

Les Vaux Housing Trust

An Overview

	Page No.
1. Summary	2
2. A Brief History of The Trust	3
3. Objectives and Operating Ethos Of The Trust	4
4. Achievements	7
5. Financing and Current Financial Position	8
6. Safeguards Over The Trust and Its Actions	9
7. Allocation Policies	10
8. Tenant consultation	13
Appendix	
Trust Members (Past and Present)	14

Chairman : Ken Hewitt
Treasurer : Denis Therezien
Secretary : John A. N. Le Fondré

Member : Dan Hartigan
Member : Ian Bravery
Member : David Burton
Member : Malcolm Le Boutillier

Managing Agent : Chris Marsh, Voisin Hunter Ltd.

1.0 Summary

- Les Vaux Housing Trust was constituted with the full approval of the States of Jersey and has operated successfully for 21 years under the provisions of the 'Loi (1862) sur les teneures en fidéicommiss et l'incorporation d'associations'. It operates 327 rental units of accommodation, and is thus the second largest Trust in existence at present.
- It was created as a solution to the Troy Court debacle, (it should be noted that a number of the original Troy Court tenants would not have been eligible for housing by the Committee) and as such its primary concern has always been to provide security of tenure. It has consistently applied a fair rents policy to all of its properties.
- Its objective according to its Constitution is to provide social housing, and its underlying operating principle is to act as a private landlord, but one with a social conscience. It is a half way house between the private and the public sector, and has provided a model for the other trusts subsequently established.
- This policy has to date been accepted by former Housing Committees, former Finance and Economics ("F&E") Committees, and implicitly by the States when the financing of acquisitions of properties was approved.
- The Trust considers that its rents are set at a level consistent with being a social landlord, but which are, at the same time realistic.
- The Trust was created to offer security of tenure at a reasonable rent. It endeavours to operate in a flexible manner in a spirit of co-operation with the Housing Committee, rather than one of subservience. There are already a number of safeguards in existence which govern its operations
- The members of the Trust act in an honorary capacity with the long term aim of 'making a difference' to the way in which housing is provided within the Island. The Trust also presently accepts certain deserving cases which are not given priority by the Committee.
- It is flexible in its dealings with new tenants from the public sector, for example, if such tenants are unable to immediately meet the financial requirements of the Trust – i.e. deposit, and rent in advance. The Trust has in the past allowed small payments over a longer period (of say 6 months) in order to make the transition.
- It uses the best practices of the private sector and assists tenants to make the transfer from the public sector to the private sector should they wish to do so.

2.0 A Brief History of The Trust

- 2.1 In 1989 a number of significant problems arose regarding the housing sector in Jersey. The property of Troy Court, having been offered to the States of Jersey, was eventually sold to a Guernsey businessman, the States (including the Housing Committee) having voted by 40 to 8 not to approve the purchase. Shortly thereafter, Troy Court tenants were presented with a potential increase in their rents of 70%. Some five months later (in June 1989) the tenants of the 96 flats at Troy Court were given notice of their forthcoming evictions.
- 2.2 The Housing Committee were quoted as saying that it did not want the properties at Troy Court, "...because they would have to spend too much money on refurbishment, because no new units of accommodation for local people would be created, and because many of the tenants of the flats would not normally qualify to be their tenants..." [JEP 13/1/89].
- 2.3 In September 1989 the tenants of Landscape Grove (40 flats) were presented with rent increases of 150%, their property also having recently been sold to a new owner. Also in September 1989 the tenants of Valley Court were advised of imminent rent increases of approximately 80%.
- 2.4 Thus the States of Jersey were faced with a politically embarrassing problem which they were unable to solve, principally that a large number of residents were suddenly facing large rent increases, which they would probably be unable to afford, and thus were facing imminent evictions, with no alternative accommodation apparently being forthcoming.
- 2.5 The solution to the Troy Court dilemma was proposed by the late Deputy John N. Le Fondré, who suggested that a Housing Association be created, that would borrow money (at a fixed rate of interest of 4%) from the States of Jersey to purchase the property, and the rents of which would be used to fund loan repayments, and maintenance. The Association would consist of a number of honorary members, with an agent to manage the day-to-day administration of the property. The idea was presented as a States loan, but one that was being made to an organisation to fund the acquisition of a large number of properties, rather than just to an individual.
- 2.6 On 12 December 1989 the States of Jersey unanimously backed a recommendation by the Finance and Economics Committee to lend the newly created Les Vaux Housing Association £5,600,000 to purchase the properties of Troy Court and Vale Court and thus the Les Vaux Housing Association was created.
- 2.8 During subsequent years, the association acquired additional properties, being Valley Court, Landscape Grove, Berry House, Leonard Norman Close and 6-7 St. Saviour's Crescent.
- 2.9 In October 1993 it was decided to change the name of "Les Vaux" from that incorporating 'Association' to one incorporating the word 'Trust'. The principal reason behind this change was because it was considered that the term 'Association' was a misnomer and wrongly implied a direct comparability to the activity of housing associations in the United Kingdom.
- 2.10 In July 2000, the Trust acquired Perquage Court, Sandybrook, St. Lawrence, principally in order to avoid similar potential problems as arose at Troy Court and more recently La Folie Estate and to maintain the security of tenure that tenants had previously enjoyed at the estate.
- 2.11 The Trust now owns 327 units of accommodation with some 780 occupants. These cost a total of £27.1 million (acquisition cost plus refurbishments), funded by borrowings of £13.1 million (as at 31 December 2010). The rental income of £2.6 million as at 31 December 2010 pays for loan interest, loan capital, regular as well as unforeseen maintenance and also to fund future capital projects, such as refurbishments, restorations and redevelopments.

