



# Environment, Housing and Infrastructure Scrutiny Panel

## Residential Tenancy Law Review

### Witness: Caritas Jersey

Friday, 23rd May 2025

**Panel:**

Deputy H.L. Jeune of St. John, St. Lawrence and Trinity (Chair)

Deputy T.A. Coles of St. Helier South (Vice-Chair)

Deputy A.F. Curtis of St. Clement

Connétable D. Johnson of St. Mary

Deputy D.J. Warr of St. Helier South

**Witnesses:**

Mr. P. Lynch, Chief Executive Officer, Caritas Jersey

[12:17]

**Deputy H.L. Jeune of St. John, St. Lawrence and Trinity (Chair):**

Welcome to this public hearing of the Environment, Housing and Infrastructure Scrutiny Panel. Today is 23rd May 2025 and this hearing is with Caritas Jersey. Caritas has been called as part of the panel's ongoing review of the draft Residential Tenancy (Jersey) Amendment Law, and today's hearing is one of 3 that the panel will be holding with key stakeholder organisations. I would like to draw everyone's attention to the following: this hearing will be recorded, and the transcript will be published afterwards on the States Assembly website. Please check that all electronic devices are switched to silent. If there are any members of the public who have joined us today, to not interfere with the proceedings and as soon as the hearing is closed, to leave quietly. For the purpose of the recording, we will make introductions. My name is Deputy Hilary Jeune, and I am the Chair of the Environment, Housing and Infrastructure Scrutiny Panel.

**Deputy T.A. Coles of St. Helier South (Vice-Chair):**

Deputy Tom Coles, Vice-Chair.

**Deputy D.J. Warr of St. Helier South:**

Deputy David Warr, panel member.

**Deputy A.F. Curtis of St. Clement:**

Deputy Alex Curtis, panel member.

**Connétable D. Johnson of St. Mary:**

Constable David Johnson, panel member.

**Chief Executive Officer, Caritas Jersey:**

Patrick Lynch. I am the C.E.O. (Chief Executive Officer) of Caritas Jersey, and I probably should add I am also part of the Homelessness Strategy Board for the Island.

**Deputy H.L. Jeune:**

Thank you, Patrick, and welcome today. As I have said already, but just as a reminder, this review is for the changes of the Residential Tenancy Law which was being lodged by the Minister for Housing to strengthen Jersey's legal framework for residential tenancies and to deliver on the Common Strategic Policy commitment to improve arrangements for tenants and landlords. The overall aim of the panel's review is to identify whether the amendments are fit for purpose, achieve the stated goal of improving arrangements and whether there are any unintended consequences which could arise from the implementation of the amendment. The panel now has closed the call for evidence. We have a number of submissions, and we also have launched a tenant survey as well. These will be gathered together, and we have an adviser who is helping us to develop a report. He will be submitting a report looking at that evidence to advise us and recommend the direction for the panel. We will then take that all into consideration and the panel will write a final review. That will be then submitted to the States Members to help them in their deliberations on whether to support different parts of the amendments or the law overall. At the moment the schedule for discussing this law is 8th July, at the next States sitting on 8th July. We have a number of questions for you. We have an hour for that and so I would like to just launch straight in with: what is your overall position on the proposed amendments to the Residential Tenancy Law, and do you think it will make a difference?

**Chief Executive Officer, Caritas Jersey:**

Yes, I do think it will make a difference. I think we come at this from a perspective ... the first thing I should say, if you do not mind, in regard to the surveys, et cetera, that have been put out there, there is always a deficit for the tenant or the person in poverty, the person at the lower end of the scale compared to the people, in this case, the landlords. We have tried our best, but it is very hard to get to all the people who need to respond. Another key matter here in Jersey is that there is a great element of fear among tenants about speaking out. You have obviously stated there that everything will be reviewed, but I think there has to be a weighting factor in any such review because as much as we and partner organisations will try to get to the people, that fear factor and the, for instance, unavailability of online access for a lot of the people who are the people who really need to know what is going on in these changes, it is very difficult to get to them.

**Deputy D.J. Warr:**

Just to respond to your fear question, is it a fear of them losing their home or is it because there is not enough choice in the market for them to be able to move from one home to another?

**Chief Executive Officer, Caritas Jersey:**

It is a fear of what will happen, the consequences, usually with landlords because people on the lower levels of property feel they have less security, they have less choice, and they fear retribution if they ever speak out.

**Deputy D.J. Warr:**

Okay.

**Deputy H.L. Jeune:**

Thank you. We are encouraged by the fact that we have over 200 submissions from our tenant survey and probably at the end we will count a few more to that so we are very grateful for those who have submitted to us. Of course, we will have them as anonymous, but we will take your point and advise the adviser to also take what you have said into account. But coming back to that point about will it make a difference, these amendments proposed?

