
From: JLA Admin <admin@jla.je>
Sent: 04 September 2025 22:46
To:
Subject: Residential Tenancy Law



Dear JLA Member,

Residential Tenancy Law

We hope that you have had all enjoyed the great Summer weather and have had a chance to take a well-earned break.

Unfortunately, with the restart of the political calendar, it is now back to business with the final debate on the Housing Minister's changes to the Residential Tenancy Law due to take place next week.

The debate is going to be a long and complicated one, with amendments to the Minister's proposals made by all parts of the political spectrum. There are 6 main amendments with another 4 amendments to amendments made.

The Environment Housing and Infrastructure Scrutiny Panel have spent many hundreds of hours over the last few months taking evidence from stakeholders (including the JLA and the Jersey Estate Agents Association), obtaining expert advice from an eminent English barrister and finally producing a very substantial report last week. The report (which is almost 300 pages long) can be found

at [https://statesassembly.je/getmedia/817c2674-01ce-48ba-b55f-f632a702d016/Draft-Residential-Tenancy-\(Jersey\)-Amendment-Law-202-S-R-3-2025-Final-Report.pdf](https://statesassembly.je/getmedia/817c2674-01ce-48ba-b55f-f632a702d016/Draft-Residential-Tenancy-(Jersey)-Amendment-Law-202-S-R-3-2025-Final-Report.pdf) and a

reduced version can be found

at <https://new.express.adobe.com/webpage/hRGig5VkarIxK>, for those of you who are

interested. It is difficult to easily summarise the report here, particularly given the limited time we have had to review it. However, our view is that scrutiny's report shines a light on the lack of any clear data or documented trend about 'revenge evictions' taking place in Jersey. It also concludes that the potential market and wider economic effects of the rent stabilisation measures have not been formally assessed in preparing the proposals.

It is also worth noting that some of the recommendations of the independent English barrister, which we would support, have not been taken up by Scrutiny. These include calls for reliable rental market data and economic modelling before introducing rent stabilisation measures; clearer definitions of vague grounds such as 'serious breach' or 'serious nuisance' to avoid unfairness; and stronger safeguards to ensure the Rent Tribunal is properly resourced and independent. We feel it is a pity that these points were not carried through, as they would have provided a firmer, fairer and safer foundation for any reforms.

The Scrutiny Panel has however proposed several helpful amendments to the Minister's proposals and has also accepted some of the JLA's recommendations. One of the most helpful of the amendments is bringing back a 'no fault' notice period for landlords in a periodic tenancy, although the notice period would be 12 months rather than the current 3 months, which we think would still be a very substantial time to wait in a seriously deteriorating relationship (a pity this was not set at 6 months – a period that the JLA might have been able to agree with). Another helpful proposed amendment from Scrutiny is the proposed pushing back of a £10,000 fine for giving a false or misleading reason for ending a tenancy, for further consultation by the Minister.

The Scrutiny Report also proposed a long list of very helpful recommendations for the Minister as to how to develop and review the law once it is in place. Unfortunately, following the publication of the complicated and very lengthy Code of Practice on Health and Safety in Rented Dwellings, we have limited confidence in Government's ability to follow through on these recommendations.

Separately Deputy Renouf has also helpfully proposed an amendment removing the 5% cap on rent controls, however this would still leave landlords with rent controls capped at RPI, at a time when landlords' costs have been significantly outpacing RPI for several

years. The concern here is perhaps less the RPI increases (which are relatively market standard) and more the fact that those RPI increases are more likely to be in place for a substantial time (if a landlord finds themselves in a periodic tenancy) because there will be less opportunities to move rents to market prices between tenancies.

Overall, we feel that these amendments and recommendations will still leave landlords with significantly less flexibility in managing their tenancies and significantly less power to recoup ever-increasing input costs, because open-ended tenancies and rent controls will remain.

We are still speaking to States Members in the run up to the debate on Tuesday and we would encourage you to pick up the phone to your local politician too, to make your concerns felt.

All of the States Members (Constables and Deputies) will be voting on these changes on 9 September 2025 and they should all be happy to be approached about these issues, even the ones who support the changes (although please do agree to disagree politely with these States Members). Also, remember that Jersey's next election is less than a year away. Many States Members will be considering their positions and thinking about re-election. Speaking to the public about these matters should be a great way for them to connect with voters and potentially gain their vote. The most important thing is to get your point of view across politely and succinctly.

The Order Paper for the States Assembly next week has now been published and it looks as though the debate will take place on Tuesday, 9th September 2025 in the States Assembly building in the Royal Square.

It is always difficult to know when exactly the debate will start and there is other business to be debated before the changes to the Residential Tenancy Law. We think that it is likely that the debate will start at some point on Tuesday afternoon and will continue into Wednesday morning, but we can't be sure.

However, we would warmly urge JLA members to attend the debate in the public gallery of the States Assembly or if this is not possible to listen to the debate on States TV (https://statesassembly.public-i.tv/core/portal/webcast_interactive/1015956).

Kind regards

The JLA Committee

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