

Application Form Housing (Wales) Act 2014

Application by a Tenant for a Rent Repayment Order

It is important that you read the notes below carefully before you complete this form.

Please write clearly in BLACK ink.

This application form is also available in Welsh. Please contact the tribunal for a Welsh version of this form.

This is the correct form to use if you are the Tenant of the dwelling and you wish to apply for a Rent Repayment Order under section 32(1)(c) of the Housing (Wales) Act 2014 ("the Act").

Your landlord is required to be licensed to carry out property management activities as defined in section 7(2)(a)-(f) of the Act, namely: collecting rent, being the principal point of contact for the tenant in relation to matters arising under the tenancy, making arrangements with a person to carry out repairs or maintenance, making arrangements with a tenant or occupier of the dwelling to secure access to the dwelling for any purpose, checking the contents or condition of the dwelling, or arranging for them to be checked, serving notice to terminate a tenancy. Your landlord is committing an offence if not licensed to carry out these activities.

Further it is an offence under section 13 (2) of the Act for a landlord of a dwelling subject to a domestic tenancy, to appoint or continue to allow a person to undertake property management work on behalf of the landlord in relation to that dwelling if the person does not hold a licence to do so under the Act for the area in which the dwelling is located, and the landlord knows or should know that the person does not hold such a licence.

Please note that in order to be eligible to apply for a Rent Repayment Order (RRO), then the tribunal will need to be satisfied that:

- A person has been convicted of an offence as set out above under section 7(5) or section 13(3) of the Act in relation to the dwelling OR that a rent repayment order has required a person to make a payment in respect of:
 - (i) one or more relevant awards of universal credit, or
 - (ii) housing benefit paid in connection with a tenancy of the dwelling;
- the tenant paid to the appropriate person (whether directly or otherwise) periodical payments in respect of the tenancy of the dwelling during any period during which it appears to the tribunal that such an offence was being committed in relation to the dwelling.

Time limits

In addition to the matters above, the application to the tribunal must be made within the period of 12 months beginning with –

- the date of the conviction or order, or
- if such a conviction was followed by such an order (or vice versa), the date of the later of them.

Application Fee

Unless you are entitled to a waiver you must send the Application Fee of **£155** with the application and the required documents.

The fee must be paid by crossed cheque made payable to, or a postal order drawn in favour of, "Welsh Government".

Do not send cash under any circumstances. Cash payments will not be accepted.

Please note:

If you do not send the correct fee payable to or in favour of "Welsh Government" or if you send cash, the application and cash will be returned to you at your risk.

Waiver of Fees

If the Applicant(s) or the partner(s) of any Applicant(s) is/are in receipt of certain income related benefits, the Application Fee may be waived.

To claim a waiver of the Application Fee, the Applicant(s) in receipt of benefit or the Applicant(s) whose partner(s) is/are in receipt of such benefit must complete a waiver application form which can be obtained from the Residential Property Tribunal. This will not be copied to other parties.

Note to Applicants

Applicants are advised that any information that they provide to the Tribunal may be recorded in a decision document. All decisions made by the Tribunal are open to the public.

Documents

You must send the following document(s) ("required document(s)") with this application:

- Evidence that the appropriate person has been convicted of an offence under section 7 (5) or 13 (3) of the Act or has been required by a rent repayment order to make a payment in respect of housing benefit or universal credit; and
- evidence that the tenant has paid periodical payments in respect of tenancy of the dwelling during a period in which it is alleged that such an offence was being committed.

Failure to send any required document(s) might make this application invalid.

Please do not send any other documents at this time. If and when further documents, information or evidence are needed, you will be asked to send them separately.

Please note:

- A rent repayment order may not require the payment of any amount which is in respect of any time falling outside the period of 12 months ending with the date of the tenant's application under section 32 (1).

The Residential Property Tribunal will not accept applications by FAX or Email.