3.0 Objectives and Operating Ethos of The Trust

- 3.1 *“The Objects of the Trust shall be to provide residential accommodation primarily though not necessarily or exclusively by way of rented accommodation, to persons in the Island in need of such accommodation and to assist, financially or otherwise, such persons.” [Extract from Constitution of the Trust]*
- 3.2 The principal aim of Les Vaux Housing Trust is the provision of housing to meet housing need, as detailed above. In pursuing its primary goal the Trust has in mind of the following objectives applicable to its actions, and also to its dealings with specific tenants :
- 1) Security of tenure.
 - 2) To encourage the individual responsibility of the tenant:
 - Payment of rent one month in advance;
 - Payment of refundable deposits;
 - Adherence to tenancy agreements (by both the tenant and the landlord).
 - 3) To encourage community spirit, and improve tenant morale.
 - 4) To provide the role of ‘half-way house’ between the private sector landlord, and housing in the public sector, thereby offering a choice to the private tenant.
 - 5) The actions of the Trust will always be as a responsible, socially minded private landlord, rather than as a public sector landlord.
 - 6) The Trust is independent of the States of Jersey, and should be seen to be so, whilst at the same time endeavouring to operate in a spirit of co-operation with the States of Jersey.
 - 7) The development of future housing projects, funded by surpluses generated by the Trust, or by other prudent means.

“...The Housing Committee published a business plan in which they would ‘subsidise association bank borrowings in return for the right to allocate the majority of the units purchased.’

‘Our properties are let to people on middle income, leaving Housing to concentrate on the real needy’ explained Les Vaux Chairman Deputy John Le Fondré....partnerships between the committee and housing associations are the way forward in the provision of rental units, providing a flexible system.

‘We can accommodate people who are not highly placed on Housing’s waiting rental list - for instance a mature single person whose income is unlikely to increase.’ It had only been possible to take on more ‘upmarket’ buildings and charge realistic rents through Housing’s private Rent Rebate scheme. He believes that the harmonisation of public and private sector Rent Rebate schemes will revolutionise the provision of housing. ‘People won’t have such a great urge to get into States housing and the extra choice should help to push private sector rents down.’ He believes that in 15 to 20 years the Les Vaux Housing Trust will be entirely independent of the States, owning sufficient property to be able to borrow additional funds if necessary....” [JEP 1/12/93]

3.3 The 7 objects of the Trust as detailed in 3.2 above are expanded below for greater clarification:

1. Security of tenure

As can be seen from the origins of the Trust, its main principle, first and foremost, is to offer security of tenure to its tenants.

Historically, the most anger and distress caused to tenants have been when their landlord has changed and the new landlord has bought the property for investment purposes, intending either to demolish the property, or to sell it at a profit. Tenants have generally been unable to afford the prices offered, and have thus been threatened with eviction.