**Chief Executive Officer, Caritas Jersey:**

In general terms, I think it will. There are elements in there that we are very supportive of. I think we come at this from a perspective of Jersey being one of the least regulated sectors in comparative jurisdictions. It has often been described to us by people that the rental market here is a Wild West and no time was that more evident than during the initial COVID period and when the cost-of-living crisis began. Obviously, inflation was rising very quickly and rapidly but some of the ... I stand to be corrected but I think inflation maxed out at 12.9 per cent. Regularly during that period we had people coming to us with 20, 25, 30 per cent increases in their rent. At that time, obviously landlords

were having increased costs, but it was seen, we fear, as a time for exploitation as well and a good time to get more money for a lot of the more unscrupulous landlords. That has basically fed into all the issues we see in our day-to-day work with increased foodbank usage whereby people obviously want to keep roofs above their head. Money just goes on rent now and whereas people on low wages, their salaries got them to the end of the month previously, it no longer does because they are, as I said, keeping the roof over their head. That exponential rise in foodbank usage is almost exclusively people in work, but because of the increased rents they do not get to the end of the month and therefore foodbank usage is also much higher in weeks 3 and 4 of the last 10 days or so of the month.

**Deputy H.L. Jeune:**

Okay. Thank you.

**Deputy D.J. Warr:**

Just a question on the cohort you are talking about here. Obviously, there is income support, there is housing support for people so they can get their top-ups. Are you referencing people who cannot access housing support towards their rent?

**Chief Executive Officer, Caritas Jersey:**

In a lot of cases, they do not have residential qualifications, so they are in private rentals.

**Deputy D.J. Warr:**

Right. Rentals in the 0-to-5-year category.

**Chief Executive Officer, Caritas Jersey:**

Yes.

**Deputy D.J. Warr:**

Yes, okay.

**Deputy H.L. Jeune:**

Okay. Thank you for that clarification. What specifically within these amendments do you see that will make that difference?

**Chief Executive Officer, Caritas Jersey:**

On a personal level, rather than taking my Caritas hat off here, I would not be naturally inclined towards rent controls or rent stabilisations, but I think we are in an extraordinary time and extraordinary circumstances. Where we are at the moment, as I alluded to there, rent increases

went up so much that if they are not curbed in some way, you are going to have an increasing problem because all you are doing is putting higher increases on top of existing huge increases. They are just going to become unaffordable, and we have a concern both for the individuals in the here and now who are affected by them but if you look at wider Jersey society as a whole, it is going to, we fear, ensure that lots of people are driven away from the Island. Therefore, there are going to be more issues with retention and recruitment for not only jobs in the hospitality and agriculture sectors, but widening sectors. I know lots of people within health, and they look at here and they are encouraged by the beaches and the sunshine we have at the moment, but they look at the finances and they cannot move here. That is a big issue, obviously, with a multi-site hospital coming forward.

**Deputy H.L. Jeune:**

I suppose homing in on some of those amendments that we talked about, and you were just talking about the rent cap, but maybe one of the amendments is about changing from one fixed term, so to have one minimum fixed term, and then the rest being under periodic tenancies where you have a specific list for vacating the properties. What is your view on the value of periodic tenancies and whether they can improve security or tenure of tenants or not?

**Chief Executive Officer, Caritas Jersey:**

I would say it will always depend on each individual person or family, but largely speaking we think it is a good idea because the other thing, going back to my comment a minute ago about people making their futures here, is that people want homes. It is not just a house or a flat and people need to be encouraged that they have a home that they can live in and move forward in. At the moment, what we are hearing is people are scared that they are going to be out with their cases within a few days. The other thing as well is looking at society as a whole, people want houses to plan their futures and people are putting off having children. I saw a stat the other day about the increasingly lower birth rate, and this is one of the things because people do not have that security, they do not want to have another child.

**Deputy H.L. Jeune:**

On this specifically, it has been suggested to the panel that periodic tenancies could reduce the security of tenants because we have heard from landlords and the Landlord Association that fixed term is something the landlords and tenants are both ... they say, of course, that fixed term is because both parties know where the end date is, I suppose, whereas a periodic tenancy potentially could be where there could be a 3-month notice or a 6-month notice, of course within that list, but there is that danger that there could be a 3-month notice rather than knowing that you have a fixed term of 3 years, for example.

**Chief Executive Officer, Caritas Jersey:**

I was watching a bit of that before I came down here and it did not surprise me that Guy and people were saying that. I want to be clear it is different in every scenario, but I think one of the biggest things that people tell us is that lack of security and that lack of ability to call a building a home. I think, largely speaking, people would value the fact that they have more security and periodic tenancies would suit most of our clients, not everyone because there are different circumstances, but we think it is on balance a good idea.

**Deputy H.L. Jeune:**

Even though they then could have this 3-month notice or 6-month notice?

**Chief Executive Officer, Caritas Jersey:**

I think the people who are going to be here for more than, say, the 9-month work permit, they are people who want to make their lives here and they want to get certainty and security.

