



Jersey

RESIDENTIAL TENANCY (RENT TRIBUNAL) (JERSEY) ORDER 2026

Official Consolidated Version

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RESIDENTIAL TENANCY (RENT TRIBUNAL) (JERSEY) ORDER 2026

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Jersey

RESIDENTIAL TENANCY (RENT TRIBUNAL) (JERSEY) ORDER 2026

THE MINISTER FOR HOUSING makes this Order under Article 23 of the [Residential Tenancy \(Jersey\) Law 2011](#) after consulting the Judicial Greffier –

Commencement [[see endnotes](#)]

1 Interpretation

In this Order –

“applicant” means a tenant who applies to the Rent Tribunal for a substantive decision (about a proposed rent increase);

“application” –

(a) means an application that purports to be made under the Law for a substantive decision of the Rent Tribunal; and

(b) includes attached information or evidence;

“chair” means the member appointed as the chair of the Rent Tribunal;

“compliant”, for an application, means –

(a) falling within the Rent Tribunal’s jurisdiction, by being an application for the Rent Tribunal to make a substantive decision that it has jurisdiction to make under the Law;

(b) complete, by including sufficient information about the subject matter for the Rent Tribunal to make the substantive decision (even if more information or evidence from the applicant, a respondent or elsewhere might help the Tribunal to make the decision correctly);

(c) satisfying sub-paragraph (a) and (b) by –

(i) the deadline under Article 7E(2)(a) of the Law (within 2 months and 2 weeks after the landlord gives written notice of the increased rent); or

(ii) a later deadline set by the chair under Article 7E(2)(b) of the Law in accordance with Article 12 (in exceptional circumstances); and

(d) not withdrawn by the applicant;

“electronic communication” has the meaning given in Article 1(1) of the [Electronic Communications \(Jersey\) Law 2000](#);

“Law” means the [Residential Tenancy \(Jersey\) Law 2011](#);

“member” means a person appointed as a member of the Rent Tribunal under Article 13B of the Law;

“party” means –

- (a) the tenant as the applicant of an application; or
- (b) the landlord as the respondent to an application;

“respondent” means the landlord of a residential tenancy for which the tenant has made an application (about a proposed rent increase);

“secretary” means the Rent Tribunal’s secretary, being –

- (a) the Judicial Greffier; or
- (b) an officer of the Judicial Greffe, so far as the function is delegated to the officer under Article 13F(2)(b) of the Law;

“substantive decision” means a decision of the Rent Tribunal –

- (a) under Article 7E of the Law (about a proposed rent increase); and
- (b) that is made under Article 13G of the Law (relating to how the Tribunal makes decisions).

2 Objective

- (1) The objective of this Order is to enable the Rent Tribunal to deal with cases fairly and justly by, so far as practicable –
 - (a) ensuring that the parties are on an equal footing;
 - (b) dealing with cases in ways that are proportionate to the complexity and importance of the issues;
 - (c) avoiding unnecessary formality and seeking flexibility in the proceedings;
 - (d) avoiding delay, so far as compatible with proper consideration of the issues; and
 - (e) avoiding expense.
- (2) The Tribunal must try to give effect to the objective in –
 - (a) interpreting the Law and this Order; and
 - (b) performing its functions under the Law and this Order.
- (3) The Tribunal may deal with cases together, as if they were a single case, if the cases raise similar issues and doing so is consistent with the objective.
- (4) The parties and their representatives must –
 - (a) assist the Tribunal to further the objective; and
 - (b) in particular, co-operate generally with each other and with the Tribunal.

3 Applying for decision of Rent Tribunal

- (1) A tenant who makes an application must do so by –
 - (a) inserting into a form provided by the Rent Tribunal the information required by the form;
 - (b) attaching the information or evidence required by the form;
 - (c) signing and dating the form; and
 - (d) giving the written form to the Rent Tribunal by –
 - (i) the deadline under Article 7E(2)(a) of the Law; or

- (ii) a later deadline set by the chair under Article 7E(2)(b) of the Law in accordance with Article 12.
- (2) For clarity, a tenant is considered to have applied to the Rent Tribunal under the Law, and specifically under its Article 7E (for the purposes of its Article 7F(1)(a)), only if their application is compliant.