Whilst Les Vaux Housing Trust acts as a private landlord, it does not speculate or otherwise act for short term investment gain. Properties are held for the long term, and all surpluses are used to pay off loans and will eventually be used to accumulate funds for refurbishment, redevelopment and future development purposes.

2. To encourage the individual responsibility of the tenant

The Trust aims to encourage its tenants to take care of, and have an interest in, the properties they lease. This arises from two reasons.

1. The Trust cannot afford significant repairs caused by tenant neglect / mistreatment of the property
2. Because by having an interest in the property tenants come to regard the property as their home, rather than somewhere they lodge. This results in a degree of community spirit, a general improvement in living conditions, and maintenance of the immediate surroundings.

Mechanisms used to achieve this include the improvement and maintenance of Trust properties, the use of refundable deposits (to allow recourse by the Trust in the event of damages over and above fair wear and tear) and payment of rent in advance. This allows the Trust to monitor payment of rent, and gives early warning of any potential problems, (which can then be resolved sooner rather than later), and also places the Trust on the same footing as the private sector.

A further mechanism is that of the tenancy agreement, which is obviously binding upon both the tenant and the Trust.

3. To encourage community spirit, and improve tenant morale

The Trust is a non-profit making organisation. Thus all moneys are directed back into the properties and the repayment of the loans. By thus giving tenants an interest in their property (and by requiring deposits to be taken), tenant morale should, over time, improve, as conditions are maintained / improved, and relationships developed.

Stability is provided by the Trust even more than by the Housing Committee, as the Trust only requires rent to be paid. Any change in family circumstances (a child leaving home, or the death of a spouse) does not automatically result in a tenant being required to leave his or her home. This is not the case in the public sector.

4. To provide the role of 'half-way house' between the private sector landlord, and housing in the public sector, thereby offering a choice to the private tenant.

The private sector landlord charges 'market' rents, requires rent to be paid in advance and requires a refundable deposit (normally a minimum of one month's rent). The public sector charges subsidised rents (on housing that has been built on a subsidised basis), collects rent in arrears, and requires no deposit. The Trust requires a refundable deposit (presently £300 for flats and £500 for houses), charges rent in advance, and sets its rents at a level which takes account of the condition of the property. Thus, in general, most rents are below, or at, the Rent Rebate ceiling, but some are above, simply because the rental units in question were deemed to be of a quality whereby a higher rent should be charged. In all cases, all Trust rents are considerably below the open market rate for a similar unit.

If a new tenant of the Trust has difficulty in meeting the cash necessary to (a) switch from paying in arrears to paying in advance (i.e. one month) and (b) to provide a deposit, the Trust has, in the past, dealt with this matter in a flexible manner. For example, the tenant has been allowed to make a number of small payments (over (say) a period of 6 months) to achieve this change.

Once tenants have made this change it has been the experience of the Trust that tenants are reluctant to switch back to the public sector way of doing things.

Once a tenant is housed by the public sector there are certain economic barriers to that tenant leaving that sector, namely having to fund an additional month's rental and provide a deposit. Trust tenants, once established, have no such difficulty, as they are already treated as private sector tenants although their rents are cheaper. Thus the Trust acts as a 'bridge' (or half way house) between the public sector and the private sector.

If tenants wish to leave the Trust, they have the opportunity to do so, and the choice is available to them. Public sector tenants are in a far more inflexible position.

5. The actions of the Trust will always be as a responsible, socially minded private landlord, rather than as a public sector landlord.

The Trust is aware of its obligations to contribute towards the need for housing in the Island of Jersey. However, as previously identified, it operates under similar rules to the private sector. Thus it should be considered as a private sector landlord, but one with a social conscience (thus charging lower rents, and being a non-profit organisation), rather than a public sector landlord.

Because of its financing the Trust is obliged to maintain its rents at an economic level, through the annual revision of such rents (generally with regard to the cost of living index). However, it cannot be too greatly emphasised that such rents are still considered by the members of the Trust to be set at a level that is considerably below the 'market' rent for such properties and where possible we keep within the Housing Dept. Fair Rent ceiling.