[12:30]

**Deputy A.F. Curtis:**

The panel has discussed this in a number of our public hearings, as you have heard, an area we are very interested in understanding, because as the Chair mentioned, under the periodic as it is read, it introduces the rights of a landlord to end a tenancy. Key ones may be, obviously, failure on the rental agreement, but there were those including the landlord's decision to sell the property or to perform renovations that require the tenant to leave. Those are currently set to 3 months so a tenant could be living in a property for 3 years and all of a sudden be given 3 months' notice to leave. I think what we are trying to understand from those who speak to us, does that represent more security than what we heard, especially from the Jersey Estate Agent's Association, which was the majority of their people are on 12-month tenancies fixed term renewed every year?

**Deputy H.L. Jeune:**

Which means within that time they cannot break.

**Deputy A.F. Curtis:**

They cannot break.

**Chief Executive Officer, Caritas Jersey:**

As I said, different people will be in different scenarios but a lot of ... and careful to judge my words here, but there are different types of landlords, shall we say, and I have no doubt that Guy and his team who were here earlier at the Landlord Association do things to the letter of the law. There are

a lot of other landlords ... sorry, a lot is probably harsh. There are some landlords out there who perform to their own rules and regulations and one of the questions in the survey was: do you know what your rights are and what notice periods are? It is very clear to a lot of people we see, especially people without English as a first language, that they do not have the faintest clue and it is deliberately withheld from them, I would suggest. There was one actual person who I encouraged to fill out one of the forms when they attended with us but, again, for that fear factor, they did not want to. They know that if the landlord gets somebody else who will pay more or they have a different change of mind, they will be out.

**The Connétable of St. Mary:**

Just picking up on that point, our main line of enquiry is to find out the differences. From what you just said, tenants do have certain rights at the moment and is it due to lack of understanding that they feel susceptible to being evicted at a moment's notice when they can appeal to court for a stay of execution and they will not be thrown out on the street?

**Chief Executive Officer, Caritas Jersey:**

Yes, so for every person in such circumstance who comes to us and needs help, and we suggest what routes are open to them, we are sure there are lots of others who just accept the status quo or are completely oblivious to what their rights are, and this is the difference quite often. With us we have what is called a little homelessness fund and it is to avoid people becoming homeless. This has been for ever, so since we started it in 2019, 2020, people arrived with us, they would look for that help to tide them over to avoid them on a Friday - it always seemed to be on a Friday afternoon - they were being told they would have to leave by Monday or the following Monday. They were very grateful for the assistance that that fund could provide them, but when we looked for the more medium and long-term solutions and saying: "If your landlord is doing this, you have these rights", they would not want to engage with it at all because they thought that would cause more problems for them. Sorry, I am going to connect something to connect upon, but there was the residential licensing legislation that came in. That is why we were so supportive of that legislation because the difficulty we had was that a lot of those landlords were completely off radar. One of our frustrations is that since that has come in, we have not seen the details of how many new people have come in since - I think it was 1st August officially last year - that came in, but we want to see how many people are off radar. We still think there are probably others who are off radar - so people are doing things in the background - but that is why when I said earlier that there is a lack of regulation here, that was one of the reasons we want to see something like that come in so that people were on there because there are people who are just ...

**The Connétable of St. Mary:**

Yes.

**Chief Executive Officer, Caritas Jersey:**

... and people are none the wiser.

**Deputy H.L. Jeune:**

When you were saying that people come to you because they have suddenly got a week left, is this part of the problem of, say ... I assume you talk to them, and you look at their leases, maybe see what has gone wrong. Would it be ...

**Chief Executive Officer, Caritas Jersey:**

If you do not mind me interjecting, just one of the things, sometimes there is not a rental agreement. That is one of the issues.

**Deputy H.L. Jeune:**

Right, and so if there was a rental agreement, the panel has heard fixed term agreements do not necessarily have a notice period at the end where there is a time where ... I mean it is good practice that a landlord should remind a tenant that they are coming to the end of their fixed term and what would they like to do or give them notice for that. But, of course, you are saying clearly that there are landlords who do not do that. Is that related to fixed term specifically or is ... because of this lack of having it written somewhere that a fixed term needs to also give a notice period whereas rolling over needs to have ... in the current law, I believe, it needs to give ...

**Deputy A.F. Curtis:**

Three months.

**Deputy H.L. Jeune:**

Three months' notice.

**Chief Executive Officer, Caritas Jersey:**

Three months, right.

**Deputy H.L. Jeune:**

The fact a landlord is not giving notice it must ... well, apart from not following the law, which is a different issue. If you are following the law, where that falls down is the fixed term.

