

Review: P.24/2025 - Draft Residential Tenancy (Jersey) Amendment Law 202-

Submission: Anon 21

Dated: 19 May 2025

I am a private landlord with 6 private rental properties.

I wish to share my thoughts and concerns to the aforementioned draft proposals of the Residential Tenancy (Jersey) Law as being proposed by the housing minister Deputy Sam Mezec.

My main concerns are the same as most other landlords who really understand the implications if this is successful:

There is already existing legislation in place - Residential Tenancy (Jersey) Law 2011. Do landlords really need legislation to be told to only raise rent only once a year and in accordance with RPI, to give appropriate notice to tenants and should be allowed to reclaim their properties back if needed. Is there data to show how many landlords put up their rents more than once a year and to give inappropriate notice? Guidance to both tenants and landlords would be an excellent option rather than more red tape which is forcing the private rental sector exiting the market.

Jersey as you know does not have sufficient family homes with outside space - 2 or 3 bedroom houses with parking and gardens. The private rental market including myself, can provide this. We are constantly being told there is a housing crisis? Is there data to show this?

Rent cap:

I have no problem in setting a rent rise once a year which I think all landlords should do.

My main concern is if RPI rises to say 10 per cent then some landlords will be under rental value but more significantly maintenance, insurance and tradesmen costs will rise. Also, the introduction of the living wage is and already has had effect on the construction industry.

If a tenant challenges their landlords about a rent increase and goes to the tribunal, no doubt there will be tension between the landlord and the tenant whichever way it results.

Rent Tribunal:

The housing minister said some months ago in a scrutiny panel hearing that 'he did not think the tribunal would be busy'. So why are they going to spend possibly in the region of £100,000 on this. I personally do not think they will be as I believe that most landlords and tenants will sort things out between themselves to prevent hostility.

Open ended tenancies:

I have spoken to all my tenants and explained the reasons the housing minister wants to bring this about. All my tenants have said they would rather have fixed term leases as they feel this gives them more security knowing they can be there for either 1,2,3 etc years.

thoughts on open ended tenancies are that if I wanted to end their lease to have the house back, if they under 5 years, then I only have to give them 3 months, if over 5 years then 6 months. They feel a fixed term is definitely the way forward .

Fines:

If a landlord is found to have breached the terms of redoing a fixed term lease to the same tenant, then the landlord can be fined up to £10,000! **Again, so unfair as if a tenant breaches their terms of lease - nothing!**

In the scrutiny panel hearing on 7th May, timed at 1203 , following a question from Alex Curtis about security for landlords, the head of Strategic Housing and regulation said that at the moment 'there is no legislation in place to help protect landlords' Why not and why have they not thought about putting something in for this.

Also in the scrutiny panel hearing on 7th May, Tim Millar, following a question from Constable David Johnson, said there would be guidance after the law had gone through as they did not have time to do this before! - really they should be deferring this until this is done. Again we have the same situation as to licensing - putting the cart before the horse!

The route of the petty debts court line is as we all know is favoured for the tenants. Also, costs if the tenant has caused damage, not paid rent etc will be put on the landlords plus legal fees if incurred as most tenants will not be able to afford these.

I thought this proposed legislation was supposed to be an 'even playing field'. **I cannot see any security for landlords.**

Periods of notice:

I am quite happy with if a tenant has had a lease for under 5 years - 3 months notice. Over 5 years - 6 months notice. Again why do landlords need legislation to be told this. Most landlords are responsible and would hope most landlords do this now.

Income support assistance to tenants - I have asked the Housing minister to look at the problem surrounding the area whereby a tenant who is in receipt of income support to assist with the rent in private rental seeks to go to live in Social housing. toW -

A tenant can be offered a social housing property and has to decide within 48 hours whether to take it or not. All social housing providers need to accept that a tenant has to give at least one months notice to their landlord, once they have been offered a social housing property and should not be faced with this dilemma. How fair is that on a private landlord being given 48 hours notice? As the tenant may go there and then. Does the landlord go down the petty debts route as no doubt the tenant will not be able to pay so a LOSE LOSE situation again for landlords.