6. The Trust is independent of the States of Jersey, and should be seen to be so, whilst at the same time, endeavouring to operate in a spirit of co-operation with the States of Jersey

As a rule, the Trust does not currently have any sitting politicians amongst its members, unless they became members before becoming politicians. The founder was not a member of the States of Jersey when he established the Trust, and subsequently returned to the States following the creation of the Trust. Similarly his son has been a member since 1996 long before he became a States Member in 2005.

The members of the Trust are selected for the practical and professional skills they can bring to the functions of the Trust. This allows the Trust to function in an atmosphere independent from that of the States of Jersey.

7. Future development of housing projects, funded by surpluses generated by the Trust, or by other prudent means.

Ultimately any surpluses arising once loans have been repaid will be used to fund refurbishments and redevelopments of existing housing, and also to go towards the cost of new developments. Thus all moneys would be recycled into housing within the Island. This will commence within the next 4/5 years when the initial States Loans have been repaid and research is on going into re-developing two of our older sites.

Of course there is no reason for Housing Trusts to be restricted solely to rental property. Activities could be expanded to the development of property for the 'first time buyer' or for long term lease. This may allow greater contractual control than is presently exerted, and may thus avoid the 'easy profits' reputedly being made by certain first time buyers who sell their subsidised property at a market rate to the detriment of other 'first time buyers' trying to enter the housing market.

4.0 Achievements

- 4.1 Provided housing for the tenants of 96 rental units who were under threat of eviction or .
- 4.2 Offered a solution to the issue of security of tenure.
- 4.3 Established a model (for both financing and administration) which has been successfully used by other Trusts.
- 4.4 Met all financial requirements without requiring additional subsidies from the States of Jersey.
- 4.5 At the same time, has spent £ 2.1m on refurbishment and maintenance to properties, and has thus greatly improved the quality of accommodation on its estates (in comparison to their former condition).
- 4.6 Has provided a model for 'The States of Jersey Housing Standard Form of Written Contract For Exemption From Rent Control' (i.e. the approved standard tenancy agreement), acceptance of which provides exemption from the proceedings of the rent control tribunal.
- 4.7 The Trust has developed strong links with certain charitable (e.g. Les Amis) and States bodies geared towards helping the needy and disadvantaged, and works with them whenever possible, within the limitations of the Trust.
- 4.8 Housing Trusts offer a stable, cost-effective, flexible and relatively apolitical solution to some of the problems surrounding housing within the Island. Trusts have demonstrated their ability to move quickly to resolve situations such as Troy Court, Landscape Grove, Valley Court and Perquage Court as they have arisen.

5.0 Financing and Current Financial Position

How the Trust is funded

- 5.1 The properties owned by the Trust, are financed in one of two ways :
- a) Amounts borrowed directly from the States of Jersey (originally totalling £ 9,359,890), which incur interest at 4%. These were used to purchase Troy Court, Vale Court, Valley Court and Landscape Grove (164 flats in total). The current amount outstanding is £3,342,000 and will be reduced to £2,590 by December this year and repaid in full by Dec 2015
 - b) Subsequent purchases were by way of Bank Loans at market rates and initially the Trust received a subsidy from the States of Jersey on the bank interest charged on these loans reducing it to a maximum of 4% (ie as per the original flat rate agreement). A development in 2006 received no subsidy, however in 2007 for 2 properties purchased from Property Services and occupied by Les Amis a subsidy was granted but the maximum level was raised to 6%.
 - c) The Bank Loans were supported by a letter of comfort which covered the subsidy and also assured the Bank that should the Trust fail to meet its obligations the properties should be offered to the States of Jersey and should they not wish to purchase the debt then the social housing covenant would be lifted and the Bank be allowed to sell the properties on the open market. In the absence of the interest rate subsidy this assurance is now included in the planning obligation.
- 5.2 Since the fall in interest rates the Interest paid on the bank loans was such that no subsidy was required or received from the States of Jersey since the end of 2008.
- 5.3 The States of Jersey have been receiving an above market return of 4% on the original loans since the end of 2008
- 5.4 During the period of low interest rates we have maintained the original capital and interest repayment amounts thus resulting in a rapid reduction in the capital outstanding. It is therefore anticipated that our bank loans will be repaid much earlier than originally scheduled.
- 5.5 It is worth mentioning that at the time of the acquisition of Perquage Court, the Trust undertook (and financed) an exercise which resulted in all of its loans with the private sector being amalgamated into one package, and being added to the borrowings required for Perquage Court. This allowed a significant reduction in the rate of interest at which the loans were advanced to the Trust. At the time, given that the Trust effectively borrowed at a fixed rate of 4% (due to the States subsidy) this saved the States between £30,000 - £40,000 per year on the existing loans, and approximately £70,000 if one included the financing for Perquage Court.
- 5.6 At the same time, the managing agent of the trust (Messrs Voisin-Hunter & Co.) reduced their annual charge from 5% to 4.4% due to the increased number of units being managed.
- 5.7 These saving demonstrate the ‘economies of scale’ that can be achieved as the Trust grows in size.
- 5.8 When funding was first provided it originated from the Finance and Economics Committee, but now the interest subsidy is paid out of the Housing Committee capital budget.

