

3.1 Deputy S.Y. Mézec of St. Helier of the Minister for Housing regarding consideration of a policy to ban letting agent fees for tenants: [9739]

Following the announcement of the U.K. (United Kingdom) Government in the Autumn Budget that it intends to ban letting agent fees for tenants, will the Minister consider implementing such a policy in Jersey?

Deputy A.E. Pryke of Trinity (The Minister for Housing):

I can be very brief: the answer is yes, we will be planning to review letting agency fees for tenants during 2017.

Deputy S.Y. Mézec:

That completely does away with my supplementary. I am grateful for that answer.

The Bailiff:

We come to the next question ...

Deputy M. Tadier of St. Brelade:

Sir, there are some supplementaries.

The Bailiff:

All right. I did not think that any clarification was needed, but please do.

3.1.1 Deputy M. Tadier:

The first piece of clarification that is needed is: can the Minister give some information about what the review will entail? Will there be any consultancy or is it a policy that this Minister and the Government is actively seeking to pursue and introduce during this term of office?

The Deputy of Trinity:

Yes, as I said, it is something that we will review because we need a bit of clarity and also working with the Consumer Council who brought out a review on this back earlier in the year, I think. They raised 6 points that needed clarification. So nothing is ruled in and nothing is ruled out.

3.1.2 Deputy M. Tadier:

Would the Minister be able to give some clarification on what those other 6 points include and state whether it also includes charges that are levied by agents or landlords for renewals of contracts, which the Residential Tenancy Law interestingly says: "A tenant has the right to request a lease contract but the landlord has a right to charge for giving that contract."

The Deputy of Trinity:

I would like to make clear that the majority of letting agents and landlords operate in a professional manner and they do play an important role. The Consumer Council did highlight 6 areas and I have them there: lease drafting and renewal, agency introduction fee, credit check, agency holding fees, card charge and hearing fees. We will be working with that but, as I said, nothing is ruled in and nothing is ruled out.

3.1.3 Deputy G.P. Southern of St. Helier:

I just seek clarification over the word "review". It is quite a wide term. It might mean many things. Is this a review with a view to action as necessary or is it a review so that we can park it in a report and put it on somebody's top shelf?

The Deputy of Trinity:

Top shelf. This is a review, as I said, nothing is ruled in and nothing is ruled out. But also if we have to make some changes I hope we can use the Residency Tenancy Law, which was used a little while ago to outlaw recharging of utilities.

[9:45]

Hopefully, if it does need change, and I am not saying it does or it does not, I think probably it does but I am not committing myself to anything, hopefully we can use this bit of law.

3.1.4 Deputy G.P. Southern:

Is the Minister aware of one particular agent who charges £200 for pressing a button on the computer to get a new version of the licence with the dates changed?

The Deputy of Trinity:

No, I am not. As I said, the majority of letting agents and landlords do operate in a professional manner.

3.1.5 Deputy S.Y. Mézec:

Just to confirm, I know the example Deputy Southern is talking about and it does happen in the Island. Included in this review that she has spoken of: will there be any consideration of a code of conduct, voluntary or otherwise, for letting agents and estate agents?

The Deputy of Trinity:

That is one possible outcome or, if necessary, hopefully we can use the Residential Tenancy Law.