



Jersey

RESIDENTIAL TENANCY (CONDITION REPORTS) (JERSEY) ORDER 2014

Official Consolidated Version

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RESIDENTIAL TENANCY (CONDITION REPORTS) (JERSEY) ORDER 2014

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RESIDENTIAL TENANCY (CONDITION REPORTS) (JERSEY) ORDER 2014

THE MINISTER FOR HOUSING, in pursuance of Article 23 of the [Residential Tenancy \(Jersey\) Law 2011](#), orders as follows –

Commencement [[see endnotes](#)]

1 Condition reports

- (1) For the purposes of this Order a “condition report” is a report about the physical condition and state of repair of a residential unit that is the subject of a residential tenancy agreement.
- (2) The condition report –
 - (a) must be in writing and contain the information required by Article 2;
 - (b) may include images.
- (3) An image used in making a condition report may be recorded in a photograph, on video or film or by any other mechanical, electronic, digital or similar method of making a visual record.

2 Content of condition report

- (1) A condition report must contain the following information –
 - (a) the name and address of the landlord or, if there is one, the managing agent;
 - (b) the name of the tenant;
 - (c) the address of the residential unit to which it relates and the date on which the tenant is entitled to possession of the unit;
 - (d) the date on which the condition report is recorded.
- (2) The condition report must also –
 - (a) specify the condition of walls, floors and ceilings in each room in the residential unit and the condition of any space or facility that is part of, or associated with, the unit;
 - (b) itemise, and specify the condition of, any fixtures, fittings and movables belonging to the landlord that are at the unit.

3 Condition report at commencement and termination of residential tenancy

- (1) The landlord must complete a condition report at or before the commencement of the residential tenancy.
- (2) Within 7 days of the vacation of the residential unit the landlord must –
 - (a) confirm in writing to the tenant that he or she is satisfied that the residential unit has been vacated in substantially the same or better condition than at the beginning of the tenancy or that he or she does not wish to claim against the tenant for any deterioration of its condition; or
 - (b) complete a condition report.
- (3) Within 7 days of completing a condition report under this Article the landlord must provide the tenant with 2 copies of the report signed by the landlord.
- (4) If the landlord and the tenant agree, a condition report completed at the commencement of a tenancy has effect in the event of a variation or renewal of the tenancy agreement.

4 Acceptance of condition report with or without modifications

- (1) Within 7 days of receiving a condition report under Article 3 the tenant must –
 - (a) accept the report by signing it and returning one copy to the landlord; or
 - (b) mark the modifications the tenant thinks appropriate on the report, initial the modifications and return one copy to the landlord.
- (2) If the tenant does not take action under paragraph (1) within the period there specified the tenant is taken to have accepted the condition report.
- (3) Within 7 days of receiving a condition report modified by the tenant under paragraph (1)(b) the landlord must –
 - (a) accept the report as modified by the tenant by initialling the modifications and, without making further modifications, return a copy of the report to the tenant; or
 - (b) attempt to reach agreement with the tenant as to the contents of the report, which agreement is signified by both parties initialling all modifications that remain on the report.
- (4) If the landlord does not take action under paragraph (3) within the period there specified the landlord is taken to have accepted the condition report as modified by the tenant.
- (5) If within that period the landlord takes action under paragraph(3)(b) but no acceptance or agreement is reached, the condition report is not accepted or taken to be accepted for the purposes of Article 5.
- (6) However, in the situation described in paragraph (5) if the matters goes on to be considered by the Court or an adjudicator, the landlord and the tenant must provide to the Court or adjudicator their best evidence refuting the report or the modifications to it as the case may be.

5 Condition report conclusive of condition of residential unit

- (1) If a condition report is accepted or is taken to have been accepted under Article 4 by a landlord and a tenant, the report is conclusive evidence of the condition of the residential unit and of the provision of, and the condition of, any fixtures, fittings and movables belonging to the landlord that are at the unit and are referred to in the report, on the date specified in the report as the date on which the report is recorded.
- (2) However, paragraph (1) does not apply to any matter that could not have reasonably been discovered on a reasonable inspection of the unit.

6 Offence

A person who contravenes Article 3 is guilty of an offence and liable to a fine of level 3 on the standard scale.

7 Citation

This Order may be cited as the Residential Tenancy (Condition Reports) (Jersey) Order 2014.

ENDNOTES

Table of Legislation History

Legislation	Year and No	Commencement
Residential Tenancy (Condition Reports) (Jersey) Order 2014	R&O.138/2014	31 October 2014

Table of Renumbered Provisions

Original	Current
None	

Table of Endnote References

There are currently no endnote references