4 Application may be rejected or made compliant

- (1) The chair or the secretary may at any time decide that an application is not compliant, whether based on –
 - (a) the application;
 - (b) a response to the application; or
 - (c) any other relevant information or evidence.
- (2) But only the chair may make the decision if it is based on the application not falling within the Rent Tribunal’s jurisdiction, as described in Article 1, the definition “compliant”, sub-paragraph (a).
- (3) The chair or the secretary may at any time request that the applicant or respondent –
 - (a) give more written information or evidence to the Rent Tribunal to help a decision to be made under this Article; and
 - (b) also give the written information or evidence to the other party.
- (4) If the decision is that the application is not compliant, the chair or the secretary must –
 - (a) reject the application from consideration by the Tribunal under paragraph (6); or
 - (b) have the application made compliant under paragraph (7).
- (5) But an application must not be rejected for not meeting the deadline if the tenant has requested, but had no decision on, a later deadline under Article 12.
- (6) To reject the application, the chair or the secretary must –
 - (a) give a written notice to the applicant stating –
 - (i) that the application is rejected from consideration by the Rent Tribunal;
 - (ii) the reasons for the rejection;
 - (iii) how the applicant can request reconsideration of the rejection under Article 5; and
 - (iv) how the applicant can request a later deadline for the application under Article 12; and
 - (b) if a respondent has received notice of the application under Article 6, give a written notice to the respondent stating –
 - (i) that the application is rejected from consideration by the Rent Tribunal;
 - (ii) the reasons for the rejection;
 - (iii) that the applicant can still request reconsideration of the rejection under Article 5; and
 - (iv) that the applicant can still request a later deadline for the application under Article 12.
- (7) To have the application made compliant, the chair or the secretary must –

- (a) contact the applicant; and
 - (b) arrange for them to do anything more under Article 3 to make the application compliant.
- (8) The secretary may act for the chair in contacting the applicant or respondent under this Article (including to request information or evidence, give written notice or arrange for an application to be made compliant).

5 Reconsideration of rejected application

- (1) An applicant whose application is rejected under Article 4 may request that the rejection is reconsidered on the basis that –
 - (a) the application was compliant; or
 - (b) the applicant has done more under Article 3 to make the application compliant.
- (2) The request must be given –
 - (a) in writing to the Rent Tribunal; and
 - (b) within 21 days after the applicant receives the notice of rejection.
- (3) The request must be considered by another person who –
 - (a) has the power to decide whether the application is compliant (and on the basis of jurisdiction under Article 4(2), if applicable); and
 - (b) is not the person who first decided that the application was not compliant.
- (4) If the other person decides that –
 - (a) the application was compliant, the application is treated as if it were not rejected; or
 - (b) the application is compliant after the applicant did more under Article 3, the application is treated as if it were –
 - (i) compliant when first made; and
 - (ii) not rejected.

6 Compliant application copied to respondent

- (1) The secretary must give a written notice to the respondent within 7 days after –
 - (a) it is initially decided that an application is compliant; or
 - (b) it is decided under Article 5 that an application was or is compliant.
- (2) The notice must include –
 - (a) a copy of the application;
 - (b) a form in which, and information about how, the respondent may respond to the application; and
 - (c) a statement that all or part of the response may be accepted for consideration by the Rent Tribunal (along with the application and other information and evidence provided later).

7 Responding to other party's application

The respondent may respond to an application by –

- (a) inserting into a form provided by the Rent Tribunal the information required by the form;
- (b) attaching the information or evidence required by the form (if any);
- (c) signing and dating the form; and
- (d) giving the written form to the Rent Tribunal by the following deadline –
 - (i) within 21 days after the respondent receives the notice under Article 6; or
 - (ii) a later deadline set in accordance with Article 12.

