

**COMMITTEE OF INQUIRY: PROCEDURES FOR ALLOCATION OF RESIDENTIAL PROPERTY  
BY HOUSING TRUSTS**

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**Lodged au Greffe on 20th August 2002  
by Deputy S.M. Baudains of St. Helier**

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**STATES OF JERSEY**

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## **PROPOSITION**

### **THE STATES are asked to decide whether they are of opinion -**

in accordance with Article 36B of the States of Jersey Law 1966, as amended, to approve the appointment of a Committee of Inquiry to investigate fully the current procedures that are in place for the allocation of residential property by housing trusts that are supported by the Housing Development Fund, and to report back to the States with such recommendations as the Committee considers to be appropriate.

DEPUTY S.M. BAUDAINS OF ST.HELIER

- Notes:
1. The Finance and Economics Committee's comments are to follow.
  2. The Human Resources Committee's comments are to follow.

## REPORT

Article 36B of the States of Jersey Law states that “Where the States are of opinion that inquiry should be made into any definite matter of public importance, they may appoint a Committee of Inquiry to inquire into that matter ...”.

The Housing Committee in its Strategic Policy report 2002 - 2006 stated that “Housing Trusts have strengthened significantly in the last 12 months and the Committee will continue to assist with development and interest subsidies where necessary.” Various sites for development have been transferred to Housing Trusts and it is the Housing Committee’s intention to continue to support Housing Trusts through appropriate subsidies to provide additional social rented housing.

The investigation and allocation procedures adopted by housing trusts that are supported by the Housing Development Fund in some instances are causing considerable disquiet and I believe are a definite matter of public importance.

The methodology used by these housing trusts, and which is accepted by the Housing Committee, in recent cases has proved, in my view, to be extremely suspect. Erroneous, and possibly libellous, allegations have been used to disqualify some prospective clients who have been nominated and recommended by the Housing Committee as suitable tenants.

My purpose in proposing the appointment of a Committee of Inquiry is to seek to obtain clarification of procedures and criteria used in the selection process, to identify the weaknesses in those procedures and, if appropriate, to propose binding improvements.

The Housing Committee has nomination rights of up to 80 per cent of any new Trust development supported by the Housing Development Fund. Prospective tenants’ names are forwarded and recommended by the Housing Department to the housing trusts as suitable applicants all in need of housing or need to be re-housed into more suitable accommodation for their requirements.

The applicants fill in their application forms and give permission for their credit rating to be checked for the previous 12 months. However, suitable prospective tenants have been refused on the grounds of their unsuitability due to small debts. Having agreed for credit rating to be checked for the previous 12 months, applicants have discovered that checks are being made as far back as five years.

Refusals are also being made to prospective tenants who have previously had a probation/community service order. No written or verbal permission is given for these checks to be made into their backgrounds. This unethical behaviour is questionable.

Names of prospective tenants are referred back to the Housing Department deemed as unsuitable. The trusts refuse to disclose to these prospective tenants the reason for rejection and, in some instances, the Housing Department allocations staff are left to counsel these distraught families.

With regard to the application forms that are required to be completed by the nominated housing tenants, it now appears that families’ names are being returned to the Housing Department for other reasons. For example –

Mrs. X was nominated and recommended by the Housing Department as a suitable tenant.. Mrs. X complied with Trust’s requirements and completed the application form.

Mrs. X was interviewed by an agent of the Trust concerned and a secretary took notes. At this interview, as with all applicants, Mrs. X was asked not to make contact with the office; she would be informed in due course of the decision.

Mrs. X was never notified in writing that her application had been unsuccessful, but after an enquiry by myself to the Trust I received an e-mail that the Trust would be informing Mrs. X that she had been unsuccessful but also telling me that during the initial interview all candidates were told that if unsuccessful for the allocation of a property on this occasion they would be priority listed for the next development.

Mrs. X was informed by telephone after the allocations had been made and after my telephone enquiries. This is not the way to conduct business. Although Mrs. X was naturally very disappointed, she was at least priority listed for the next site.

However, Mrs. X received a letter from the agent for the Trust concerned informing her that on this occasion the Trust was unable to help her, and suggesting that she contacted the Housing Department

Although the Chief Officer at the Housing Department had been informed that Mrs. X had been denied a property he was unable to discuss the reasons with any outside party as the reasons were very serious.

The Allocations Section of the Housing Department were also asked NOT to refer this applicant's name in future to the Trust's agent.

Mrs. X and her family were at pains to ask why this blacklisting had happened. I met the Chairman and a representative of the Trust and was informed that originally Mrs. X had been allocated a property, but as she could not be contacted by telephone, the house had been allocated to another family. At this stage Mrs. X was definitely in line for a new home on the next development. This all changed when informants alleged that Mrs. X's estranged husband had, or still was, serving time in prison for a serious crime. At this stage the Trust was reluctant to discuss the crime except to use the word "serious".

It has now been proved that these spurious allegations were completely erroneous. Mrs. X's estranged husband (who was NOT part of the application) has never been convicted or served time for any crime. In fact he has been gainfully employed in a responsible position for the last eight years.

If this proposition is adopted, I will be recommending that the Committee of Inquiry be comprised of non-States members so that a fresh look can be taken at the situation. There will be the additional benefit that matters can proceed without any hindrance which might be caused by the autumn elections.

In this instance I believe it would be inappropriate for this proposition to be referred to the Housing Committee for a report.

#### **Financial and manpower statement**

Article 36K of the States of Jersey Law states that -

"The Finance and Economics Committee may direct to what extent a person appointed to a Committee of Inquiry may be remunerated and those expenses together with any others which the Finance and Economics Committee may direct may be incurred by a Committee of Inquiry shall be paid out of the general revenues of the States."

The cost of the Inquiry will therefore be a matter for the Finance and Economics Committee to determine.

Article 36I(5) of the above Law states -

"The Greffier of the States may appoint a secretary to the Committee of Inquiry to perform such duties connected with the inquiry as the President of the Committee may direct."

This will be a matter to be determined by the Greffier of the States and also the Human Resources Department in the event that the Greffier is unable to appoint a secretary from within the Department.