

The Jersey Landlords Association (“**JLA**”) exists to represent and support private residential landlords in Jersey. The JLA Code of Conduct (“**Code**”) is intended to raise and maintain standards in the letting of units in the private rented accommodation in Jersey.

The Code reinforces legal requirements and standards of best practice that members of the JLA are required to observe in connection with the letting and management of residential property.

Members of the JLA (“members”) are required to observe the Code and agree to submit to any relevant investigation brought in relation to allegations of breach of the Code. The contents of the Code form part of the conditions of membership of the JLA.

The Code does not seek to include all of the legal obligations that members might be subject to and it remains a member’s responsibility to abide by all legal requirements applicable to them. The Code does not supersede relevant legislation.

This Code may be changed by the Committee of the JLA from time to time and members will be notified reasonably promptly of such changes.

1. General Duties

Complying with Legal Obligations

- Members shall make all reasonable efforts to remain familiar and comply with all relevant statutory and regulatory requirements and ensure that any staff and contractors are aware of any requirements relevant to their jobs.

Acting Honestly

- Members shall act in an honest fashion in all business dealings directly related to the letting or management of residential property.
- Members shall not knowingly mislead, deceive or misrepresent information to members of the public.

Treating Others Equally

- Members will not discriminate in dealings with members of the public or any third party.
- No individuals shall be excluded from access to employment, accommodation, or other business dealings or receive less favourable treatment based on any ‘protected characteristics’, as defined in the Discrimination (Jersey) Law 2013.

Assisting the JLA

- Members agree to take all reasonable steps to assist the JLA in relation to any allegations of misconduct or breaches of the Code.

2. Specific Duties

Marketing Residential Accommodation

- All advertising and marketing material must be clear, legal and truthful.
- Advertising material must not aim to mislead, give a false impression or misdirect.

Letting Residential Accommodation

- Members shall provide tenants with a written statement of the terms of their occupancy in compliance with relevant laws.
- Where possible, terms should be provided far enough in advance of the proposed commencement of any occupancy to allow prospective tenants to seek relevant advice. In any event, members should comply with relevant laws relating to ‘cooling off periods’.
- Members will make reasonable efforts to assist prospective tenants with the understanding of their terms of occupancy.

Maintaining a Letting

- Members must treat their tenants and any relevant third party with appropriate courtesy and respect.

- Members must not, as far as is possible, share or disclose tenants' personal information except in accordance with the provisions of relevant Data Protection laws.
- Members must acknowledge receipt of all communications received from their tenants or their representatives in a reasonably prompt fashion.
- Members must provide relevant and up to date contact details for the management of emergencies.
- Members must inform tenants of any change to ownership or management of their home without unreasonable delay.
- Members must attend to all matters of disrepair reported to them without unreasonable delay.
- Members will take all reasonable steps to ensure that residential property remains fit for human habitation for the duration of any tenancy.

Ending a Letting

- Members must ensure that neither they, nor their representatives, harass their tenant or undertake any action constituting illegal eviction.
- When seeking to end a letting, the member shall ensure they, or their representatives, are following the correct legal procedure to bring the letting to an end.
- Members shall not refuse to provide a tenant with a reference for the purposes of securing a new tenancy without good cause.

3. Complaints against Members

- The JLA can accept complaints about its landlord members in relation to their lettings and management activities pursuant to private residential property.
- Complaints may relate to the breach of any section of the Codes and/or terms and conditions of JLA membership.
- The JLA is not a regulatory body and cannot order redress against its members or compel compliance. However, a member's refusal to comply with the JLA's sanctions may ultimately lead to their exclusion from membership.
- The JLA cannot accept complaints which:
 - are being assessed or dealt with by another relevant authority;
 - have previously been or are currently being adjudicated by a court or other relevant body;
 - are related to protected tenancy deposits (such complaints must be referred to the relevant tenancy deposit protection scheme);
 - are currently the subject of a criminal investigation; or
 - relate to a member's activity as a letting agent. Such complaints must be directed to the relevant authorised redress body.
- Complaints may be made by:
 - members' tenants;
 - authorised representatives of members' tenants, where a letter or authorisation has been received by the JLA;
 - representatives of relevant public bodies;
 - staff and officers of the JLA, where a member's actions are alleged to bring the JLA into disrepute.
- A complaint may usually only be accepted if it is made during a tenancy, or within three months of the tenancy being brought to an end, and within 12 months of the alleged breach of the Code.
- Complaints must be made in written format.
- The JLA will acknowledge receipt of all legitimate complaints within 10 business days.
- All complaints accepted as legitimate will be handled in accordance with the JLA Complaints Procedure.
- If the allegations against a member are adjudicated to constitute a breach of the Code, the JLA may sanction members in the following ways:
 - Informal warning
 - Formal warning
 - Remedial action required
 - Relevant training
 - Exclusion from membership
- The Code cannot and does not supersede the normal operation of law. A complainant retains the right throughout the complaints process to choose to exercise their normal legal rights in relation to the complaint.