

Chairman
Environment, Housing and Infrastructure Scrutiny Panel,
States Greffe:Scrutiny
Morier House
St Helier
Jersey JE1 1DD
by email 19th November 2019

Dear Sirs,

MINIMUM STANDARDS FOR RENTED DWELLINGS: LICENSING REGULATIONS

We have rented property to tenants for over 35 years and can confirm the commitment, effort and financial input required to keep tenanted accommodation up to the requirements of modern people who expect nothing less than good habitable properties for their busy lifestyles. We have recently achieved four and five star rent safe ratings.

In response to your request for feedback from the public I have read some excellent letters that cover the headings requested in a professional and knowledgeable manner. However, I would like to take the opportunity to respond to some of the matters arising.

Are the terms fair and proportionate.

It is accepted that all accommodation should reach a minimum standard. If it is not habitable it should be removed from the market until it reaches those minimum standards.

Although we do not own any three star accommodation, it does not seem proportionate or fair to unjustly charge those with more basic, but perfectly habitable properties a much larger sum than those who can more easily reach higher standards due to a more modern build or more expensive fittings. We believe if any charge is levied should be the same for all.

That Social Housing is exempt from the charge places the total cost of this new scheme firmly on private landlords and appears to be an extra tax for a limited sector of the market. There are no guarantees that the cost will not be increased as seen fit by the Department or the criteria to reach a certain rating changed.

It is quite clear that there are already in place plenty of legislation, rules and regulations with which landlords are compelled to comply, and along with current Public Health and Residential Tenancy laws, compulsory condition reports, Mydeposit schemes, building regulations, compulsory electrical and fire certificates and inspections it is a mystery why yet further regulation and cost should be placed on any law abiding residential landlords.

To assess how and to what extent the Department has considered feedback.

I sincerely hope that the Scrutiny Panel will take the feedback from experienced property owners into consideration before placing unnecessary and excessive charges on a business that has already become heavily regulated.

To consider the impact the proposed regulations will have on tenants and landlords or letting agents.

Tenants already accept six monthly and yearly inspections. This scheme will add an unnecessary intrusion into their privacy.

To determine how and to what extent licensing fees will affect the cost of renting

We believe the full impact of constant increased regulatory cost cannot be determined at this stage. It is unlikely they will have no impact, whether that be reduced available units or increased rents. It certainly won't be a positive outcome for tenant or landlord.

I would like to finish by making comment on Senator Mezec's recent observations on poor accommodation. If Senator Mezec or any other States Member is consistently seeing poor quality unlawful rental homes please get them sorted. People complain, tenants complain. Where do these photos of dilapidated flats with falling ceilings and mould ridden walls come from? I don't know, but in our long experience we do know that if we owned such a property it would be impossible to rent, for good reason.

If most landlords are perfectly decent and don't just "try" but actually do a good job please don't over regulate the conscientious. Weed out the few with the many laws already in place. It is perfectly acceptable to condemn and remove any sub standard properties that blight the reputation of the many landlords who maintain and help provide a variety of homes for the many people who live in Jersey.

It should not be difficult to make a register of landlords if that is what is required, the information is readily available within the departments. Yet another legislation is being considered at further cost to the law abiding many, and why? It seems, to give more power to bring to account those who are already breaking the law but escape infractions of those existing laws. Laws that exist to protect the vulnerable against poor, inadequate properties. Despite being viewed by our own Government Ministers and Environment Department Officers these illegal properties and their unscrupulous owners seem able to continue asking for money for their inadequate housing and are rarely, if ever brought to account.

We would respectfully suggest that if the present laws are not being used in such circumstances, why would it make sense to introduce yet another to place further cost and inconvenience to tenants and the very many owners that do follow every rule and regulation they must to maintain and provide decent homes that come up to every present day standard required. This proposed new legislation is neither fair nor proportionate or fit for purpose in its proposed format, will have an impact on tenants and law abiding landlords and could well effect the cost of renting and the number of properties available for local rental.

yours faithfully,

Cherylene and Roy Le Brun