

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

Submission: Mark Cummins

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I see that many other stakeholders have submitted concerns and comments about the P.24/2025 DRAFT RESIDENTIAL TENANCY (JERSEY) AMENDMENT LAW 202-, much of which I fully agree with.

There will be unintended consequences to the negative.

I would like to add a slightly different perspective and to ask the Scrutiny Panel to satisfy themselves that :-

The Government Engagement Framework

<https://www.gov.je/government/publicpolicies/pages/thegovernmentengagementframework.aspx>

and

Enforcement Policy for the Regulation Directorate

<https://www.gov.je/SiteCollectionDocuments/Government%20and%20administration/Enforcement%20Policy%20for%20the%20Regulation%20Directorate.pdf>

processes have been adequately followed in the development of 2025 P.24/2025 DRAFT RESIDENTIAL TENANCY (JERSEY) AMENDMENT LAW 202-

Particularly please consider if “soft levers” generally being **Engage, Explain, Encourage and Enforce** have been employed before seeking to introduce “Hard Levers” like more regulation, referrals to courts or tribunals, fines and civil penalties.

If not why not?

Also, that any perceived need for more regulation and red tape should be justified by data and statistics, not just a political ideology.

To its credit the government has already implemented policies that ensure Islanders have access to safe, secure rented homes.

Not least the 2011 Law has been important in providing legislative protection for tenants and landlords in Jersey. It has created a reasonable and transparent mechanism to regulate the contractual relationship between landlords and tenants. It introduced provisions for basic terms of tenancy agreements or fixed term leases and deal with matters such as deposits, condition reports and the supply of services.

Most landlords are good landlords who treat their tenants reasonably, often with considerable kindness.

P.24/2025 appears to take the assumption that a tenant (or lessee) must accept an unreasonable rent increase or be forced to accept an end of a tenancy.

It is often overlooked that if a tenant doesn't agree to a rent increase, they can just NOT pay the new amount. It would be for the landlord to try and recover any unpaid rent possibly by negotiation or event via the Petty Debts Court. Often "mediation" is required by the Court, where typically a compromise is reached.

Similarly, if a tenant can't or doesn't want to accept a notice to end a tenancy the only option is for a landlord to seek an eviction notice from the court. There is no such thing as a revenge eviction by a landlord.

May I suggest a solution, instead of more red tape, just four things for responsibly Private Rental Sector landlords to **expect** from any Minister for Housing :-

1. Guidance on the existing legislation
2. An ACoP (Approved code of Practice) on what is expected in modern time, including but not limited to notices for rent increases and extended periods of notice if a tenant has been in occupation for many years.
3. Collection of near real time data on all types of housing and facts about any issues that might be occurring.
4. The Private Rental Sector to be of EQUAL importance in the Housing Minister's priorities as (a) Home Ownership (b) Social housing providers and (c) homelessness

Thank you for the extremely thorough job you are doing.

Mark Cummins MCMI

Professional Property Management Limited