Please send the completed application form together with the specified documents to:

**Residential Property Tribunal
Oak House
Cleppa Park
Celtic Springs
Newport
NP10 8BD**

Language Preference

The Residential Property Tribunal welcomes receiving correspondence in Welsh or English. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

You may submit forms, documents and make written representations to the tribunal in Welsh or English.

Please inform the tribunal of your language preference by completing box 3 below.

1. DETAILS OF THE PROPERTY

Address of Property: _____

2. DETAILS OF APPLICANT

Name of Applicant: _____

Address (including postcode): _____

Address for correspondence (if different): _____

Telephone: Day: _____ Evening: _____ Mobile: _____

Email address: _____

Capacity (owner/manager): _____

Name and Address and details of representative/agent
(if relevant): _____

If there is more than one Applicant please provide details on a separate sheet.

Where details of a representative /agent have been given, all correspondence and communication will be with that representative/agent until the tribunal is notified that the representative/agent is no longer acting for the Applicant.

3. LANGUAGE PREFERENCE

Please indicate your language preference:

Written correspondence? Welsh / English (please delete as appropriate)

Verbal communication? Welsh / English (please delete as appropriate)

Do you wish to speak Welsh in any legal proceedings that may result from this application i.e. tribunal hearing or pre-trial review?

Yes / No (please delete as appropriate)

4. DETAILS OF RESPONDENT

Name of person entitled to receive payments: _____

Address (including postcode): _____

Address for correspondence (if different): _____

Reference: _____

Telephone: Day: _____ Evening: _____ Mobile: _____

Email address (if known): _____

If there is more than one Respondent please provide details on a separate sheet.

5. DETAILS OF ANY INTERESTED PERSONS

The Tribunal needs to know the names and addresses of other people who may be significantly affected by this application such as tenants or occupiers of the building.

Name of interested person: _____

Address (including postcode): _____

Name of interested person: _____

Address (including postcode): _____

If there are more interested persons, please provide details on a separate sheet.

7. OTHER APPLICATIONS

Are you aware of any applications which EITHER involve issues concerning the same premises OR concern other premises where the same parties are involved (either as Applicant or Respondent)?

If so, please give details including the case reference number(s). The Tribunal may order that some or all of the applications or particular issues raised in those applications be dealt with at the same time.

8. CAN WE DEAL WITH YOUR APPLICATION WITHOUT A HEARING?

It is possible for your application to be dealt with entirely on the basis of written representations ("paper determination") but only if:

- the Tribunal thinks it is appropriate and
- no party requests a hearing

Even if you agree to a paper determination

- the Tribunal may decide that an oral hearing is necessary.
- you or any other party may still ask for an oral hearing at any time before the determination is made.

Do you agree to this application being determined without an oral hearing. YES NO

Please ensure that you complete this form in full on the assumption that there will be an oral hearing.

9. URGENCY OF APPLICATION

Please let us know if there is a particular urgency for a determination in this case and if so, why?

10. AVAILABILITY

If there are any days or dates we must avoid during the next three months (either for your convenience or the convenience of any witness or expert you may wish to call) please list them here.

Dates on which you will **NOT** be available:

11. VENUE REQUIREMENTS

Please provide details of any special requirements you or anyone who will be coming with you may have (e.g. wheelchair access, presence of an interpreter). It will assist the Tribunal in making arrangements if it has been made aware of your needs.

12. STATEMENT OF TRUTH

I believe that the facts stated in this application are true.

Signed: _____

Name (in capitals): _____

Capacity (if appropriate): _____

Date: _____

CHECK LIST

Please check that:

- You have completed this form IN FULL.
- You have enclosed all the specified documents.
- You have enclosed a cheque /Postal order for the correct fee.

The Tribunal will not process your application if you have not done so.

If you have any questions about how to fill in this form or the procedure the Tribunal will use, please contact the Residential Property Tribunal on 0300 025 2777 or e-mail rpt@gov.wales

PLEASE NOTE THAT THE TRIBUNAL IS UNABLE TO GIVE LEGAL ADVICE.