“...Despite the enormous relief from Troy Court, Mr Le Fondré wanted to emphasise that the money was a loan, and that the trust was a private sector landlord... ‘We will still be private landlords. The money is a loan that has to be paid back to the States, although it is being given at four percent over 20 years.’...” [JEP 9/12/89]

6.0 Safeguards Over The Trust and Its Actions

6.1 Concern has been expressed that the States has no direct control over the members of the Trust, and yet is funding it substantial amounts of money.

6.2 In practice there are a number of safeguards which control the activities of the Trust, as follows :

6.3 Legal

6.3.1 The Trust's Constitution governs its activities, and defines the sole objective of the Trust. Only the Royal Court can amend the Constitution. If it is felt that the members of the Trust are not acting in a manner consistent with the Constitution, application can be made to the Royal Court to regulate the matter in question.

6.3.2 The Trust has fiduciary obligations and duties which it must discharge in compliance with the 'Loi (1862) sur les teneures en fidéicommiss et l'incorporation d'associations' under which it is constituted, and whilst not bound by, must have regard to the concepts enshrined in the Trusts (Jersey) Law 1984.

6.3.3 Article 17 of that latter law stipulates that trustees should act with due diligence as would a prudent person to the best of his ability and skill and observe the utmost good faith and so far as is reasonable, preserve and enhance the value of the trust's property.

6.4 Regulatory

6.4.1 Certain of the rents of the Trust are already subject to control and supervision by the Rent Control Tribunal. Any rent increases on those properties must be referred to the Tribunal for approval. Application can always be made to the Tribunal (or to any body which replaces the Tribunal), to regularise any rents set by the Trust, if it is felt that such rents are not appropriate.

6.5 Constitutional

6.5.1 The objectives of the Trust as laid down in its constitution require the Trust to act as a landlord with a social conscience.

6.6 Governmental

6.6.1 The Trust has signed a joint agreement with the Housing Committee and with the Finance and Economics Committee of the States of Jersey which governs such matters as financing arrangements, rental levels, nomination rights and other associated matters.

6.7 Independent Auditors

6.7.1 The financial accounts of the Trust are audited by Alex Picot (Chartered Accountants) on an annual basis.

6.8 Summary

6.8.1 Thus there a number of safeguards already in place which serve to regulate the Trust in its activities. In short, there is the Constitution of the Trust, regulation by the Rent Control Tribunal, legal recourse to the Royal Court, and an annual independent audit.

7.0 Allocation Policies and Procedures

7.1 Allocation Procedure In Respect of Housing Department Nominees

Allocation Criteria:

FIFTY PER CENT OF ALLOCATIONS TO EXISTING PROPERTY AND EIGHTY PERCENT OF ALLOCATIONS TO ANY NEW PROPERTY ARE MADE FROM NOMINATIONS RECEIVED FROM THE HOUSING DEPARTMENT.

Policy Guidelines:

1. The Trust accepts all Nominations made by the Housing Department regardless of race, colour, religion, marital status, sexual orientation, employment or occupation as suitable prospective tenants.
2. The Trust has a responsibility to exercise proper judgement in the selection of tenants.