8 Response may be rejected in whole or part

- (1) The chair or the secretary may decide that all or part of a response does not comply with Article 7.
- (2) If the decision is that the response or part is not compliant, the chair or the secretary must –
 - (a) reject the response or part from consideration by the Rent Tribunal under paragraph (4); or
 - (b) have the response or part made compliant under paragraph (5).
- (3) But the response must not be rejected for not meeting the deadline if the respondent has requested, but had no decision on, a later deadline under Article 12.
- (4) To reject the response or part, the chair or the secretary must give a written notice to the respondent stating –
 - (a) that the response is rejected, or which part of the response is rejected, from consideration by the Tribunal;
 - (b) the reasons for the rejection;
 - (c) how the respondent can request reconsideration of the rejection under Article 9; and
 - (d) how the respondent can request a later deadline for the response under Article 12.
- (5) To have the response or part made compliant, the chair or the secretary must –
 - (a) contact the respondent; and
 - (b) arrange for them to do anything more under Article 7 to make all or part of the response compliant.
- (6) The secretary may act for the chair in contacting the respondent under this Article (including to give written notice or arrange for all or part of the response to be made compliant).

9 Reconsideration of rejected response or part of response

- (1) A respondent whose response is rejected in whole or part under Article 8 may request that the rejection is reconsidered on the basis that –
 - (a) the response or part complied with Article 7; or
 - (b) the respondent has done more under Article 7 to make the response or part compliant.
- (2) The request must be given –

- (a) in writing to the Rent Tribunal; and
 - (b) within 21 days after the respondent receives the notice of rejection.
- (3) The request must be considered by another person who –
 - (a) has the power to decide whether the response or part complies with Article 7; and
 - (b) is not the person who first decided that the response or part did not comply.
- (4) If the other person decides that –
 - (a) the response or part was compliant, the response or part is treated as if it were not rejected; or
 - (b) the response or part is compliant after the respondent did more under Article 7, the response or part is treated as if it were –
 - (i) compliant when first given; and
 - (ii) not rejected.

10 Consideration again of whether application is compliant

After a response is received and considered under Article 8, the application must be considered again under Article 4 for whether it is compliant.

11 Accepted response copied to applicant

- (1) A response to a compliant application is accepted for consideration by the Tribunal so far as the response is not rejected.
- (2) The secretary must give a written notice to the applicant within 7 days after –
 - (a) the response is initially accepted in whole or part; or
 - (b) it is decided under Article 9 that the whole or part was or is compliant.
- (3) The notice must include a copy of the accepted whole or part.

12 Later deadline for application or response in exceptional circumstances

- (1) The chair may set a later deadline –
 - (a) under Article 7E(2)(b) of the Law for an application (with the chair acting for the Rent Tribunal); or
 - (b) for a respondent's response to an application.
- (2) The chair may do so only if –
 - (a) the relevant applicant or respondent gives a written request for a later deadline to the Rent Tribunal; and
 - (b) the chair is satisfied that the requester could not meet the earlier deadline because of exceptional circumstances.
- (3) If the chair sets a later deadline, they must give a written notice of the later deadline to –
 - (a) the requester; and
 - (b) the other party, if they are the applicant or are a respondent who has received notice of the application under Article 6.

13 Tribunal's powers, including to obtain information and evidence

- (1) The Tribunal has the powers, rights and privileges provided in Article 13P of the Law, including in relation to obtaining further information or evidence from a party or someone else –
 - (a) before a sitting, whether a hearing or not; or
 - (b) at a hearing.
- (2) The Tribunal is not bound by any rule of law relating to the admissibility of evidence in proceedings before the courts.

14 Compliant applications are decided by Rent Tribunal

- (1) The Rent Tribunal must make a substantive decision on a compliant application with a quorum, and by voting, as required by Article 13G of the Law.
- (2) In making the decision, the Tribunal –
 - (a) must consider the information and evidence in the application;
 - (b) must consider the information and evidence in a response to the application (if any) so far as accepted for consideration by the Tribunal;
 - (c) if it holds a hearing to make the decision, must consider any other relevant information or evidence that –
 - (i) a party gives in writing and that is received by the Tribunal and the other party at least 14 days before the hearing; or
 - (ii) a party or witness gives at the hearing; and
 - (d) may consider any other relevant information or evidence that is publicly available.

