

**WRITTEN QUESTION TO THE MINISTER FOR CHILDREN AND HOUSING
BY DEPUTY M. TADIER OF ST. BRELADE
ANSWER TO BE TABLED ON TUESDAY 2nd JULY 2019**

Question

Will the Minister advise –

- (a) how many current rental deposits are protected in the mydeposits scheme;
- (b) how many cases of non-protected deposits, if any, have been reported to the department;
- (c) how many of any such cases in (c) have been referred for prosecution; and
- (d) what does the department estimate is the total number of non-registered deposits in Jersey?

Answer

- (a) As the end of May 2019, 11,869 deposits were protected in the mydeposits Jersey tenancy deposit scheme.
- (b) The Minister for Children and Housing has delegated authority to Environmental Health for all matters relating to the Residential Tenancy (Jersey) Law 2011, including tenancy deposit protection. Environmental Health has received 97 enquiries since August 2018 relating to tenancy matters, including tenancy agreements, condition reports, suspected over-charging for services, and tenancy deposits. The number relating specifically to deposit protection is not recorded.
- (c) One case has been referred to the Attorney General for prosecution where a landlord has not protected a tenant's deposit in the tenancy deposit scheme.
- (d) Environmental Health does not have data on the number of deposits that have not been paid into the tenancy deposit scheme. At the commencement of the tenancy deposit scheme, there were forecast to be approximately 13,400 private rented tenancies in Jersey where, as a result, a deposit could be taken. Based on this assumption, up to 1,500 deposits may not have been protected in the scheme.

It is important to note:

- Not all landlords take a deposit.
- Some landlords have stopped taking deposits as a result of the introduction of the tenancy deposit scheme.
- The tenancy deposit scheme only applies to tenancies that commenced, or were renewed or varied, after November 2015 so may not need to be protected in the scheme yet.

However, there will be a level of non-compliance with the tenancy deposit scheme requirements. In cases where Environmental Health becomes aware of deposits that have not been protected – either as a result of a complaint by a tenant or through proactive inspection – they will take action to ensure

that the deposits are protected. The proposed landlord license scheme for rented properties will help to identify further cases where deposits have not been protected in the tenancy deposit scheme.