Policy Implementation:

1. Each nominee is required to complete an application form providing information concerning all family members, their age, employment, financial background and other information required to assist the Trust in making informed and sympathetic allocations.
2. The Trust will carefully assess all information at its disposal and will make routine checks of Petty Debts Court and Royal Court judgements. The Trust reserves the right to decline to offer accommodation to any nominee if it has good reason to conclude:
 - (a) that the nominee would be unable to meet the financial commitments arising from a Trust tenancy, or
 - (b) that such nominee would be likely to create serious social problems in the estate for which he or she is nominated, or
 - (c) that having regard to all the information available, it would not be in the interests of the Trust and/or the nominee to accommodate him/her, or
 - (d) that there are good reasons not to offer particular unit types to such nominee on the grounds of under or over-occupation, unsuitable pets, medical problems and the like.

The Trust will always be willing to re-consider any rejection made on any of the above grounds at the request of the Housing Department or of the nominee concerned and will operate an internal appeals procedure to consider any such request.

3. The Trust will exercise its judgement on the type of accommodation it considers suitable for nominees being offered accommodation.

It is inevitable that such decisions will appear subjective. The Trust's Managers are expected to use their experience and professionalism in this process.

4. Nominees are required to complete the standard form of Lease offered by the Trust to prospective tenants.
5. It is normally the case that the Trust has more Nominations than units available to rent. The Trust is therefore required to select some nominees and to exclude others.

Such selection shall be based upon a comparison of the acuteness of the need of the respective nominees provided that the Trust will give due consideration to any priority requests attached by the Housing Department to Nominations documents.

All nominees will be informed as follows:

- (a) that they are being offered a home, or
- (b) that they are not being offered a home immediately but will remain on the Trust's priority list, or
- (c) that they are not being offered a home for reasons specified under one of the sub-clauses of clause 2 (above). Such nominees will be provided in writing with such reasons by reference to the sub-clause or clauses concerned and invited, if they should so wish, to contact the Managers to discuss the matter or to make an appeal against the decision.

Nominees will be advised as soon as possible after decisions have been made. Decisions will be made as soon as sufficient information has been compiled to make the necessary judgements. The Trust is mindful that nominees will be extremely anxious during this waiting period and there is a necessity to expedite all procedures associated with the allocations process Les Vaux Housing Trust ("The Trust")

7.2 ALLOCATION PROCEDURE IN RESPECT OF APPLICANTS NOT NOMINATED BY HOUSING DEPARTMENT

Allocation Criteria:

TWENTY PER CENT OF ALLOCATIONS TO NEW PROPERTY AND FIFTY PERCENT OF EXISTING PROPERTY ARE MADE FROM THE TRUST'S WAITING LIST FOR ACCOMMODATION.

Policy Guideline:

1. The Trust accepts applications made by residentially qualified persons regardless of race, colour, religion, marital status, sexual orientation, employment or occupation as suitable prospective tenants.
2. The Trust has a responsibility to exercise proper judgement in the selection of tenants.

Policy Implementation

1. Each applicant is required to complete an application form providing information concerning all family members, their age, employment, financial background and other information required to assist the Trust in making informed and sympathetic allocations.
2. An assessment of the housing need of each applicant will be made and the applicant will be advised if he/she has been placed on the Trust's waiting list for accommodation.

In considering applications, Les Vaux Housing Trust will be guided by the Allocation Policy adopted by the Housing Department. All applicants meeting the criteria of the Department will be regarded as satisfying the criteria of housing need for the purposes of the Trust.

The Trust is mindful that it is expected to show flexibility and to offer accommodation to persons in serious need who may nevertheless fall outside the strict criteria of the Housing Department. Some such cases are, in fact, referred by the Housing Department to the Trust.

The Trust is also mindful that there is a growing need to consider cases of hardship for single people and childless couples.

The Trust will consider all applications falling outside the Department's criteria, carefully and considerately on a case by case basis.

3. The Trust will carefully assess all information at its disposal and will make routine checks of Petty Debts Court and Royal Court judgements. The Trust reserves the right to decline to offer accommodation to any applicant if it has good reason to conclude:
- (a) that such applicant would be unable to meet the financial commitments arising from a Trust tenancy, or
 - (b) that such applicant would be likely to create serious social problems, or
 - (c) that, having regard to all the information available, it would not be in the interest of the Trust and/or the applicant to accommodate him/her, or
 - (d) that there are good reasons not to offer particular unit types to such applicant on the grounds of under or over-occupation, unsuitable pets, medical problems and the like.
 - (e) that the applicant has failed to satisfy the Trust of a sufficient level of personal need to justify being assisted by the Trust.

