

Submission from the Cat Protection Society of NSW to Fair Trading regarding Residential Tenancies Regulation 2019 consultation

The Cat Protection Society of NSW (“Cat Protection”) welcomes the opportunity to comment on the public consultation on the Residential Tenancies Regulation 2019.

Our comments are restricted to the issues that arise for pet-owing (or potential pet-owning) tenants. As a shelter, we both receive and adopt out cats and kittens. Sadly, many cats surrendered to us are much loved family pets who are given up because their owners cannot find any pet-friendly place to rent. This not only causes heartbreak to the family and cat concerned, but adds to the population of cats that are seeking homes. In addition, restrictions on pet ownership in rental accommodation impedes the adoption of cats by people who would like a pet cat but who rent their home.

Home ownership in Australia is declining. In New South Wales, 34% were renting in 2017-18 (compared with 31% in 2015-16). (Australian Bureau of Statistics, 4130.0 – Housing and Occupancy Costs, 2017-18).

Almost two in five households have dogs and nearly three in ten have cats; 62% of Australian households have pets. The majority of pet owners are also home owners. Two thirds of households with dogs and cats regard their pets as part of the family (Animal Medicines Australia *Pet Ownership in Australia 2016*).

Barriers to renting with pets are thus experienced as barriers to renting with family.

The notion of ‘home’ and all that it entails: sanctuary, security, a place for family (which may well include pets) should not be the exclusive domain of people who own their homes. Homes that are rented should equally offer these benefits. Renting is not merely a short-term form of home tenure, it is, and increasingly so, a long-term or lifetime form of housing. People renting should be able to experience a true sense of ‘home’. A blanket ban on pet ownership precludes this.

Research shows there are significant health benefits for people with pets. People with pets have:

- lower levels of risk factors for cardiovascular disease
- fewer doctor visits
- better psychological health including less depression
- a buffer against grief and stress
- positive association with social contact and perceptions of neighbourhood friendliness (social capital).

Children who grow up with pets have better communication skills and are more empathetic.

Cat Protection is regularly approached for assistance from cat owners seeking pet-friendly accommodation. We recommend the creation of a “pet resume” with supporting documentation (for example, from the pet’s veterinarian) and a “pet agreement” which sets out the undertakings of the pet’s owner.

However, in many cases blanket bans mean these are not even considered. We have had desperate calls from people who are seeking to move due to domestic violence; from people with mental or physical health issues whose cat is vital to their wellbeing; from families whose children are emotionally distraught because they must give up their pets; from people who are socially isolated and whose pet is their main companion ... the scarcity of pet-friendly accommodation and the standard default position of ‘no pets’ causes actual harm to these people, and also their pets.

Removing barriers to responsible pet ownership in rental tenancies will allow a greater number of individuals, families and communities to enjoy the benefits of pet ownership. It will also reduce the number of owned pets surrendered to pounds and shelters, reducing the burden on shelters and the relinquishing families, and improving animal welfare.

A pet agreement which sets out the requirements of responsible pet ownership is beneficial to landlords and companion animals. Responsible pet owners make good long-term tenants. In fact, as Dr Emma Power notes in her article, *As pet owners suffer rental insecurity, perhaps landlords should think again*, “US research suggests that households with pets stayed in rental properties longer than those that did not have pets. This brings longer-term, more secure rent to property owners” (*The Conversation*, 16 August 2016).

Clauses 51 and 52 of the Standard Form Agreement at Schedule 1 of the Residential Tenancies Regulation 2019 public consultation draft are blunt and not particularly helpful to landlords or tenants, providing essentially only ‘yes’ or ‘no’ to pets. It would be preferable that reference be made instead to an agreement regarding responsible pet ownership. Such agreement would consider animal health and welfare as well as property protection for the landlord and neighbourhood amenity.

A tenant’s obligations to keep a premises clean and to leave the premises “reasonably clean, having regard to their condition at the commencement of the tenancy” stand whether or not a tenant has pets. There ought to be sufficient safeguards for landlords such that whether damage is caused by a human tenant or their pet is not the material issue.

The issue of pet-unfriendly accommodation has long been a concern for Cat Protection and other animal welfare agencies. We are pleased to have seen improvements in strata regulations which have re-set the default position in line with community standards which embrace responsible pet ownership. Human and animal welfare would be significantly improved if regulations affecting people who rent were similarly re-set to support responsible pet ownership.