**Chief Executive Officer, Caritas Jersey:**

I think, being honest, it can happen in both forms of tenancies but usually what we find is people will have ... if they have the actual document that shows what kind of a tenancy they have, is that there



can be 6 month, 12 month, even perhaps 3 months, and people are not aware ... I do not think from some of the contracts I have seen that it would be specified that if you get to month 11 of the 12 months that there has to be a notification then of: "You have to leave the property".

**Deputy H.L. Jeune:**

No, there is not currently in the law. It is not safe.

**Chief Executive Officer, Caritas Jersey:**

I think it can be quite arbitrary so people could be ... they have a 12-month contract or 6 months and they get to the end, and they do not know what the situation is, and they hope, but I think there is ...

**Deputy H.L. Jeune:**

That is what I am trying to get at is maybe there arises that situation because of a one-week notice. It is not possible in a rolling contract; it would have to be in a fixed term, but then some of the things you have been saying, of course, is that some landlords do not even follow the current law. Does that mean you think that enforcement is an issue, and would these amendments make any difference in that scenario?

**Chief Executive Officer, Caritas Jersey:**

If you take the overall picture, I am hoping, as I have mentioned there, that the residential licensing will bring more of the rogue landlords on to the radar and therefore they will be known, whereas they were not known before. When people are in difficulty with ... sorry, how I should term that is if they are now on the radar whereas they were not before, one would hope that they are less likely to abuse their powers because they are on for one particular thing but not necessarily the other.

**Deputy D.J. Warr:**

My question then is - and absolutely the point the Chair is making here is about a lack of enforcement - how do they gather intelligence? How do departments gather intelligence? Is it down to Caritas to, I do not say, report rogue landlords? Because presumably you know who they are when you get information on who they are. There is a consistency presumably where you go: "Oh, it is that character again", kind of thing.

**Chief Executive Officer, Caritas Jersey:**

Yes.

**Deputy D.J. Warr:**

How does a department ... because it is a bit unfair on the department if nobody ever tells them who the rogue landlords are.

**Chief Executive Officer, Caritas Jersey:**

Forgive me for branching off into the residential licence but that was one of the key elements of the residential licensing was that the anonymous nature that people could call in to make people aware and the visits to the actual properties were anonymous. There is a programme of inspections. They are just arbitrary but when somebody visits a rogue one, they do not know whether it has been called in by the individual or it is just an arbitrary one and ...

**Deputy H.L. Jeune:**

But do they currently ask for information around the leases, et cetera?

**Chief Executive Officer, Caritas Jersey:**

I have to confess I do not know what they do, but what we have found is probably not as much of an uptake on that anonymous calling in, but we have had 2, maybe 3, who have felt freer to report the conditions they have whereas previously there were not.

**The Connétable of St. Mary:**

Sorry, just following on from that, I welcome your deviation on to the licensing. I was on the panel which looked into that. The basic question is: as far as you are concerned, has it had the desired effect? Are they getting fewer rent eviction concerns?

**Chief Executive Officer, Caritas Jersey:**

I think we have seen a little evidence of it being used as it was intended. I do not think there is as much focus on certain elements of it as we expected when the review was taking place and when it was being debated by yourselves in the States. I think there was a big emphasis at the time on the fact that these people who were off radar were going to be there. Now, I may be completely wrong and there may be a lot more ... I was at I think it was a Homelessness Cluster event and the officer from the Environment Department said that they expected I think it was about 17,000 properties, if I recall, but what he was not able to answer was that they had 16,500 and they had estimated an extra 500 that they did not know about previously. We did not get that stat and we have not found out any information on how many inspections they have done since the 1st August deadline. We are waiting to see some of that data and there was a Homelessness Cluster this morning.

**Deputy H.L. Jeune:**

We have asked for that. Turning back to the other side of things, that is about the health and safety of the property. I mean, it still fits into the same thing on the sense of one of the elements of this

amendment is to try to solve the incidences of what was called revenge evictions, which many submissions that we have collected is. There is no definition for that. What does that mean? Of course, we are talking about the dwelling licence potentially could keep that anonymous so any complaints about the quality of the property and the effect it has on tenants but, of course, it is specifically related to the contracts between a tenant and a landlord. Have you seen any evidence that those negotiations when one lease finishes and another one starts with the same tenant that there is revenge evictions and what is your experience and situation around those?

**Chief Executive Officer, Caritas Jersey:**

I think what you said there is completely accurate. There is no real definition of revenge evictions. However, having said that, I think landlords do find ways to get rid of tenants if tenants ask too much or pursue too much. I think that has happened historically and it is still happening at the moment.

**Deputy H.L. Jeune:**

Okay. Thank you.

**Chief Executive Officer, Caritas Jersey:**

Again, I do note and accept, and I have seen this discussed many times, it is very hard to gauge exactly what that is, and I do not think you are ever going to be in a position where you can quantify it completely.

**Deputy H.L. Jeune:**

Yes, and also every element could be different, as you have said before. You have said it is very difficult to also ... at the beginning of the hearing, I do not want to put words in your mouth, but you said it is difficult to define it in a wider sense because every situation could be different.

