

## The Private Rented Sector in Wales: Model Tenancy Contracts & Pet Ownership

FEBRUARY 2021

### Background

- 14 percent of dwellings in Wales, as of March 2020, were privately rented<sup>1</sup>, making it the second largest type of tenure after those which are owner-occupied.
- While privately rented accommodation is commonplace in Wales, it is often challenging to find privately rented dwellings that accommodate pet ownership. Those that do allow for pet ownership often come with inflated costs, including deposits and damage protection, which make it an unaffordable prospect for many and result in large amounts of pets being handed over to rehoming organisations each year<sup>2</sup>.
- 47 percent of all households in Wales own at least one pet<sup>3</sup>, and recent RSPCA polling states that 24% of Welsh adults say they are interested in buying a new puppy or dog in the next 6 months. What this data tells us is that pet ownership is likely on the rise in Wales, but accessibility to privately rented accommodation for pet owners is not growing with that trend.
- With evidence to suggest that pet ownership has increased in recent years, partly as a result of people spending more time at home due to the ongoing Covid-19 pandemic, access to pet friendly accommodation and model tenancy agreements have become more important than ever in Wales - if we wish to ensure high standards of animal welfare, improve responsible dog ownership and protect landlords and properties.
- We know the positive impact that pet ownership has for many in Wales. Not only does it contribute to physical health, it also has a drastically positive impact on mental health and wellbeing, with pets offering a source of companionship for many.
- On 28 January 2021, the UK Government announced new standard tenancy agreements for England, which aim to make it easier for tenants to secure leases which allow for pet ownership by preventing landlords from placing blanket bans on pets.
- The RSPCA is now calling on the Welsh Government to introduce new model tenancy agreements, similar to those in England, that will ensure those in the rented sector are not separated from their animals simply as a result of having to move properties, and will provide landlords with greater means of communication and safeguards to their properties.
- RSPCA Cymru has long championed greater support for responsible pet owners in Wales to be able to keep their pets while in either social or privately rented accommodation. We work closely with Housing Associations and other bodies across Wales and have promoted our own model tenancy agreements that allow for pets to be kept in a responsible manner that works for both landlord and tenant. A copy of our 'Pets Policy' for the private rented sector can be found online [here](#) and a copy of 'Homes for All', the RSPCA's good practice guide for the private rented sector can be found [here](#).

<sup>1</sup> [Welsh Government, Dwelling Stock Estimates, 2020](#)

<sup>2</sup> <https://www.theguardian.com/money/2019/sep/03/landlords-pet-rent-ban-unfair-fees>

<sup>3</sup> Welsh Government, National Survey for Wales 2014-2015, Pet Welfare

## Key Statistics

- 47 percent of all households in Wales own at least one pet<sup>4</sup>.
- 24% of Welsh adults say they are interested in buying a new puppy or dog in the next 6 months<sup>5</sup>.
- 14 percent of dwellings in Wales, as of March 2020, were privately rented<sup>6</sup>, making it the second largest type of tenure after those which are owner-occupied - and highlighting that a large number of prospective pet owners are likely to be based in such settings.
- 1 in 3 people in Wales currently live in rented accommodation<sup>7</sup>, highlighting the importance of having adequate, appropriate and fair housing stock within the private rented sector in Wales.
- Research suggests that across the UK, individuals seeking privately rented accommodation that allow pets face a large increase in monthly fees, with some being charged an additional **£50 per month per pet**<sup>8</sup>. Such fees, often termed “pet rent” can make pet friendly accommodation unaffordable for many, and may result in a large number of pets being abandoned or handed over to rehoming organisations.

## Legislative Framework in Wales

### The Housing (Wales) Act 2014

In September 2014, the Housing (Wales) Act 2014 received Royal Assent, strengthening the regulations around the private rented sector in Wales, as well as offering safeguards in a bid to drastically lower the number of homelessness in Wales.

