



Connetable M K Jackson  
Chairman  
Environment, Housing and Infrastructure Scrutiny Panel  
States Greffe: Scrutiny

***By Email***

5 November 2019

Dear Connetable

**Minimum standards for rented dwellings: licensing regulations-request  
for written submission**

Thank you for your letter dated 25<sup>th</sup> October 2019.

I confirm that, on behalf of my Trustees, I submitted a response to the public consultation exercise on the draft regulations and I attach a copy of this. In Item 2 of your Terms of Reference for your review you seek to assess how and to what extent the Department has considered feedback. I am unable to help with that, for I am not aware of any modification of the proposals, whether or not they have been made,

To summarise our views and concerns:

We support a licensing scheme in principle.

The regulations should not impose unnecessary bureaucracy (for landlords or for the Department) or inconvenience on tenants. The proposals are heavy handed and overly prescriptive (e.g. the requirement for references, documentation to tenants, out-of-hours telephone number, times-scales for works).

Social landlords already comply with the standards sought by the scheme and the case has not been made for the inclusion of social landlords.

The proposed heavy fee structure appears to be a revenue seeking measure to tax landlords and to force enrolment in Rent Safe.

Enrolment in Rent Safe by JHT will result in needless inspection of social housing homes by the Department (a duplication of effort and a waste of resources) and needless intrusion into our tenants' homes.

The Jersey Homes Trust is a model landlord. All its properties comply with the Decent Homes Standard and meet and exceed safety standards. All are regularly inspected. Maintenance requests always receive prompt attention. All tenants receive newsletters and full information. The proposed regulations should not impose unnecessary bureaucracy, expense and inconvenience to the Trust or its tenants. The present proposals do exactly that.

I wish you well with the review.

Yours sincerely  
**MICHAEL VAN NESTE**

**CHAIRMAN  
THE JERSEY HOMES TRUST**

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## THE JERSEY HOMES TRUST

### Rented Dwellings Licencing Scheme

#### **Response to Consultation.**

The scheme is intended to improve standards in the Private Rented Sector. The Jersey Homes Trust is supportive of measures to improve the lot of residential tenants.

#### **The key reasons for the licencing scheme include:**

##### Locating rented properties.

The Environmental Health Department and the public have full knowledge concerning the location of social rented properties.

##### Homelessness prevention.

Social housing providers do not engage in "revenge" and "no fault evictions" (sic).

They exist to address and eliminate homelessness.

##### Promoting good management and standards

Social housing providers are model landlords. Tenancies are all professionally managed and property conditions range from good to excellent.

##### Inspection of rented property

Social housing landlords already carry out regular and necessary inspection.

##### Compliance with safety standards

Social housing landlords already comply with statutory standards and also with good practice.

#### **Conclusion:**

The inclusion of social landlords in the scheme is unnecessary. If social landlords are not to be exempt, there should be recognition that they are model landlords and should not be subjected to unnecessary regulation in order to reduce avoidable bureaucracy at a time when the States is pledged to reduce red tape.

#### **The proposed fee structure:**

Those involved with a perfectly legal and indeed vital public service will be heavily taxed for the privilege (as well as being subject to unnecessary bureaucracy, as above mentioned). The proposed fees appear to be excessive and intended to provoke enrolment in the Rent Safe scheme. We note that social landlords will be exempt from the fees subject to enrolment in Rent Safe. Without doubt this will ensure 100% enrolment. The result of this will be that the Jersey Homes Trust will be subject to unnecessary inspection of its properties, a duplication of effort and an imposition on tenants.

Private landlords who are not exempt will still face very high and insupportable fees even when participating in Rent Safe.

#### **Conclusion:**

The proposed fee structure should be re-visited.

Enrolment in Rent Safe should not result in inspection of Jersey Homes Trust homes.

## **Proposed Licence Conditions:**

### Documentation

Generally, the proposed documentation required to be supplied to tenants is excessive and fussy.

The requirement for an emergency out of hours telephone number is unreasonable. Our tenants receive full information on out of hours emergency advice and procedure.

Timescales for repair works are unpredictable before works have been identified. JHT is an excellent landlord with an excellent repairs record.

The existing JHT tenants' handbook is very comprehensive and sufficient for the needs of tenants. JHT tenants are also kept well informed by the regular JHT Newsletter.

### References

The proposed regulation is unwelcome, unworkable for a social landlord, and an unwarranted intrusion into management matters that are of no concern of the regulating body. This proposal must be withdrawn.

### Property Inspections

Just below the "Property Inspections" provisions in Appendix B, it is stated that "The Licence Holder must ensure that the tenant's right to quiet enjoyment of the property is respected". The proposals to put in place regular entry and intrusive inspection of the whole of the tenant's home, whether necessary or not, fly in the face of this.

The annual inspections that we already carry out are respectful and proportionate. Health and Safety requirements (such as checking smoke detectors) are all met. Good landlords know their tenants and are conscious of the necessity or otherwise to conduct inspection that may be intrusive and also the regularity required. The proposals would eliminate the ability and desirability of landlords to exercise discretion.

The consultation document states, "Those that are rented in compliance with existing legislation will see little change". Our tenants have no desire for unnecessary inspection of their homes. The proposed inspection proposals are heavy handed, insensitive and of detriment to the rights of tenants.

## **Conclusion:**

The proposed Licence Conditions are too prescriptive, especially for social landlords. It was claimed in the public meeting that they are "light touch". They are anything but.

## **Finally:**

The Jersey Homes Trust exists in order to provide and properly manage decent and affordable housing for those in need as a charitable activity. We are supportive of efforts to improve standards in the private rented sector and recognise that a licensing system is a positive step.

However we are, frankly, perplexed that there are those within the Environment Department who consider that the Trust should be subjected to unnecessary bureaucracy, regulation and inspection of its properties, a duplication of effort, a waste of resources and an imposition on its tenants.

Michael Van Neste  
Chairman  
The Jersey Homes Trust

26 June 2019