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5.7 Deputy M. Tadier of the Minister for Housing regarding the advertisement of properties within the private sector restricting occupation by children:

Does the Minister intend to review the present position whereby properties in the private sector can be advertised as “no children”, and what action, if any, does she intend to take to remedy this?

Deputy A.E. Pryke of Trinity (The Minister for Housing):

I am happy to look at this concern further as part of a wider review of issues affecting the rental sector planned for later this year. Generally I think we should avoid telling landlords who they should take as a tenant although they should act reasonably when a property is appropriately sized for children and the tenants sign-up to their legal obligation. The Rent Safe landlord accreditation scheme, which is aiming to be launched later this month, will include a standard to ensure that landlords treat all tenants fairly, including where they have responsibility for children. It is important that we embed this type of good practice across the whole private rental sector.

5.7.1 Deputy M. Tadier:

Does the aversion to legislation in order to affect good and proper behaviour, especially when it comes to basic human rights such as housing, extend to general policy when it comes to her department or the Council of Ministers? For example, would we say that we should not legislate all restaurants and tell them that they can turn away whoever they want to their restaurant? Or is it the case that the Minister needs to bring in legislation to say what you can and cannot do when it comes to the basic provision of a human need?

The Deputy of Trinity:

As I said, it will be part of a wider review as part of the housing strategy later this year. But I think at the end of the day we should not avoid telling landlords who they should take as a tenant and I would like to think that the voluntary accreditation scheme would pick up issues like that.

[10:15]

But we need the evidence before we can say let us look at law.

5.7.2 Deputy G.P. Southern:

Does the Minister not consider that any statement, like Deputy Tadier has just illustrated, is straightforwardly discrimination on the grounds of age?

The Deputy of Trinity:

Landlords should not discriminate on the grounds of sex, race or age. As I have said, when the accreditation comes in this will be picked up.

5.7.3 Deputy G.P. Southern:

Is this not surely a matter for law rather than a voluntary agreement among landlords?

The Deputy of Trinity:

As I have said, unless there is a lot of evidence saying that parents of the children have been turned away, I am not going to be putting a law in place if there is not the evidence to say that there is a problem. One thing we should be doing is building more homes. If there are more homes there would be much more choice.

5.7.4 Deputy J.A. Martin of St. Helier:

Yes, but the private sector ... the more homes that the States are building do not always affect these children. My question to the Minister is: in the review or consultation that is being carried out at the moment, is there a straightforward question to ask why many landlords advertise no children. It is beyond me, but is there a question in the review?

The Deputy of Trinity:

As I said before, the review is starting later on this year and I will take Deputy Martin's point. But also she mentioned about social housing, we need more social housing. Yes, we do but we also need more housing in the private sector. Hopefully in the years to come when more businesses move to the Waterfront, the property that is left and the north of town can be regenerated to provide more homes, which we desperately need.

5.7.5 Deputy J.A. Martin:

There was a supplementary. Will the review cover the unqualified sector because the no children policy is even higher in this sector?

The Deputy of Trinity:

Yes, sir, the review was taken as part of issues in the rental sector planned for later this year.

5.7.6 Deputy J.A. Hilton:

I have recently been involved in trying to assist a constituent with family to find accommodation in the unqualified sector. Is the Minister aware of the chronic shortage of unqualified accommodation for families and the situation where children are being refused is making a bad situation a whole lot worse for families?

The Deputy of Trinity:

Yes, because Deputy Hilton has appraised me of it. As I said, we need to do this as part of the review later on. It is an aim in the housing strategy. It is all very well but we need to build more homes. If we can build more homes there will be more choice. It is as simple as that. Also we need to make sure that not only more homes but more amenity space too and targeting migration.

5.7.7 Deputy J.A. Hilton:

Does the Minister agree with me that what we need is a sustainable immigration policy and that would go some way to assisting?

The Deputy of Trinity:

We know that we need to bring out a population policy, and that is the work that Senator Routier is doing this year. But we need people to come in here for economic growth. It is as simple as that but we have to tackle all these problems, and that is what we shall be doing this year.

5.7.8 Deputy S.Y. Mézec:

I have been helping some constituents recently with an issue they have been having with their tenancy contract, and I have been amazed at how much less regulation there is compared to the ones that I had to deal with when I was a tenant in the U.K. (United Kingdom). Given that housing costs is the single biggest contributor to relative low income poverty levels in the Island, would she undertake to looking at our entire tenancy laws and modernising them and trying to get them up to the standard that tenants in the United Kingdom get?

The Deputy of Trinity:

Yes, as part of the housing strategy the Residential Tenancy Law, which came into being in 2013, which had rising responsibilities for landlords and tenants as part of the housing strategy, that will be part of the review taking place next year.

5.7.9 Deputy M. Tadier:

If the Minister wants evidence that there are serious issues when it comes to Housing in Jersey, not just to do with children being accepted but also to do with basic rights, she and her officers need look no further than social media this week where a post for a 1½ bedroom property in St. Helier asking £1,200 a month for that property, then finished with the line: “No smokers, no children, no pets” but thankfully they did allow adult humans to inhabit their property. Does the Minister accept that in an Island where we rely on the private sector to house social tenants because we do not have enough social housing, that it is imperative that we have a level playing field so that people are not discriminated in from one section to the other? The Minister will know that in social housing you cannot refuse children and it is completely ridiculous if we have 2 and 3-bedroom homes which say: “No pets, no children, no sharers”, *et cetera*?

The Deputy of Trinity:

There are quite a few points in there. Yes, that is the whole point of the review, and that is one big aim with the accreditation scheme, looking at that where landlords have to, if they want to be accredited, come up to the mark with meeting certain criteria. One of those criteria is they have a responsibility for children. Social housing as well as in the private sector, we need to build more houses. Alongside that, we need to make sure that they are delivered to the right standard.

5.7.10 Deputy M. Tadier:

It is not whether they want to be accredited or whether they want to be landlords. If they want to be landlords then they have to abide by the same legislation, the same overarching regulation that the public sector do.

The Deputy Bailiff:

That would have been a final supplementary on your final supplementary so I disallow it.