

**WRITTEN QUESTION TO THE MINISTER FOR HOUSING AND COMMUNITIES
BY DEPUTY S.Y. MÉZEC OF ST. HELIER SOUTH
QUESTION SUBMITTED ON MONDAY 11th SEPTEMBER 2023
ANSWER TO BE TABLED ON MONDAY 18th SEPTEMBER 2023**

Question

“Will the Minister undertake to liaise with mydeposits Jersey to identify the number of certificates that have been issued for rental deposits which they have protected where the date the landlord passed the deposit on to mydeposits Jersey was not within 30 days of the landlord having received that deposit?”

Answer

I have discussed this matter with mydeposits Jersey and can provide the following breakdown of the number of deposits received within and outside of the 30-day deadline:

	2020-21	2021-22	2022-23	Total	Percentage
Less than 30 days	2,182	2,186	1,979	6,347	82%
Over 30 days	387	546	433	1,366	18%

The majority of deposits are protected within the 30-day deadline, but there are instances where this is not the case. Whilst there may be reasons why a landlord or agent may not meet the 30-day deadline, and it may be an honest mistake, it is imperative that tenants’ deposits are afforded the protection of the tenancy deposit scheme. Where a tenant believes that their deposit has not been protected, they should contact Environmental Health who will investigate and take action to ensure that the deposit is protected in the scheme. Landlords and tenants can also seek advice from Citizens Advice Jersey, who partner with mydeposits Jersey to provide support and guidance.

I am concerned about potential non-compliance with the tenancy deposit scheme requirements, and the broader requirements of the Residential Tenancy (Jersey) Law 2011. In the immediate-term, I am in discussion with the Law Officers Department to ensure appropriate action can be taken against non-compliance with the legislation, and to ensure that tenants receive the statutory protection to which they are entitled under the Law. I am, moreover, seeking within my residential tenancies proposals to provide relevant authorities with sufficient powers to enforce compliance when an offence has been committed, which will include tenancy deposit protection arrangements.