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WELSH STATUTORY INSTRUMENTS

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**2006 No. 1641**

**The Residential Property Tribunal  
Procedure (Wales) Regulations 2006**

**Urgent IMO authorisation applications**

9.—(1) This regulation applies where the LHA requests a tribunal to deal with an IMO authorisation application as a matter of urgency.

(2) Where it appears to the tribunal, on the basis of information accompanying the application, that the exceptional circumstances mentioned in paragraph (3) exist, it may order an oral hearing (an “urgent oral hearing”) to be held without complying with the notice requirements of regulation 25.

(3) The exceptional circumstances are that—

- (a) there is an immediate threat to the health and safety of the occupiers of the house or to persons occupying or having an estate or interest in any premises in the vicinity of the house; and
- (b) by making the interim management order as soon as possible (together where applicable with such other measures as the LHA intends to take) the LHA will be able to take immediate appropriate steps to arrest or significantly reduce the threat.

(4) The tribunal must as soon as practicable notify the parties and each interested person whose name and address have been notified to it—

- (a) that the application is being dealt with as a matter of urgency under this regulation;
- (b) of the reasons why it appears to the tribunal that the exceptional circumstances exist;
- (c) of any requirement to be satisfied by a party before the hearing; and
- (d) of the date on which the urgent oral hearing will be held.

(5) The date of the hearing must be not less than 4 days after the date that notification of the urgent oral hearing is sent.

(6) At the urgent oral hearing the tribunal must—

- (a) if it is satisfied upon hearing evidence that the exceptional circumstances do exist, determine the application; or
- (b) if it is not so satisfied—
  - (i) adjourn the hearing; and
  - (ii) give such directions as it considers appropriate.

(7) A single qualified member of the panel may—

- (a) exercise the power conferred by paragraph (2); and
- (b) decide the date of the urgent oral hearing.

(8) Where the tribunal orders an urgent oral hearing the notice provisions contained in the following regulations do not apply to the application—

- (a) regulation 21(5) (notice of inspection); and
- (b) regulation 25(3) and (4) (notice of hearing).