15 Sittings of Rent Tribunal

- (1) A sitting of the Rent Tribunal, whether a hearing or not –
 - (a) must not proceed without a quorum, as required by Article 13G(1) of the Law; and
 - (b) must be held in public except –
 - (i) if the chair is satisfied that there are good reasons to hold it in private, as required by Article 13I(2)(a) of the Law; or
 - (ii) while the Tribunal is making the substantive decision on an application.
- (2) The Tribunal may regulate its own procedure in relation to sittings, so far as is consistent with the Law and this Order.

16 Sittings without hearings

The Rent Tribunal may make a substantive decision by holding a sitting without a hearing only if it thinks that it can make the correct decision with the information and evidence that it already has.

17 Hearings: parties' presence and time available

- (1) A party may attend a hearing in person or have a representative attend for them.

- (2) A hearing may proceed without the attendance of the applicant or of a respondent who wanted to attend, but the Tribunal must first try to determine and consider the reasons for the party not attending.
- (3) The chair may limit the time available at a hearing for a party to –
 - (a) make submissions;
 - (b) give evidence; or
 - (c) question witnesses.
- (4) A party may give evidence at a hearing only if they take an oath, or make an affirmation, in relation to giving the evidence.

18 Hearings: evidence given by witnesses

- (1) A witness may give evidence at a hearing only if –
 - (a) the chair agrees to them giving evidence;
 - (b) the witness is identified to the parties who attend the hearing; and
 - (c) the witness takes an oath, or makes an affirmation, in relation to giving the evidence.
- (2) The chair may decide whether the witness is to –
 - (a) give evidence in writing or by speaking; or
 - (b) attend the hearing only while giving evidence, if the hearing is held in private.

19 Hearings may be held electronically

The Rent Tribunal may conduct a hearing, in whole or part, by electronic communication (including by telephone) if –

- (a) the Tribunal thinks that it would be just and equitable to do so; and
- (b) those attending the hearing who are parties or from the general public can –
 - (i) hear the parties and witnesses that the Tribunal can hear; and
 - (ii) see the parties and witnesses that the Tribunal can see.

20 Releasing substantive decisions and reasons

- (1) After the Rent Tribunal makes the substantive decision on an application, the chair involved in making it must –
 - (a) record and sign the decision and the reasons for the decision; and
 - (b) give, or arrange for the secretary to give, the written decision and reasons to both parties.
- (2) The chair must –
 - (a) comply with paragraph (1) as soon as reasonably practicable; and
 - (b) ensure that they have complied with it within 28 days after the decision was made.
- (3) If the Tribunal held a hearing, it may –
 - (a) make the decision at the hearing and if it chooses, also give the decision, or the decision and reasons, by the chair speaking at the end of the hearing; or

- (b) make the decision later.
- (4) The Rent Tribunal's reasons must be proportionate to the significance of the decision.
- (5) If an error or omission in the written decision or reasons is not significant, the chair –
 - (a) may correct and sign the decision or reasons; and
 - (b) if so, must give, or arrange for the secretary to give, the corrected written decision or reasons to both parties.

21 Secretary must keep records

- (1) The secretary must retain the following records for the purposes of the Rent Tribunal's functions under this Order and Articles 13J and 13K of the Law (publication of decisions and preparation of annual report) –
 - (a) the Rent Tribunal's decision, and reasons for the decision, on each compliant application; and
 - (b) the information and evidence relevant to each decision.
- (2) The records must be retained for a reasonable period.

22 Giving written documents

- (1) This Article applies to any form, notice, request, decision, reasons, information, evidence or other document that is to be given in writing under this Order to –
 - (a) the Rent Tribunal; or
 - (b) a party.
- (2) The document must be –
 - (a) given in person;
 - (b) sent by post; or
 - (c) sent by electronic communication.
- (3) For a document given to the Rent Tribunal, the document must be –
 - (a) given at the office of the Rent Tribunal or, during a hearing, at the hearing; or
 - (b) sent to the physical or electronic address of the office of the Rent Tribunal.
- (4) For a document given to a party –
 - (a) if their application or response (if any) states a preference for receiving either post or electronic communication, and specifies an address of that type, the document must be sent to that address if practicable;
 - (b) if the giver gives in person or sends by post, the document must be given at or sent to –
 - (i) the address specified for physical receipt of documents in the application or response; or
 - (ii) if there is no such address, the party's address specified in the application or response;
 - (c) otherwise, the document must be –
 - (i) given at or sent to the party's last known physical address; or
 - (ii) sent to the party's last known electronic address.

