

3.7 Deputy M. Tadier of the Minister for Housing regarding .no kids' rules for let premises: [1(450)]

Further to the finding at paragraph 2.39 of the Independent Jersey Care Inquiry's report that restrictive practices by landlords appear to have been a factor in the lack of accommodation for families, where some landlords on the Island adopted a 'no kids' rule for let premises, is it the Minister's assessment that this is still a problem today and if so, what does she plan to do about it?

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

The Care Inquiry report makes important references to the impact of inadequate housing on families, including practices where some landlords adopted a 'no kids' rule. I am certain that this practice is still common today. The shortage and cost of housing have had and continue to have a marked impact on family life, so I am pleased to confirm to the Deputy that I will be reviewing restricted landlord practices, including the 'no kids' rule and also 'no income support payments' rule as part of our response to the Care Inquiry.

3.7.1 Deputy M. Tadier:

That is reassuring to know but does the Minister acknowledge that it was her Government, part of which she was, that introduced an age discrimination characteristic for the Discrimination Law and it specifically had a carve-out for premises, saying that it is okay to discriminate on age grounds including for children under the law and we will not make that part of our law. Does she now regret having supported that provision in the Age Discrimination Law?

The Deputy of Trinity:

No, because that was at the time and I think this Care Inquiry has raised those important issues, which I said I am very happy to and will continue to look at. But I understand that we cannot tell landlords who they should have as a tenant, but we can make sure that landlords who operate as a business are encouraged to accept tenants with children, and landlords should follow good practice. So that means taking up references, completing condition reports, *et cetera*, so that children are not so much as an issue when they rent out their property.

3.7.2 Deputy P.D. McLinton of St. Saviour:

Bearing in mind I believe that everything that we do should be viewed through the lens of the Care Inquiry report moving forward, and picking up from Deputy Tadier's points, does the Minister not agree that any landlord who stipulates no children is in fact discriminating against children and any discrimination is abhorrent. Therefore, perhaps working within the current Discrimination Law and amending it, will the Minister bring forward legislation to (a) make it illegal to stipulate no children when renting housing property, and (b) to bring forward a framework for the right of appeal against the above legislation so that the onus of proof that the property is unsuitable for habitation by children is on the lessor of the said property?

The Deputy of Trinity:

Yes, that is a very interesting way forward. As I said, we are actively reviewing those issues and it will come forward as part of the general Care Inquiry response, which the Chief Minister has given as the end of October.

3.7.3 Deputy S.Y. Mézec:

I am aware of one landlord who recently went to put one of his properties up for rent and approached a letting agent for help to do this, he had absolutely no problem with tenants who had children residing in this property but a week after approaching this letting agent he went on to the website to check what they had put up and found that the letting agent had unilaterally

decided to put up ‘no children’ in their advertisement for this property. Does the Minister have any awareness of how widespread this practice may be where letting agents assume that their clients simply do not want children in their properties without asking them to find out if that is the case or not? Would she use this as a platform to discourage that practice and say that irrespective of what changes may be happening in the future with regards to how this is regulated, right now letting agents should not be presuming that and should be asking their clients before doing what is essentially restricting the market for people who have children?

The Deputy of Trinity:

I had not heard of that happening but I certainly will look into it. I know that I have done the review on letting agencies over the last 2, 3 months and a report will come out on the findings and the way forward within the next couple of weeks or so.

3.7.4 Deputy G.P. Southern:

Following on from previous questions, the question in my mind is when can we expect to see a response to the Care Inquiry on this particular aspect of housing, and indeed when can we see any proposals to amend potentially the Discrimination Law on grounds of age to make “no kids” a sign we do not see in the future?

The Deputy of Trinity:

As I said, the response will form part of the general response which the Chief Minister will be lodging towards the end of October, so the findings and the way forward will be set in that. Regarding the age discrimination bit, that sits under Social Security so that is something that we will be able to look into.

3.7.5 Deputy M. Tadier:

I was concerned by the initial response from the Minister when she said we cannot tell landlords who they have to take in their property but we can encourage them. In fact I would say, with respect, using the royal “you”, is that you can tell landlords what to do because you are the Government and we make the legislation as an Assembly, as Deputy McLinton has suggested. So I am concerned that the Minister may have already inadvertently made her mind up on this, saying that she favours encouragement rather than legislation. Can she just put on record that she is open minded when it comes to this and she will do whatever is necessary to make sure that children and their families of course are not discriminated against in the very near future when it comes to finding housing which is already in short supply for those families in Jersey.

The Deputy of Trinity:

I am very pleased that the Deputy has just asked that question. Yes, I am very happy to put it on record, but as a Government we cannot tell a landlord which family they ought to take. But it is wrong; children should not be discriminated as income support applicants should not be discriminated. So that is what I will be focusing on and the review, as I said, will be in the general review that comes out at the end of October.