

## Submission – Deputy M Scott – P.40/2023 Review – 20 July 2023

Dear Steve

Am I allowed to make a submission to your scrutiny panel on this subject? For the sake of courtesy I am copying this email to the Minister too.

Unfortunately I have seen no maths to support a business case for this Proposition: only excuses for inaction. This may be because of a line in the 2022 consultants' report suggesting licensing could help address revenge evictions. But I don't see how simple maths supports this suggestion.

Basic situation. The law allows random checks. The Minister has said licensing is needed to do random checks. The AG informed the States Assembly that is not the case. The law already allows it.

The Minister now says his officers can't do random checks because 'they don't know where [rental] properties are' so that they can make a non-random check look like a random check to avoid tenants possibly being the victims of revenge evictions.

This appears to be a nonsense to me.

Do the Minister's officers need knowledge of every single rental property in the Island to perform a random check? Of course not. Even with the proposed licensing regime not every landlord may register. What, then, is the % of rental properties the Minister's officers need to know about to carry out random checks? What exactly is the mathematical sweet spot?

I could suggest that if the officers want to perform checks on 300 properties they only need have details of another 100 properties to visit 'randomly' to muddy the waters between random and intentional inspections. Only I suspect a qualified mathematician probably would argue less. Probably as many as already have declared themselves landlords in the States Assembly?

The consultants' report commissioned by government indicated how much info on landlords government has so far. <https://eur02.safelinks.protection.outlook.com/?url=https%3A%2F%2Fwww.gov.je%2FSiteCollectionDocuments%2FGovernment%2520and%2520administration%2FFeasibility%2520Study%2520on%2520property%2520registers.pdf%23page21&data=05%7C01%7C%7C1f11d4f40a1247c6a3b508db89181290%7C2b5615117ddf495c8164f56ae776c54a%7C0%7C0%7C638254509079751697%7CUnknown%7CTWFpbGZsb3d8eyJWljiMC4wLjAwMDAiLCJQIjoiV2luMzliLCJBTil6Ik1haWwiLCJXVCi6Mn0%3D%7C3000%7C%7C%7C&sdata=QKBTUCljugYgiFXt%2FC4CTe7FI3jwgHWyljBjKDGkN4%3D&reserved=0>

Has the Minister served tenants by suggesting he could not carry out random checks when the Law allows him to do so... and information on landlords already exists on government registers?

Instead the Minister's officers have delayed taking action and announced their hands are tied while having no guarantee of identifying every rental property in the Island.

From the info available to me so far I do not know if they officers have exercised any investigation to identify rental properties (that are not those complained about by tenants not

wanting investigation for fear of revenge evictions) in the market. If they have, they already should have sufficient information enabling random inspections.

Then there is the mathematical contradiction of the Minister's contention that no extra staff will be employed to carry out the additional work involved in licensing properties (having described the staff as overworked in the States Assembly).

Even if a computer system can commission itself and do all licensing work (which I doubt), there appear to be properties to visit once officers are convinced their visits can be presented as 'random' and conversations with delinquent landlords to be had all (all with the intention of not removing their licence thereby exacerbating the housing shortage?).

The Comptroller & Auditor General in her report on government Decision-making (in the case of me of the hospital proposals) pointed out the need for government to evaluate options adequately to make good decisions. She also pointed out there are pockets of excellence in government meriting cross learning. So how much learning has there been from colleagues administering the law regarding lodging houses?

Let's remember the 'soft touch' promised by the Minister. I maintain that the Proposition appears badly thought out and there are far quicker options to carry out random inspections without adding fuel to the fire by aggravating landlords by charging them a fee to carry out inspections that could already be carried out.

Hopefully your Panel will be willing to ask the questions of the Minister that I would like to see asked. Maybe a qualified mathematician can offer an opinion on the matter too.

Kind Regards

Moz

**Moz Scott**

**Deputy of St Brelade**

Chair, Economics and International Affairs Panel