

*These notes refer to the Housing (Wales) Act 2014 (c.7)
which received Royal Assent on 17 September 2014*

HOUSING (WALES) ACT 2014

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 1 Regulation of Private Rented Housing

Section 31 – Revocation of rent stopping orders

78. A residential property tribunal can revoke a rent stopping order. It can only do this if an application is made by the licensing authority for the area in which the dwelling is located, the local housing authority for the area in which the dwelling is located, or the landlord of the dwelling. It must also be satisfied that an offence under section 7(5), subject to the comments below, or section 13(3) is no longer being committed in respect of the dwelling. Insofar as relating to an offence under section 7(5), a rent stopping order can only apply to a contravention of section 7(1), which relates to doing certain things where a dwelling is subject to a domestic tenancy, and not a contravention of section 7(3), which relates to dwellings no longer subject to a tenancy. This is because rent stopping orders can only be issued where a dwelling is subject to a tenancy and, therefore, rent is being paid.
79. Where a tribunal revokes a rent stopping order, the effect is to restore the landlord's ability to receive rent for the property from a date determined by the tribunal.
80. If a rent stopping order is revoked, the authority that made the application must notify the tenant or occupier of the dwelling and the landlord. The latter does not apply if it was the landlord that made the application in the first place; in such a case, the licensing authority for the area in which the dwelling is located is required to notify the tenants or occupiers of the dwelling that the order is revoked.