

**WRITTEN QUESTION TO THE MINISTER FOR HOUSING
BY DEPUTY G.P. SOUTHERN OF ST. HELIER
ANSWER TO BE TABLED ON TUESDAY 6th DECEMBER 2011**

Question

Will the Minister inform members whether he will commit to the introduction of a tenant deposit scheme (TDS) within a 6 month period in accordance with P.130/2009 which called for Regulations to be brought forward under the Residential Tenancy (Jersey) Law (RTL) and, if not, why not?

Will he update members on the progress made on the following issues since the R.37/2010 Tenants' Deposit Scheme: current status was issued-

- a) Whether the draft Law has yet been sanctioned by the Privy Council?
- b) Whether draft Regulations have been reviewed and accepted by the Minister?
- c) Whether the full cost implications of the Law have been identified and, if so, what they might be?
- d) Whether a tender process to recruit a scheme provider has been initiated and, if so, whether one has been identified and appointed and, if not, why not?
- e) When an Appointed Day Act for the Law will be lodged?
- f) Whether work has been completed on compulsory condition reports as part of the scheme?
- g) Whether the goal of "no cost to the States" has been established with any potential scheme provider, or not, and whatever the case, what the manpower and financial costs might be?

Answer

The Assembly have directed that Regulations be brought forward to introduce a tenant deposit scheme, and this is being done in accordance with those directions. Obviously, these Regulations cannot be introduced in advance of the main Residential Tenancy (Jersey) Law. However, they will be published in January/February, 2012, once finalised, and thereafter, presented for debate as soon as practical.

- a) The Privy Council sanctioned the Residential Tenancy (Jersey) Law on 16th November, 2011.
- b) Regulations to introduce a tenant deposit scheme have been drafted and are currently being finalised for presentation in January/February, 2012.
- c) A tender exercise has been conducted on the basis that set-up and ongoing administrative costs of the scheme will be the responsibility of the appointed provider.
- d) Three providers have been short listed, but final selection and appointment will not take place until the Assembly have approved the Regulations.

- e) An Amending Law to the Residential Tenancy (Jersey) Law 2011 is intended to be lodged week commencing 12th December, 2011, for debate in January/February, 2012. The amendments add further clarity and will be explained in the Report lodged with the Amending Law. If the Amending Law is approved by the States, and by Privy Council, Appointed Day Acts will be lodged for both the Residential Tenancy (Jersey) Law 2011 and the Amending Law as soon as practical.
- f) A consultation report on compulsory condition reports, a standard tenancy agreement and standard forms of notice, has been completed, and is due to be published week commencing 5th December, 2011.
- g) The goal remains “no cost to the States” – and the tender exercise undertaken has maintained this as a feasible principle. As for the States of Jersey, the only resource implication relate to monitoring contractual relations and obligations, and continually assessing policy, and these tasks do not require additional manpower or funding.