**Deputy T.A. Coles:**

The fear factor that does not allow people to come forward. I suppose one of the challenges of the old law or the law as it stands and the potential amendments is those elements of reporting. I think you said before that a lot of your people that you see might not even know where to go or their rights as they stand.

[12:45]

**Chief Executive Officer, Caritas Jersey:**

Yes, it is a strange one. Some people may come to us from ... I suppose the old route was Citizens Advice, but Citizens Advice is sometimes seen as an arm of Government, for rightly or wrongly. One of the reasons why people - especially from minority nationalities historically - came to us was that

the Caritas name is far more well known in parts of Europe, Africa, than it is in Britain or Ireland generally and we also have people who speak different languages. The one thing I would say, and I am certainly not a linguist myself, but my colleagues say that people from our minority nationalities are very reticent about coming forward. There may be issues with the landlord, there may be issues with rent, et cetera, but that is why when I said to you a few minutes ago people often came on a Friday and the issue may be coming to a head on a Monday, that is because it was only when the reality of their situations is laid bare and there is 72 hours, that is the only reason.

**Deputy H.L. Jeune:**

If you could maybe expand on the causes of this breakdown of relationship between tenants and landlords. We have been hearing many submissions that landlords want to have tenants for a long time. They do not want the turnover because they want to be able to have that consistency. In your experience, what is the cause of those breakdowns?

**Chief Executive Officer, Caritas Jersey:**

I would not necessarily call it a breakdown. Firstly, I can empathise with landlords who want to have continuity as well and that is when there is a good relationship, people are doing everything by the book, but there are a lot of people who come here to make better lives themselves. They can come here with very little. They are looking for employment. They get employment. Sometimes that employment may be off the books and therefore their rental agreements are as well. There is one incidence where there were 16 people in a flat probably for about 4 or 5, so people get them in and then if you question something, say: "Where is my contract?", et cetera, where there is no contract, there is always someone else to fill the 16th place if you are told to go and that is a lot of what we see. That is not going to happen in a lot of cases, but there are a lot of people who come here on low wages just looking for some sort of employment, some kind of life, and these are the realities of how they live here.

**Deputy A.F. Curtis:**

Could I just ask, given the severity of those extreme cases that you do encounter, does the law go far enough in creating the powers to deal with these scenarios and make it, back to the point about enforcement, workable? Regardless of which law is in place, that is not something I am sure most people would want to see, that level of overcrowding and abuse.

**Chief Executive Officer, Caritas Jersey:**

Again, it goes back to the fear factor that I was saying. Will people call that out? Will they be willing to be the ones who put their heads above the parapet? Unfortunately, that is not the case. My guess is it never comes to a head because people are too fearful of what the alternative is. It takes

a lot of courage for you be the one who is the trailblazer on this, especially when you do not have much money, you have come from hundreds or even thousands of miles away.

**Deputy T.A. Coles:**

There is the other question on the other side of that then because if they are afraid to put their head above the parapet, do you think that the consequences that are being drafted to go into this law for the bad landlord, do you think they go far enough or are too far to prevent that having to be the reason for someone to put their head above the parapet? Are they enough to scare someone in line?

**Chief Executive Officer, Caritas Jersey:**

Scare the landlord in line?

**Deputy T.A. Coles:**

Yes.

**Chief Executive Officer, Caritas Jersey:**

It is a good question. On first reading, I remember the note I made was: "It was quite measured." I did not think there was that much that landlords could be too in opposition to, but listening to the earlier hearing and of the conversations I have had ... but then, of course, people are going to represent their own bodies and communities. To me it seems quite measured, and you will probably come on to it in a second. I think a workable rent tribunal that has confidence is one of the big things in all of that, and I think the fact that they may be subject to a rent tribunal would pull some unscrupulous landlords into order. I do not think you are ever going to get rid of every poor operator in any sector.

**Deputy H.L. Jeune:**

Maybe going into that and then we can come back to some of the things. Of course, we have been talking about the fear factor and a rent tribunal, the tenant would have to be the ones taking the landlord to the rent tribunal on that. Do you see that there is need, for example, for a third party to do that, for example, yourselves or something on behalf of? That is what I would be worried about, from hearing what you have been saying, is about that. The fear factor would then stop anybody going to the rent tribunal.

**Chief Executive Officer, Caritas Jersey:**

It could well do. Ourselves and some of our charity partners already assist and are advocates - in advocacy as opposed to legal advocates - for people in employment tribunals already. It still is very hard for people to commit to them but with employment tribunals, if they have the confidence that

the process is fair, it will encourage some people. I completely agree that some people will never feel comfortable enough to go to a rent tribunal. If I may, Deputy Warr, go back to what was proposed previously, we discuss with clients and even if it was not technically correct there were 4 people who were seen as establishment landlords, et cetera, and there was no confidence - as I mentioned to you on many occasions - in that, the rent tribunal as proposed - and if I have got this right - I think I am right in saying the chair and vice-chair have to have legal experience.

