

ROYAL COURT

97.

5th June, 1992

Before: The Hon. J.A.G. Coutanche, Esq., Lieutenant Bailiff,
and Jurats Blampied and Rumfitt

The Attorney General

- v -

John Richard Harbord Rankin
and
Country Bridge Limited

Rankin

4 charges of contravening Article 14(1)(A) of the Housing
(Jersey) Law, 1949.

PLEA:

Facts admitted.

DETAILS OF OFFENCE:

Put in a "qualified" tenant of part of the premises - 8 lodgers who paid rent of £60-£65 per week direct to Rankin.

DETAILS OF MITIGATION:

1. Induced by bad tenant
2. very short period (2-6 weeks)
3. affidavit of means - not previously shown to Crown Advocate. Very poor, no income or assets. Defence suggests a fine of £600 payable at £25 per month.

PREVIOUS CONVICTIONS:

None relevant.

CONCLUSIONS:

£500 per charge plus £250 cost
3 months' imprisonment in default.

SENTENCE AND OBSERVATIONS OF THE COURT:

Accused well aware of the law and took in extra lodgers. But in view of his financial position sentence reduced to £210 each four charges to be paid at £35 per month. 3 months' imprisonment in default. Costs £250.

Country Bridge, Limited

1 charge of contravening Article 14(1)(A) of the said Law.

PLEA:

Facts admitted.

DETAILS OF OFFENCE:

Unqualified manageress in private unit of accommodation in guest house in which only A-H persons should have been put.

DETAILS OF MITIGATION:

Case heard together with that against John Richard Harbord Rankin who was beneficial owner of the company. Same mitigation applied.

PREVIOUS CONVICTIONS:

None relevant.

CONCLUSIONS:

£500.

SENTENCE AND OBSERVATIONS OF THE COURT:

Fine £50 having regard to mitigation in the Rankin case. To be paid at £35 per month.

M.C. St. J. Birt, Esq., Crown Advocate.

Advocate C.R. de J. Renouf for the accused.

JUDGMENT

THE LIEUTENANT BAILIFF: Mr. Renouf, the Court has given very careful consideration to everything that has been said, but we do not accept the plea of ignorance of the law. Mr. Rankin has been many years in Jersey and must be well aware of the laws and of the necessity of obtaining advice either from the Housing Department or from his own lawyers; in addition, of course, he took in extra lodgers.

We have noted that his only income is his old age pension of £250 and that he has very few assets. We have also taken his age into account and the English and Jersey authorities which have been quoted to us by defence counsel.

It is our intention to order that the fine be paid over a period of two years. Country Bridge Limited is fined £50.00. on the single charge; and Mr. Rankin is fined £210.00. on each of the four charges laid against him, making a total of £840 in all, which will be paid at the rate of £35 per month over a two year period, as I have said. There will be costs of £250, or in default of the fines, three weeks' imprisonment on each count.

Authorities

- AG -v- Adams (28th November, 1989) Jersey Unreported.
AG -v- McIntosh (24th April, 1990) Jersey Unreported.
AG -v- McKenzie (19th October, 1990) Jersey Unreported.
R. -v- Olliver and Olliver (1989) Cr. L.R. 387.