



12th May 2025

Deputy Tom Coles
Vice Chair
Environment, Housing and Infrastructure Scrutiny Panel
States Greffe
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Dear Deputy Coles

Draft Residential Tenancy (Jersey) Amendment Law 202- Review

Thank you for contacting the JFU regarding the review into the draft Residential Tenancy (Jersey) Amendment Law.

We have read P24/2025 and have the following comments to make:

In Key Messages section:-

1. Point 1 (page 5) - It states that staff accommodation will continue to be out of scope. Most staff accommodation on farms is now **self-contained** and we understand from a recent meeting with the Housing Minister that this self-contained accommodation is included in the Law. Most of this accommodation is occupied by employees on 9 month seasonal Work Permits.
2. Point 2 (page 5) - Landlords/employers do not “*serve notice*” on seasonal Work Permit (WP) employees to leave their accommodation. The employees have to leave when their WP expires and they return to their home country.
3. Point 3 (page 5) - Employees on temporary seasonal WPs have a fixed term to occupy their accommodation. This matches the dates on their WP and their employment contract. They cannot have a periodic tenancy as it is mandatory for the employee to leave the Island for 3 months to comply with Jersey Immigration Rules. In some cases that accommodation will be used for a replacement employee. This results in consecutive fixed term agreements each time an employee returns for a further 9 months. Therefore, prohibition of consecutive terms for a fixed term tenancy agreement is a problem in these cases. (ref Draft Law Part 3, Article 6 (3)(a)). We would like to suggest that there is a provision made in the amended law for consecutive fixed term tenancy agreements for seasonal WP employees who return year after year.

4. Point 13 (page 7) - We are in favour of the proposed exemption from rent stabilisation provisions of the Draft Amendment Law, where Minimum Wage accommodation offsets are concerned. You will be aware that offsets have increased over 5% in recent years, as the offset increases have been calculated to be in line with the percentage rise of the Minimum Wage.
5. Point 16 (page 7) - Expecting all landlord employers to submit details of the amount they are changing for rent/offset is another administration burden for businesses.

Rents charged data (page 15)

6. With employers having to submit data on rents charged for staff accommodation, the data collected will include the offsets/rents which are lower than “open market” rents. If they are not separated out, these lower values for offsets may result in the data not reflecting the true state of rents for non-staff accommodation. Indeed, current data collected probably does not include rent for farm staff accommodation as these premises are not advertised as they are restricted for use by farm employees. There may also be instances where long term agricultural employees pay little or no rent as part of their employment package. This would also affect average rents for that type of accommodation. We note that the data collected about rents charged could be used by the Rent Tribunal to help resolve disputes so it will be important that this data is accurate. We would like to suggest that these rents are recorded as “staff accommodation” so that the data can be separated out to ensure accurate information regarding “open market” rents for use by the Rent Tribunal.

Appendix to Report

7. New Article 6F(1)(m): Tenant’s work permit or visa

Page 27 re Article 6F(1)(m) which relates to the notice period to be given by the landlord to a tenant where the reason is stated to be the tenant’s WP or visa and mentions that the tenant requires but no longer has, or appears to have applied for a WP. This amendment does not seem to take into account that for seasonal agriculture workers, who reside on the farm of their employer, it is the **employer/landlord** who applies for the WP and not the employee/tenant. Therefore, the employer/landlord would have the exact details of the WP as the WP document is in the name of the farmer/farm business.

We would be happy to meet with the Panel if you require further clarification on any of the points that we have raised.

Yours sincerely



Douglas Richardson
President