

STATES OF JERSEY



RENTAL DEPOSIT SCHEME TO PROTECT TENANTS' DEPOSITS (P.137/2008): COMMENTS

Presented to the States on 10th October 2008
by the Minister for Housing

STATES GREFFE

COMMENTS

Comments of the Minister for Housing

As Minister for Housing, I have a natural sympathy for tenants, and wish to protect them. Equally, I have a responsibility to landlords and the general public, and to introducing new legislation on the basis of the widest consultation and the most robust evidence.

It is for these reasons that the Draft Residential Tenancy (Jersey) Law 200-, a framework for tenant and landlord relations, was published for consultation on 29th April 2008, proposing improved security of tenure for tenants and a means of introducing a deposit scheme.

The Consultation Findings Report has now been issued (R.107/2008), and a conclusion drawn that a **compulsory, agency-led custodial deposit scheme is the preferred model for deposit protection – because of its potential swiftness as a scheme for mediating, arbitrating, and returning monies and resolving disputes, and its dedicated, specialised nature.** As part of the 2008 Jersey Annual Social Survey, 3,500 people are presently being asked their views on these issues. The results of this will be published in January 2009, and at that point, a final decision will be made as to how to proceed.

In the meantime, discussions have begun with agencies who may be able to operate a deposit scheme, and with the Law Draftsman, in preparation for the likely introduction of a deposit protection scheme under the Residential Tenancy (Jersey) Law 200-. Furthermore, as these proposals have been developed, close contact has been maintained with the Citizens' Advice Bureau.

Members are strongly urged to reject this projet, and instead permit the open and thorough process outlined above to be completed.

Thereon, the Draft Residential Tenancy (Jersey) Law 200- will be lodged for debate early in 2009, and Draft Regulations under that Law for the establishment of a scheme to protect deposits and resolve disputes will likely be lodged later in 2009.