

**WRITTEN QUESTION TO THE CHAIR OF THE COMITÉ DES CONNÉTABLES
BY DEPUTY R.S. KOVACS OF ST. SAVIOUR
QUESTION SUBMITTED ON MONDAY 7th NOVEMBER 2022
ANSWER TO BE TABLED ON MONDAY 14th NOVEMBER 2022**

Question

“Will the Chair provide the following details for each Parish, collected in accordance with the Rates (Jersey) Law 2005, for the most recent whole calendar year –

- (a) the number of residential properties, if any, that were unoccupied for the whole of the calendar year;
- (b) the reason, if known, as to why each of these residential properties were unoccupied; and
- (c) the number of residential properties where the owners were either unknown or uncontactable?”

Answer

The Rates (Jersey) Law 2005 requires every owner of land to make a return as at 1 January.

That return must give the name of the occupier. Occupier is defined in the 2005 Law as -

“occupier”, in relation to land, means the person entitled to occupy and use the land by virtue of being –

- (a) the owner of the land; or
- (b) the person to whom the land is let under a lease or tenancy agreement,
other than a person who is a landlord (whether or not immediate) of the occupier of the land;

The definition relates to the person “entitled to occupy and use the land”. It is not about whether the residential property is “occupied” or “unoccupied”.

So there is always an occupier for every residential property. If there is no tenant then the owner is the occupier.

The answers to the questions are therefore -

- (a) In accordance with the Rates (Jersey) Law 2005 there is always an ‘occupier’ for every residential unit as defined by the Law. Put simply, the Law does not have the concept of ‘unoccupied’. So no residential properties were unoccupied for the whole of the calendar year.
- (b) All residential properties had an occupier, as defined in the Rates Law, so none were “unoccupied”.
- (c) For the most recent whole calendar year, being 2021, two Parishes each reported one residential property where the owner was either unknown or uncontactable. In both cases this related to a deceased owner where neither the heirs nor an executor had been identified.