reflect the requirements of the Renting Homes (Wales) Act 2016.

17. The interim audit report was accompanied by a notice of intention to revoke the Company's licence under section 25 of the 2014 Act. The Company, through its sole Director, Mrs Howard, was invited to make representations within the statutory 21-day period which it did sending a number of emails to the Respondent within this timeframe and thereafter.

18. A final audit report was issued on 21 February 2025. While information and documentation had been provided by the Company, the final audit report concluded that a substantial number of findings remained outstanding, including issues assessed as high-risk. Rent Smart Wales concluded that the Company had failed to demonstrate that it was complying with multiple licence conditions and statutory obligations. The correspondence sent to the Company with the final audit report informed the Company that a 'proposal to revoke investigation' would commence to determine whether the licence issued to the Company should be revoked.

19. Upon commencement of this investigation, the Respondent considered that insufficient evidence had been provided to demonstrate that the Company was abiding by its licence conditions. The Company was therefore afforded a further opportunity to provide additional representations in person, notwithstanding that the 21-day statutory period for representations had passed.

20. Accordingly, Rent Smart Wales convened an in-person representations meeting on 16 May 2025 in Swansea. Prior to the meeting, an email was sent to Mrs Howard, on 8 May 2025, which included a table listing the documents and representations which were required by the Respondent.

21. On 7 May 2025, Mrs Howard emailed the Respondent confirming that she was "taking a step back from managing this business and am appointing Martin Howard to take full management. He will be attending the meeting". The

Respondent replied to this email on 14 May 2025 asking Mrs Howard to confirm that Mr Howard had full authority to speak on behalf of the Company and for the Respondent to disclose any information it had regarding the Company. Mrs Howard responded the following day confirming that she gave “full permission for you to discuss the audit and management of this business with Martin Howard”.

22. The meeting took place on 16 May 2025. Following that meeting, Rent Smart Wales afforded the Company a further opportunity to demonstrate compliance with the licence conditions and emailed Mr Howard on 6 June 2025 enclosing a schedule which set out in detail the further actions and evidence required from the Company to demonstrate compliance. Although the email was acknowledged by Mr Howard, no further representations or evidence were submitted in response.
23. On 6 October 2025, Mrs Howard emailed Rent Smart Wales about an email she had received from Swansea Council. Mrs Howard questioned why she had received this email as the Company had passed the audit. In response, Rent Smart Wales sent an email to Mrs Howard on 10 October 2025. The email summarised the correspondences that had been sent to Mr Howard since the meeting of 16 May 2025 and offered to provide copies of the emails to Mrs Howard should she require them. Rent Smart Wales received no response to this email.
24. On 3 November 2025 Rent Smart Wales decided to revoke the Company’s licence under section 25(1)(a) of the 2014 Act. The decision was communicated to the Company in a letter dated 6 November 2025 and identified breaches of licence conditions, including conditions 2, 3, 5 and 12, and notified the Company of its right of appeal.
25. The Respondent submits that the revocation was founded on sustained and serious breaches of licence conditions, in particular conditions 2, 3, 5 and 12 of the Company’s licence. Those breaches concerned compliance with the Code, compliance with applicable housing legislation, the provision and retention of gas safety records, and the maintenance of robust and effective management arrangements.
26. The Respondent explained that the audit process was conducted in accordance with established Rent Smart Wales procedures and involved repeated requests for documentary evidence across a range of compliance areas, the issuance of an interim audit report identifying deficiencies, and the provision of opportunities for representations and remedial action before any final decision was taken.

27. The Respondent submits that, notwithstanding representations made prior to and at the meeting on 16 May 2025, the Company failed to resolve or adequately explain a significant number of audit findings.
28. In relation to the assertions made by the Company, the Respondent submits that those assertions are inconsistent with the documentary evidence. The Respondent relies on a detailed chronology demonstrating that communications continued after the May 2025 meeting, that outstanding actions were clearly identified in writing, and that no confirmation was given that the audit process had concluded successfully.
29. The Respondent submits that the revocation decision was proportionate and necessary in light of the number, seriousness and persistence of the breaches identified.