- (5) A document is treated as being received –
 - (a) as provided by Article 18A(1) of the Law, which applies as if the document were a written notice; and
 - (b) on any other date on which the Rent Tribunal is satisfied that the document, or its substance, came to the recipient's attention.

23 Time calculations and proof

- (1) In this Order, the following wording has the meaning specified –
 - (a) within a certain period after a day or an event means that period counted from the end of –
 - (i) that day; or
 - (ii) the day on which the event occurs; or
 - (b) at least a certain period before a day or an event means before the start of that period counted back from the start of –
 - (i) that day; or
 - (ii) the day on which the event occurs.
- (2) For example, “at least 14 days before the hearing” means before the 14-day period counted back from the start of the day of the hearing.
- (3) It is for the person who must act to prove to the Rent Tribunal that they have acted by the required time.
- (4) If the Rent Tribunal sends a written document by post, unless proven otherwise, the document is treated as being sent on –
 - (a) the date of the document that is stated on the document; or
 - (b) if there is no such date, the date stated on a letter accompanying the document.

24 Rent Tribunal orders preventing disclosure

- (1) This Article applies to the Rent Tribunal's making of an order, under the powers given by Article 13P of the Law, to prevent or restrict the public disclosure of any aspect of the proceedings in a sitting, whether a hearing or not.
- (2) The Tribunal may make the order –
 - (a) on its own initiative or on the request of a party or witness;
 - (b) having full regard to the principle of open justice and the Convention right to freedom of expression; and
 - (c) only so far as it considers necessary –
 - (i) in the interests of justice;
 - (ii) to protect a person's Convention rights; or
 - (iii) because a person's evidence is likely to consist of information described in paragraph (3).
- (3) The information is –
 - (a) information that the person could not disclose without breaching an enactment;

- (b) information that was communicated to the person in confidence or obtained by the person because another person trusted them to not disclose it;
 - (c) information relating to children below a certain age; or
 - (d) information of a sexual nature.
- (4) The Tribunal may revoke an order described in this Article on the written request of a party or witness, or another person with a legitimate interest, who –
 - (a) did not have a reasonable opportunity to express their views before the order was made; and
 - (b) expresses their views in the request or at a hearing.
- (5) In this Article, “Convention rights” has the meaning given in Article 1(1) of the [Human Rights \(Jersey\) Law 2000](#).

25 Remuneration of members

- (1) The remuneration to be paid to a member under Article 13O of the Law is set by, or calculated in accordance with, this Article.
- (2) The chair, or the deputy chair when acting as the chair under Article 13F(1) of the Law, is to be paid –
 - (a) £400 for each half day of attending sittings of the Tribunal;
 - (b) £400 for recording a decision of the Tribunal and the Tribunal’s reasons for the decision (under Article 20(1)); and
 - (c) £800 for each full 7 hours of administrative work for the Tribunal (such as deciding about procedure).
- (3) But the Judicial Greffier may decide that nothing is payable under paragraph (2)(b) if the decision is made after a brief sitting.
- (4) In all other cases, a member is to be paid £150 for each half day of attending sittings of the Tribunal.
- (5) For example, if the chair attends sittings for 5 hours in a day, they are to be paid £800 (£400 for the first half day of 3.5 hours and £400 for the second half day of less than 3.5 hours).
- (6) In this Article, “half day” means a period of 3.5 hours or less in a day.

26 Citation and commencement

- (1) This Order may be cited as the Residential Tenancy (Rent Tribunal) (Jersey) Order 2026.
- (2) It comes into force on 15 April 2026.

ENDNOTES

Table of Legislation History

Legislation	Year and No	Commencement	°Projet No (where applicable)
Residential Tenancy (Rent Tribunal) (Jersey) Order 2026	R&O.62/2026	15 April 2026	

°Projets available at statesassembly.gov.je

Table of Endnote References

There are currently no endnote references