**The Connétable of St. Mary:**

Yes, there was a comment in the previous hearing that the States Assembly to approve them under the guidance of the Appointments Commission, yes. So there will be, certainly, yes.

**Chief Executive Officer, Caritas Jersey:**

I think that gives a certain degree of authority to it. Where I would like it to go further is perhaps designated individuals from different sectors, for instance, perhaps one from the charity sector, one representing tenants. You would then argue obviously that if somebody is representing tenants that one landlord on there would give balance. I think as previously constituted there would be no confidence in it. There is a bit more confidence in this.

**Deputy H.L. Jeune:**

Okay. Thank you. How would you suggest that the Government best support tenants in accessing the rent tribunal? You were talking about that you and other charities support them naturally but is that then felt that it should be a third party rather than the Government or do you think the Government has a role there in supporting tenants?

**Chief Executive Officer, Caritas Jersey:**

I think were this to go ahead, then it has to be properly advertised and the opportunity that is there that it would need to reach the people who need it most. One of our big things is you can have lots of stuff online, social media and stuff, but that is no good to a vast majority of the people who may need it. You need to have old traditional media posters, et cetera, in the relevant places where people would be, so I would suggest charities, G.P. (general practitioners), churches, all those kinds of places where people could attend. Because there is a lot of evidence - I do not mean particularly on this area but on lots of things - if you have posters or information, if people go to the same place daily, weekly, they may see it once and they do nothing but it is after seeing it 4 or 5 times they are encouraged to do something. It is that matter of getting the information out there. If you were to have just one specific group, I am not sure that would work because different people have different people they feel comfortable with. For instance, Citizens Advice, Salvation Army, Friends of Africa are just ones who we have dealt with, but I am sure there are a lot more out there who would be in the same position and willing to help.

**Deputy D.J. Warr:**

Just coming back to this point about people who are - I am going to use a very blunt term, and it is probably the wrong term to use - illegally employed, let us put it bluntly, who then do not have documentation from a landlord, how likely are they to go to a tribunal, with all due respect?

**Chief Executive Officer, Caritas Jersey:**

That is a fair point, but you can often find that people are legally employed.

**Deputy D.J. Warr:**

Okay. Sorry, I used a very blunt term.

**Chief Executive Officer, Caritas Jersey:**

No, no, no, there are certainly people within that category but there will be people who are legally employed but may not have very legal accommodation, so there is that mix but there will be people in those scenarios as well.

**Deputy D.J. Warr:**

I am more concerned about how much you are supporting those people.

**Chief Executive Officer, Caritas Jersey:**

Obviously, they are not going to put their heads above the parapet unless it is extreme conditions and the value of calling that out is more than the loss.

**Deputy D.J. Warr:**

More than the loss, yes.

**Deputy H.L. Jeune:**

Going to the rents cap, what is Caritas' view on that, and do you feel the 5 per cent or R.P.I. (Retail Price Index) is proportionate and fair for tenants in the private sector?

**Chief Executive Officer, Caritas Jersey:**

It is a difficult question because naturally, as I said, personally I would not be that inclined normally towards a rent cap, but I see the reality of where people are. I feel that as an Island we are on a bit of a precipice because there are so many people who simply - these are people in employment - cannot afford to live here. If you allow free reign and you have ... it is a cumulative effect of the last 2 or 3 years those 20 to 30 per cent increases in rent and then put more on top of that because obviously 10 per cent on top of, say, 1,000 a few years ago as opposed to 10 per cent on top of

2,500 now, that cumulative figure is putting things more out of reach. I think whether it is for a limited period or for a sustained period something has to be done because people are working, they are existing, they are not really living because what they are doing, they are working to keep the roof above their head, they are attending at a food bank, they are getting help then with other things, and ultimately they are not going to stay here. That is going to affect all our industries and the standard of living for everyone else.

**Deputy H.L. Jeune:**

Is this, in Caritas' view, the heftier amendment than, say, the periodic tenancies and the fixed-term tenancies amendments change? Would this be the focus if there was a prioritised ...

**Chief Executive Officer, Caritas Jersey:**

One of the things related to that is stopping multiple increases in a year. I think that is an absolute no-brainer, but I always state back in, I think, 2022 into 2023, we knew of people who had a 30 per cent increase but their landlord said: "Look, I am so good. You have 15 per cent on 1st January, the other 15 per cent on 1st April." That was being nice and the amount of times ... I think, again, it is around certainty. If you know there is just going to be one increase in a year, you know what the timeframe it is going to be, whether that is first quarter, third quarter, whatever, it gives that certainty. I know there could be unintended consequences of rent controls. The evidence is mixed, shall we say, elsewhere of rent controls whether they work or not or rent stabilisation, as it is called, but our fear is that if nothing changes, where are we going to be as a society and where are individuals going to be? That is the concern.

