

**Question 1 – The Panel notes that your business is a member of the JEAA and as such a member of the UK Propertymark and the Property Ombudsman schemes. Do you feel that membership of these schemes by Jersey estate agents would be enhanced if there was also estate-agent specific legislation in Jersey?**

I feel that there should be exams with a good level of competency attained in order to be able to practice in Jersey. Propertymark already have a gateway for this. Propertymark have been and are working with UK Government to make this law. The expectation is that it will become law. Jersey should also do the same.

Currently there is no requirement for any agent to be a member of any property related body. At present, this is purely voluntary. At the very least, all agents should be made to be members of these associations, so they know what is good and bad practice. When an agent registers with JFSC there should also be a requirement for them to be a member of these schemes and prove continuous membership each year.

**Question 2 – The panel understands that you are “regional representative of the NEAA Propertymark” and have been involved in “national and regional meetings relating to the UK Regulation of Property Agents”. How important do you believe that regulation of estate agents is in Jersey, when compared with other jurisdictions such as the UK?**

In my role as past president of JEAA, we worked with TPO and Jersey to align Jersey with the UK Codes of Conduct. Trading Standards in Jersey now have the power to prosecute and to protect buyers and sellers.

Agents need to sign up to be members and pay an annual fee. Those that are already members of Propertymark/JEAA do this but there are many agents who do not. Of over 40 agencies in Jersey, less than half are members pledging to adhere to the standards set. Government can help in ensuring all agents are signed up.

**Question 3 – In the absence of estate-agent specific legislation, to what extent do you think that it is problematic for buyers and sellers in Jersey, that estate agents are not required to attain membership of a professional body or to adhere to a code of conduct?**

Property is probably the largest asset that most people own and therefore it is very important for estate agents to be a member of a professional body.

**Question 4 – A 2019 Report produced by the UK Regulation of Property Agents: Working Group, concluded that “Regulation will provide the opportunity to prevent bad practice and drive cultural change within the industry”. Do you believe that this statement could also apply to estate agents in Jersey?**

Yes, it could and should apply to Jersey.

The regulation will not only set out the minimum standards but being a member of a scheme ensure that agents:

- Have professional indemnity insurance so if a claim is made they are able to pay

- Have client money protection. So, if they are handling client funds (providing management services, taking rent and administering rental deposits) and money goes missing, they can reimburse the landlord
- Have to comply with continuous professional development

Agents not signed up currently do not have to comply with the above and there is no government body currently to monitor this.

**Question 5 - Do you believe that the experience of transacting property in Jersey would improve if all staff working for an estate agent, were required to be appropriately qualified?**

Yes. An agent's job is not only to promote and secure a buyer and offer on a property but also to help progress the sale. Knowledge of the surveyor's role, lawyer's role and financing is also needed, so that if a problem occurs, they have the tools to overcome them. The agent is the only person who can speak to all parties to help progress matters. All staff should have a good level of competence.

**Question 6 – Overall, do you think that estate agents in Jersey should be regulated and/or required to adhere to a standard of Code of Practice?**

Yes, for all the reasons set above.