

STATES OF JERSEY



RENT CONTROL MEASURES (P.18/2023): AMENDMENT

Lodged au Greffe on 25th April 2023
by Deputy S.Y. Mézec of St. Helier South
Earliest date for debate: 2nd May 2023

STATES GREFFE

RENT CONTROL MEASURES (P.18/2023): AMENDMENT

1 PAGE 2, PARAGRAPH (a) –

For the words “banning rent increases from being imposed in the first 3 years of a tenancy, and thereafter” substitute the words “limiting rent increases to”

DEPUTY S.Y. MÉZEC OF ST. HELIER SOUTH

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

THE STATES are asked to decide whether they are of opinion –

that the Residential Tenancy (Jersey) Law 2011 should be either amended or replaced, in order to –

- (a) provide for rent control measures to be introduced, including, but not limited to –
 - (i) **limiting rent increases to** no more than once a year;
 - (ii) requiring a minimum 3-month notice period before a rent review can be implemented; and
 - (iii) capping the amount that rent may be increased in a rent review by a measure of affordability, such as the increase in the Average Earnings Index or the average of the Retail Prices Index over the 3 preceding years, or an alternative effective measure which the Minister for Housing and Communities may deem appropriate;
- (b) provide for the abolition of ‘no fault evictions’ by –
 - (i) establishing ‘open ended’ tenancies as the default tenure, where notice to quit may not be issued to a tenant who has not breached their contract, except under defined circumstances as to be proscribed in legislation; and
 - (ii) requiring enhanced notice periods for tenants based on how long they have lived in the property;
- (c) provide for the establishment of a body, such as a Rent Tribunal or Housing Commission, to adjudicate on disputes arising from rent control or breaches of contract which may necessitate the termination of a tenancy;

and to request the Minister for Housing and Communities to bring forward for consideration by the Assembly the necessary legislation to give effect to these decisions by the end of 2023.

REPORT

Following consideration of the 'Improving Residential Tenancies in Jersey' white paper and conversations with some States Members, I am proposing this amendment to remove the reference to a three-year rent freeze at the start of tenancies, so that the part about limiting rent increases to once a year may be voted on in isolation.

The Minister for Housing and Communities has made several public statements to the effect of saying he supports banning rent increases from being able to be made more than once a year, and it features as a proposal in the white paper. There is therefore no reason why this part on its own cannot be accepted by the government.

Any matter concerning rent freezes at the outset of a tenancy can be left over for wider consultation and consideration.

Financial and manpower implications

There are no financial or manpower implications arising from this amendment.