[13:00]

**Deputy D.J. Warr:**

I just want to run the counter argument and obviously the counter argument from J.L.A. (Jersey Land Association) is that what you are going to end up doing is chasing landlords out of the market, therefore you constrict supply, therefore rents will go up.

**Chief Executive Officer, Caritas Jersey:**

The scare story. I mentioned 17,000 properties. I think, according to what the J.L.A. were saying during their residential licensing debate, that number would be down to 14,000 or 15,000 now but that has not happened. Scaremongering works and it is the right thing to do on behalf of their members, but I do not think there is any evidence for it, and I do not believe it.

**Deputy A.F. Curtis:**



Do you ever receive feedback from tenants, not just about their struggles in affording rent, but accessing a range of property in the market? Is there any evidence that you see coming forward about what the rental market looks like by way of the volumes in there that would, perhaps, dispel or support either way that position about the challenges of supply?

**Chief Executive Officer, Caritas Jersey:**

I think the supply situation has changed because a lot more properties have come online now, especially within social housing. Going back to a comment I made a few minutes ago, the difficulty is for people who want to build their futures here because a lot of those new supply are what some people term “suspended boxes” here in town and what we need to see is more being built out in the rural parishes to allow people who are in a suspended box who cannot build their family to be able to move out. There is a huge bit of work there that needs to happen, but there are lots of people who we see who would like to start a family or perhaps increase the size of their family and that is not possible at the moment.

**Deputy H.L. Jeune:**

When we are talking about periodic tenancies, there is the list of exemptions for the notice periods and we have talked before about whether that gives security or not to tenants, but there is a number of elements in that list and obviously it changes depending if it is 3 months or 6 months or some say 7 days’ notice. Do you think that this list of exemptions is comprehensive? Do you think that that is giving clarity to tenants and landlords? Do you see that there is anything missing on that list?

**Chief Executive Officer, Caritas Jersey:**

It is quite extensive. I have not been through each one with a fine toothcomb, but to me it seems reasonably balanced and measured. Again, the difficulty, as I have said with other things, is it is very hard to find one size fits all, but the first word that came to mind for us was measured.

**Deputy H.L. Jeune:**

That is interesting. Thank you. Going on to more about the communication and how these amendments were developed by the Government, were Caritas Jersey involved in those, or as part of groups involved in the developments of these amendments?

**Chief Executive Officer, Caritas Jersey:**

Not really. I think going back to when Deputy Warr was the Minister, we tried to, again, provide the ability for tenants to feed in as a counter position to the more organised landlords and other organisations. There was a submission to your review from the Homelessness Strategy Board. A lot of elements went into that. I, perhaps, was not comfortable with some of the stuff in there but as a group that was what was in there. I think our focus has always been just to try and tease out

because of the difficulty of teasing out the opinions of tenants and to give a voice to tenants who we feel probably are less organised than the J.L.A. and other organisations, estate agents, and to give voice to them to try and put their position across. That has been our ultimate.

**Deputy H.L. Jeune:**

Does that mean that ... of course, you have mentioned you met the former Minister for Housing, but have you met the current Minister for Housing in this capacity to discuss these particular amendments as part of a group?

**Chief Executive Officer, Caritas Jersey:**

Yes, as part of a group, the Homelessness Cluster, and I am not sure the exact name of the other, a homelessness or housing group that meets once a quarter or so.

**Deputy H.L. Jeune:**

Do you think that the amendments reflect the discussion that was had there? Was there a discussion of substantive input or was it more of information gathering?

**Chief Executive Officer, Caritas Jersey:**

I suppose there was some input earlier on, just thoughts and opinions from various groups, and then we were presented, I think, around March timeframe with the proposals. We have had the opportunity to discuss and agree and disagree and try and find out more information on them.

**Deputy H.L. Jeune:**

Of course, you are reflecting some of the evidence you are hearing from those tenants. Do you think there has been adequate communication with the public about the proposed changes?

**Chief Executive Officer, Caritas Jersey:**

I am trying to think because I have not thought about it in those terms. I have been more thinking about the people we need to represent because obviously we find out about it. Were I to ask my wife how much she knows about it, I am not sure that she would know a huge amount.

**Deputy H.L. Jeune:**

When people come to you, do they know about it?

**Chief Executive Officer, Caritas Jersey:**

Some do; some do not.

**Deputy H.L. Jeune:**

Why do you think that is? What is it related to?

**Chief Executive Officer, Caritas Jersey:**

Some people will listen to the traditional media, so some of our clients will not have tablets or iPads or whatever to watch Netflix. They will have Freeview at best and a lot of them tend to listen to the radio in the morning and they will hear about things on there. They will come in when they are attending the foodbank or just coming in for other support and they will say: "What was such and such on about this morning? What is this about?" There are some people who have a genuine interest in what is going on. There are other people who would be oblivious and do not tend to listen or watch traditional forms of media and probably do not have the access to social media either. It is a very mixed picture.

