JUSTLY - GUERNSEY

Housing & Tenancy

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Justly Flow Guides under the category **Housing & Tenancy**, tailored to key real-life questions faced by people in Guernsey.

1. "I'm Being Asked to Leave My Home — What Are My Rights?"

Step 1: Identify the Type of Tenancy

- Are you on a fixed-term lease, a rolling tenancy, or an informal agreement?
- Do you have a written contract?
- When did the tenancy start?

Step 2: Check the Notice Requirements

- Has your landlord given written notice?
- Does the notice meet the legal minimum notice period? (e.g., 1 month or more depending on agreement)

Step 3: Is the Notice Valid?

- Was it served correctly and in good time?
- Are there grounds for eviction (e.g., rent arrears, end of term)?
- Did the landlord follow any required legal process?

Step 4: Seek Advice or Mediation

- Contact Citizens Advice Guernsey or Justly for early support
- Mediation may resolve disputes before escalation

Step 5: Refuse to Leave? Know the Risks

- Landlords cannot forcibly evict you without a court order
- If you are being threatened or pressured to leave, document everything

Step 6: Court or Tribunal

- You may have to attend a court hearing
- Justly can help you understand the process, your defences, and prepare your case

2. "My Landlord Won't Carry Out Repairs"

Step 1: Know What Repairs They're Responsible For

- Structural issues, heating, hot water, sanitation, and electrical safety are usually the landlord's responsibility
- Check your lease for clauses about responsibility

Step 2: Notify Your Landlord in Writing

- Clearly describe the issue
- Include photos and dates
- Request a timeline for resolution

Step 3: Escalate If No Action Is Taken

- Send a formal follow-up letter referencing their legal duty
- Mention you will escalate to the Environmental Health Department if no action is taken

Step 4: Seek Support

- Contact Housing Control or Environmental Health in Guernsey
- They may inspect and issue enforcement notices

Step 5: Consider Rent Withholding (With Legal Advice Only)

- This is risky and could lead to eviction unless managed with legal oversight
- Justly can help assess this step

3. "I Want to Leave a Tenancy Early — Can I?"

Step 1: Check Your Contract

- Does your agreement have a break clause?
- What does it say about early termination?

Step 2: Talk to Your Landlord

- Explain the reason and request early termination
- Suggest a mutual agreement (ideally in writing)

Step 3: Try to Find a Replacement Tenant

- You may be allowed to assign or sublet (with permission)
- Offer to help reduce landlord inconvenience

Step 4: Understand the Costs

- You may need to pay:
  - Rent until a replacement is found
  - Reasonable marketing or administrative costs
- Your deposit could be affected if proper notice isn't followed

Step 5: Get It in Writing

- Any agreement to end the tenancy early should be documented
- Keep copies of emails, texts, or letters

4. "Can I Rent Out My Spare Room Legally?"

Step 1: Understand the Type of Letting

- Do you live in the property too? (i.e., lodger, not tenant)
- Do you intend to offer short-term lets or Airbnb-style stays?

Step 2: Check With Housing Control

- Guernsey law may require:
  - Permission for new units of accommodation
  - Compliance with housing laws
- Informal arrangements still need to be safe and legal

Step 3: Inform Your Mortgage Lender / Landlord

- If you own with a mortgage, you must notify your lender
- If you're renting, your lease may forbid subletting

Step 4: Meet Safety and Tax Rules

- The room must meet basic safety standards (fire exits, heating, etc.)
- You may need to declare income to Revenue Service

Step 5: Use a Proper Agreement

- Use a simple lodger agreement outlining:
  - Rent
  - Rules
  - Notice periods