

HOUSING (WALES) ACT 2014

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 1 Regulation of Private Rented Housing

Section 27 – Licensing appeals

62. Applicants for a licence (including applicants for renewal of a licence) or holders of a licence can appeal the following decisions of a licensing authority: a decision to grant a licence subject to a condition (other than the requirement to comply with the code of practice issued by the Welsh Ministers); a refusal to grant a licence; amendment of a licence; or revocation of a licence. Appeals are made to a residential property tribunal.
63. An appeal must be made before the end of the 28 day period beginning with the date the applicant was notified of the relevant decision. The tribunal may allow an appeal after the end of this appeal period if it is satisfied there is good reason for the failure to appeal within the time limit. The appeal may be determined following consideration of matters of which the licensing authority was not aware.
64. After hearing an appeal, the tribunal may confirm the decision of the licensing authority. Alternatively, it may: a) where an appeal was made against a licence condition, direct the authority to grant a licence on the terms the tribunal considers appropriate; b) where an appeal was made against a decision to refuse an application for a licence or renewal of a licence, direct the authority to grant or renew the licence on the terms the tribunal considers appropriate; c) where an appeal was made against a decision to amend a licence, direct the authority not to amend the licence or, alternatively, to amend the licence on the terms the tribunal considers appropriate; and d) where an appeal was made against a decision to revoke a licence, quash that decision.
65. If a licensing authority is directed by a tribunal to grant a licence, the licence is treated as if it had been granted under section 21(1).