The Law

30. Section 25 of 2014 Act empowers a licensing authority to revoke a licence where it is satisfied that the licence holder has breached a condition of the licence, but it must, before revoking a licence, consider any representations made by the licence holder before the end of 21 days beginning with the date the licence holder was notified.
31. Section 27 provides a right of appeal to the Tribunal. On appeal, the Tribunal must consider the matter afresh on the evidence before it, having regard to the statutory objectives of protecting tenants and promoting lawful and effective management of rented property.

Determination

32. The Tribunal has considered all the material before it. The Tribunal notes the Company has not fully engaged with the appeal process. It did not file any witness statements or evidence with the Tribunal and did not file any submissions in response to the Respondent's bundle. The Respondent's evidence is the only detailed evidential account before the Tribunal.
33. The Respondent's evidence demonstrates a prolonged and serious pattern of non-compliance by the Company, including but not limited to:
- a) failure to provide and retain gas safety records for managed properties.
 - b) failure to demonstrate compliance with HMO licensing and fire safety requirements.
 - c) inadequate evidence of compliant smoke alarms and carbon monoxide alarms.

- d) non-compliance with statutory requirements relating to tenant fees, holding deposits and prescribed information.
- e) use of occupation contract documentation which did not comply with the Renting Homes (Wales) Act 2016; and
- f) an absence of robust management systems for inspections, record-keeping, contractor oversight and complaints handling.

34. These are matters going to the heart of tenant safety and consumer protection. They cannot properly be characterised as minor, technical or historic. The Tribunal accepts the Respondent's evidence that a number of the failures identified carried the potential for real risk to occupiers.

35. The Tribunal is satisfied that Rent Smart Wales acted fairly and proportionately. The Company was given repeated opportunities to make representations, attend a meeting, and submit further evidence in order to demonstrate compliance. The requirements were set out clearly in writing in an 'evidence required table' ("the Table") which was sent to the Company by email dated 6 June 2025, following the meeting of 16 May 2025. The email required the Company to provide the evidence requested and make any further representations by no later than 4 July 2025. The Tribunal does not accept that the Company could reasonably believe that the audit had been passed in such circumstances.

36. The Company's assertions, that all information and documentation requested by the Respondent was provided, is not accepted. The Table clearly set out what further evidence was required. The Respondent states that no response was received from the Company to this email and the Company has provided no evidence to contradict this.

37. The Tribunal has considered the submissions from the Company regarding alleged failures of communication. Those assertions are not supported by evidence and are contradicted by the Respondent's detailed chronology and contemporaneous documentation contained in the bundle. In the absence of other evidence from the Company, the Tribunal is unable to give those assertions determinative weight.

38. In relation to Mrs Howard's assertions that she had not received the minutes of the meeting on 16 May 2025 or an outcome, the Tribunal notes that Rent Smart Wales emailed Mrs Howard on 10 October 2025 with a summary of the emails that had been sent and received between it and Mr Howard, and offering to send Mrs Howard a copy of the same. A copy of this email is contained within the Respondent's bundle. The Tribunal further notes that Ms Howard authorised the Respondent to deal with Mr Howard and gave the Respondent "full permission... to discuss the audit and management of this business with

Martin Howard”. The Tribunal therefore does not accept the Company’s assertions in this regard.

39. For the reasons set out above, the Tribunal is satisfied that the Respondent was entitled to conclude that the Applicant Company had breached multiple licence conditions and that revocation of the licence was justified and proportionate.

40. The appeal is therefore dismissed. The decision of Rent Smart Wales to revoke licence number #LR-75122-61552 is confirmed and the revocation stands in accordance with section 25(5) of the 2014 Act.

Dated this 13th day of May 2026.

Tribunal Judge S. Westby