**Deputy H.L. Jeune:**

Okay. Do you think that that means if and when changes and amendments are proposed that there needs to be more information for tenants to understand their rights?

**Chief Executive Officer, Caritas Jersey:**

I think more information is always good. How far it gets and extends is a difficult question. We would love the more information we can get, and our walls are plastered with information. Because of that, what I was saying earlier, people see it the first time, they ignore it. Second, third time they will start to take it on board. We always have the discussion as well that a lot of people who are perhaps in situations where they need assistance on these matters do not have English as a first language, so it has very much got to be the information in the different languages. I think with the survey on this we had some in Portuguese, but Polish, Romanian, and more and more so with the changing makeup of the demographics of the Island and of the migrant workforce, Swahili and Filipino are hugely important because a lot of people we see come from those communities. I think I am right in saying you got those done.

**Deputy H.L. Jeune:**

You have talked a lot about the most vulnerable in our society and ones that you have seen, and you are supporting. I suppose it is something that the Landlord Association talked to us before in the hearing about the fact that they are concerned that the periodic tenancies, for example, will encourage landlords to be more vigilant with who they agree to be their tenants. They are worried that that will disadvantage the most vulnerable more because they will be less likely to agree to having certain people in there. Would you agree or not agree?

**Chief Executive Officer, Caritas Jersey:**

No, I think there is an element of scaremongering there as well because you could have somebody who is in poverty on low wages but could be an impeccable tenant. I think it is equating lower socioeconomic groups with troublemaking, and I do not think that is fair.

**The Connétable of St. Mary:**

I agree with a lot you have said. The more I hear, the more I wonder whether this law is going to affect the social problem we have of affordable housing. From what you say, your constituents who would call that would come from the ... not the low margins, the less affluent, et cetera, and they are renting their property from landlords who if they have not got written agreements are already in breach of the law. Do you think this law is going to do anything? What I am saying is should the impetus in fact be elsewhere?

**Chief Executive Officer, Caritas Jersey:**

Again, and sorry to conflate the 2 things, but added to the previous residential licensing, I think the 2 things together give hope that things can improve. Things are not going to change overnight, but that comment that somebody made to me about it being the Wild West at the moment, you need to have some more control to try and bring things to a better position. I do not believe in overregulating in general, but I think we come from a very unregulated base and putting some regulation in there is surely for the benefit of a lot of people.

**The Connétable of St. Mary:**

I will leave it at that. Thank you.

**Deputy H.L. Jeune:**

Thank you.

**Deputy T.A. Coles:**

We are trying to find whether this law strikes the right balance between landlords and tenants. We see that the landlords have got a big list for the reasons why they have to give their notice when they hit the periodic tenancy stage. Do you think it is balanced as it is with just the tenant being able to give that one month notice period or do you think there should have been maybe a list for tenants where they could have had a range of notice periods as well?

**Chief Executive Officer, Caritas Jersey:**

It is a good question. I think one of the issues for some tenants here is they may have work contracts that limit their time here or they could be given very short periods to vacate the Island. Therefore, sometimes one month may be too much for them because we do see in certain circumstances

people being given 7 or 14 days to leave the Island, but I think generally one month seems reasonably fair.

**Deputy H.L. Jeune:**

Thank you. Can I just ask the panel members if they have any more questions? No more questions. Have you got anything further that we have missed off as the panel in our questions?

**Chief Executive Officer, Caritas Jersey:**

I suppose the one thing we were talking a lot is off radar landlords, et cetera, but I would not just say that they are the only people who do not behave correctly at the moment. We have seen a lot of evidence, during COVID especially, of people in the more affluent housing market who were known to people we know who used it as an excuse where there were no mortgages involved to levy big increases. If you are looking at that wider bit of the Island as a whole, so if you are looking to attract doctors here who may be in such properties I am referring to here, if they see that in Hampshire or Surrey it is X but in Jersey it is X plus however much, are we really going to be attracting people we need here as a society? I think some regulation there will help in that area as well, much as it is not an area we deal with specifically, but I think it has got to be shown that there are abuses at all ends of the market, albeit we are more focused on the clients that we see on a daily basis. I think in general the changes ... somebody I was speaking to said: "This is quite radical." It may be radical for Jersey, but I do not think it is radical generally. I think a lot of what is being proposed in other jurisdictions, or is enforced in other jurisdictions, goes well beyond this so all we are doing is trying to bring Jersey up to some sort of a par with other comparable jurisdictions.

**Deputy H.L. Jeune:**

Great. Thank you very much for coming today, Patrick. I think we will close the meeting at that but thank you very much.

**Chief Executive Officer, Caritas Jersey:**

Thank you.

[13:15]