

# STATES OF JERSEY



## STATES HOUSING: ARRANGEMENTS FOR NEW TENANTS

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Lodged au Greffe on 18th February 2014  
by Deputy M. Tadier of St. Brelade

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STATES GREFFE

## **PROPOSITION**

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

to request the Minister for Housing to –

- (a) review the policy and practice regarding requiring new tenants to provide their own carpets and flooring when moving into a States property;
- (b) report back to the States no later than May 2014.

DEPUTY M. TADIER OF ST. BRELADE

## REPORT

The Strategic Plan 2012 states that *'All Island residents should be housed adequately,'* and that –

*'Social rented housing plays a major role in providing good quality, affordable housing to a significant proportion of the population.'*

This proposition seeks to establish a steer from the States Assembly as to what can reasonably be considered the responsibility of the Department, as landlord, and what can be reasonably expected from the tenant.

### **Fairness**

As someone who rents in the private sector, I was surprised, even shocked, to learn that *'the Housing Department does not provide carpets or flooring for its properties.'*<sup>1</sup>

This appears to be a new practice; however, the reasons behind it are unclear.

I have never come across a (domestic) rental property in the private sector, in which the tenant was required to provide their own flooring/carpets. Although I am sure such obligations may exist in some contracts, they are by no means the norm. I would suggest that as a Social Housing provider, for those least able to afford rents in the private sector, it is an unreasonable requirement to put onto new tenants, especially as the new flooring would be adding value to the flat for the landlord's (not to the tenant's) asset. Indeed, I would call it an abdication of a reasonable landlord's responsibilities, possibly driven by a simple desire to save money.

### **Consistency**

Another reason for review, other than basic fairness, is to see whether or not the policy is being applied consistently.

The Department acknowledged that: *'there are occasions where there is an exception though, for example where an outgoing tenant leaves clean and serviceable carpets behind.'*

This gives rise to questions – who then owns these carpets? Do they revert to the Department or the new tenant? Can the former tenant request, retrospectively, to have the carpets back?

Will tenants who provide carpets at their own expense then remove carpets on departure, even though they will be of little use to them in their new properties? If so, who will this benefit?

I have also been told, by one tenant, that they were initially told they could have carpets provided for them if were coming from another housing property, but if they were coming from the private sector, they would have to provide their own. If correct, this seems bizarre.

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<sup>1</sup> E-mail received from Director of Operations at Housing Department: 11th February 2014, at 18:57

## **Habitable**

There is also a requirement under the Residential Tenancy (Jersey) Law 2011 that properties should be *habitable* – and that rent is not due in the case that a property becomes uninhabitable. It would need to be tested to see if a residential unit *without flooring* (or even with ripped carpets, left by former tenants) constituted a property being *uninhabitable*.

The Solicitor General, on 4th February this year, when asked about the definition of ‘uninhabitable’, stated that he ‘*would give the word its ordinary meaning. It means that the property is unsuitable for living in.*’ It seems to me that a property without any flooring or sub-standard flooring, is unsuitable for living in. Whilst the same could be said for furniture (which is not automatically supplied by landlords), the difference is that furniture is usually removed at the end by the tenants – they own it and take it with them. Carpets are different. The current situation is unclear and a review is much needed.

## **Financial and manpower implications**

It is anticipated that this will be a short review carried out from within existing departmental budgets and, as such, there are no additional financial or manpower implications arising.