

# STATES OF JERSEY



## **SOCIAL HOUSING IN JERSEY: INTRODUCTION OF A REGULATORY FRAMEWORK (P.120/2017) – SECOND AMENDMENT**

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**Lodged au Greffe on 29th January 2018  
by Deputy M. Tadier of St. Brelade**

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**STATES GREFFE**

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**1 PAGE 2, PARAGRAPH (a) –**

After the words “in relation to” delete the word “social”, and after the word “housing” delete the words “, as set out in the report accompanying the proposition”.

**2 PAGE 2, PARAGRAPH (b) –**

In sub-paragraphs (i) and (ii) for the word “social” substitute the word “all” in each place where it occurs and, in sub-paragraph (iii), delete the word “social”.

DEPUTY M. TADIER OF ST. BRELADE

**Note:** After this amendment, the proposition would read as follows –

- (a) to agree, in principle, to the introduction of regulation in relation to housing;
- (b) to agree, in principle, that the proposed components of this regulatory framework should include –
  - (i) the establishment of a register of all housing providers;
  - (ii) the introduction of performance standards for all housing providers, and measures to monitor and assess performance against those standards;
  - (iii) the establishment of a housing regulator;
  - (iv) the introduction of statutory oversight and governance arrangements for the assessment and prioritisation of housing need through the Affordable Housing Gateway;
- (c) to charge the Minister for Housing to develop and bring forward, for approval, the necessary legislation to implement the proposals in paragraph (b) above within 2 years.

## REPORT

It is not clear why a separate regulator and register are being provided only for social housing.

Every year, somewhere in order of £10 million of public money is paid in rental subsidy to the private sector – effectively, these can be seen as individuals/businesses to whom the provision of social housing has been outsourced. Yet, despite the public investment from which these private landlords benefit, under the Minister’s proposals, they will not be subject to the safeguards of the law.

While it is true that the Regulations providing the details under the [Public Health and Safety \(Rented Dwellings\) \(Jersey\) Law 201-](#) (adopted by the States, as amended, on 13th December 2017) are due to come back to the States later this Session, I am concerned that there is a lack of a holistic approach when it comes to housing. There exists the [Residential Tenancy \(Jersey\) Law 2011](#), we have ‘rent safe’, an informal accreditation scheme; we have the [Statutory Nuisances \(Jersey\) Law 1999](#); we are to have the aforementioned Rented Dwellings Law and now a housing regulator, but only for social housing; and a register – but only for social rentals.

Surely, we need a register for all tenancies/landlords, if the Environment Department (or whoever ends up enforcing each Law) is to know where the properties are that need to be licensed and inspected.

Similarly, there is no reason that a regulator (if indeed one is needed at all) should only cover social housing. It may well be that what we need is a housing ombudsman, not a regulator, and that the enforcement of the various Laws should fall to the Minister for Housing, with the support of the Strategic Housing Unit.

I know I am not alone in having reservations about this proposition, unamended. In my view, there are good grounds for a reference back to the Minister, or to Scrutiny. However, I would like to give the Assembly the opportunity, at least, to consider an amendment, and I trust that Members will agree a shortened lodging period in light of the public interest being weighted on the side of proper debate being given to getting the regulation of all housing standards right.

### **Financial and manpower implications**

There are no additional financial or manpower implications for the States arising from the adoption of this amendment.