If the Trust decides not to include any person on its waiting list for accommodation for reasons specified under the above sub-clauses, it shall inform such person of the reasons of such refusal by reference to the sub-clause or clauses concerned. He/she will be invited, if he/she should so desire, to contact the Managers to discuss the matter or to appeal against the decision. If an appeal is made the Trust will operate an internal appeals procedure to consider the matter.

4. The Trust has more applications than units available to rent. The Trust is therefore required to select some applicants and to exclude others. Such selection will be based primarily upon a comparison of the acuteness of the need of the respective applicants but also with regard to the time that applicants have been waiting to be housed by the Trust.

8.0 Tenant Consultation

Tenant Consultation at present consists of the following :

- 1) Day to day contact with the tenants is through the Managing Agents.
- 2) Encourage and manage individual estate tenant associations with the involvement of our managing agents and appointment of tenant representatives to foster short lines of communication.
- 3) A periodic (approximately twice a year) news sheet is produced (by the Managing Agent in conjunction with the Members) which is circulated to all tenants and lodged on the website. This includes emergency contact details, names of members, forthcoming repairs (and events) relevant to each estate etc
- 4) Visit to all properties once a year by Members of the Trust (this has been occurring since the Trust was created 21 years ago).
- 5) Informal meeting by the members with representatives of the estates during the course of the annual visit (twelfth year of instigation).
- 6) More formal meeting between estate representatives and members to discuss estate issues (twelfth meeting held last January).
- 7) The Trust also has a Tenants Handbook which can be sent to new tenants explaining the background to the Trust and how it operates. (This was, for example, sent to all tenants at Perquage Court when it was acquired by the Trust). This is also lodged on the website www.lesvauaxhousingtrust.org.je

Trust Members (Past and Present)

1989 - 1996	*Deputy John N. Le Fondré	Businessman and Politician	Chairman (and Founder)
1989 - 2000	David O. Moon	Solicitor	Chairman and former Secretary
1989 - 2006	Ian C. N. Toole	Chartered Accountant	Treasurer
1989 - 2000	John Clennett	Former Treasurer of The States of Jersey	Member
1989 - 1992	Ralph Vibert OBE	Former President Finance & Economics	Member
1992 - 1999	Jurat Max G. Lucas	Former Guiton Group Chairman	Member
1992 - 2002	George Thain	Banker	Member
1992 - 2004	Eric Baker	Architect	Member
1996 -	*Deputy John A. N. Le Fondré	Chartered Accountant	Secretary
1999 -	Ken Hewitt	Banker	Chairman and former Member
2000 -	Malcolm Le Boutillier	Solicitor	Member
2001 -	Ian Bravery	Architect	Member
2002 -	David Burton	Chartered Quantity Surveyor	Member
2004 -	Daniel J Hartigan	Chartered Engineer	Member
2006 -	Denis J P Thérézien	Chartered Accountant	Member

- As a rule, the Trust does not currently have any sitting politicians amongst its members, unless they became members before becoming politicians. The founder was not a member of the States of Jersey when he established the Trust, and subsequently returned to the States following the creation of the Trust. Similarly his son has been a member since 1996 long before he became a States Member in 2005.
- The members of the Trust are selected for the practical and professional skills they can bring to the functions of the Trust. This allows the Trust to function in an atmosphere independent from that of the States of Jersey.

“...One of the bigger strengths the trust has is that there are no sitting States members involved. It has been said to me, and I concur with the view, that it is better not to have sitting politicians involved. This is basically because no one can be accused of trying to score political points and is certainly no slur on States Members.

We will be able to say what we want to, when we want to, and co-operate with the States as a separate body. However that will not detract from the tremendously important role the Members will be asked to play. But the most gratifying aspect of all this, is the effect that the trust will be able to have on the attitude of property speculators toward residential property.

Without being disrespectful to anyone, I believe that this effectively will end the incursion of speculators into the residential marketplace to a large degree. This can only be a good thing for the tenants of private sector accommodation...” [JEP 9/12/89].