



# Housing (Wales) Act 2014

2014 anaw 7

## PART 1

### REGULATION OF PRIVATE RENTED HOUSING

#### *Enforcement*

#### **30 Rent stopping orders**

- (1) A residential property tribunal may, in accordance with this section, make an order (a “rent stopping order”) in relation to a dwelling subject to a domestic tenancy on an application made to it by—
  - (a) the licensing authority for the area in which the dwelling is located, or
  - (b) the local housing authority for the area in which the dwelling is located.
- (2) But a local housing authority may not make an application under subsection (1) without the consent of the licensing authority mentioned in paragraph (a) of that subsection (unless it is the licensing authority); and consent for that purpose may be given generally or in respect of a particular application.
- (3) Where the tribunal makes a rent stopping order—
  - (a) periodical payments payable in connection with a domestic tenancy of the dwelling which relate to a period, or part of a period, falling between a date specified in the order (the “stopping date”) and a date specified by the tribunal when the order is revoked (see section 31(4)) are stopped,
  - (b) an obligation under a domestic tenancy to pay an amount stopped by the order is treated as being met,
  - (c) all other rights and obligations under such a tenancy continue unaffected,
  - (d) any periodical payments stopped by the order but made by a tenant of the dwelling (whether before or after the stopping date) must be repaid by the landlord, and
  - (e) the authority which made the application for the order must give a copy of it to—

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*Status: This is the original version (as it was originally enacted).*

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- (i) the landlord of the dwelling to which the order relates;
  - (ii) the tenant of the dwelling.
- (4) The tribunal may make a rent stopping order only if it is satisfied of the matters mentioned in subsections (5) and (6).
- (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).
- (6) The tribunal must 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 considered any representations made to it within that period by the landlord.
- (7) The tribunal may not specify a stopping date for the purpose of subsection (3)(a) which precedes the date on which the rent stopping order is made.
- (8) An amount payable by virtue of subsection (3)(d) which is not repaid is recoverable by the tenant as a debt due to the tenant from the landlord.
- (9) In subsection (5), the reference to an offence committed under section 13(3) does not include an offence committed in consequence of a contravention of subsection (1) of that section.