The 2014 Act brought about the requirement of the registration of all landlords in Wales, along with a training programme, which was underpinned by the Code of Practice for Landlords and Agents licensed under Part 1 of the Housing (Wales) Act 2014<sup>9</sup>. The Code of Practice sets out clearly both the requirements landlords must meet in order to comply with the law, as well as setting out what can be done in order to meet best practice and raise standards within the sector - although such recommendations are at the discretion of the landlord. An example of such a voluntary recommendation within the Code of Practice is that which states: *Where possible, be accommodating towards prospective tenants with pets.*

The 2014 Act offers a unique opportunity to promote to the sector some of the key issues which should be considered regarding the keeping of pets in private rented accommodation, simultaneously breaking down the stigma and fear some landlords have in allowing this - as well as providing an opportunity for landlords in Wales to receive training on the positive aspects of pet ownership, the details of model tenancy agreements and how they can be properly implemented to the benefit of both landlord and tenant. Further information on the importance of allowing pets to be kept in privately rented accommodation and the responsibilities of pet owners can be found in the RSPCA's '[Homes for All](#)' report, which acts as a good practice guide for the sector.

The RSPCA welcomed the introduction of the 2014 Act, particularly the Code of Practice which highlights the standards landlords should be aspiring to, notably a more flexible approach to pet ownership within the private rented sector. However, the voluntary and discretionary nature of this Code with regards to such best practice has not seen an improvement across the sector in terms of how pet owners are accommodated - with large swathes of pet owners who privately rent still met with inflated fees or unable

<sup>4</sup> Welsh Government, National Survey for Wales 2014-2015, Pet Welfare

<sup>5</sup> Savanta ComRes interviewed 2,173 UK adults online from 13th to 15th November 2020. Data was weighted to be demographically representative of the UK by age, gender, region and social grade.

<sup>6</sup> [Welsh Government, Dwelling Stock Estimates, 2020](#)

<sup>7</sup> [Renting Homes \(Wales\) Act 2016, Guidance, February 2020](#)

<sup>8</sup> <https://www.theguardian.com/money/2019/sep/03/landlords-pet-rent-ban-unfair-fees>

<sup>9</sup> <https://gov.wales/sites/default/files/publications/2019-03/rent-smart-code-of-practice.pdf>

to keep their pets as a result of the current legislation; potentially discriminating against responsible pet owners due to their mode of housing.

RSPCA believe that only by moving towards a model tenancy agreement, as has been done in England, can we protect pet owners, whilst simultaneously ensuring landlords do not lose oversight of their properties and encouraging responsible pet ownership.

### **Renting Homes (Amendment) (Wales) Bill**

As the Renting Homes (Amendment) (Wales) Bill - which seeks to provide greater safeguards to those in the private rented sector - continues in journey through the Senedd's legislative process, the RSPCA is concerned by the lack of attention the Bill has afforded to both pets and pet owners within the sector in Wales.

As highlighted above, around one in three people in Wales live in privately rented accommodation<sup>10</sup>, and 47 percent of all households in Wales own at least one pet<sup>11</sup>, while recent RSPCA polling states that 24 percent of Welsh adults say they are interested in buying a new puppy or dog in the next six months<sup>12</sup>. Amid ongoing Covid-19 restrictions, pet ownership is likely on the rise in Wales, but accessibility to privately rented accommodation that allows owners to responsibly have pets is not growing with that trend.

While the Bill is a welcome step forward for the sector, the RSPCA believes that the best way to create a Wales that is kind and compassionate is to create a more level playing field in which tenants can keep their pets in a responsible manner within privately rented homes through the introduction of model tenancy agreements. Such agreements will remove many of the current blanket bans on pet ownership and provide tenants with greater flexibility to keep their pets where it is appropriate, and where they can look after them responsibly.

The RSPCA wishes to note here that not all privately rented premises are appropriate to keep pets. It is important to ensure that any dwelling will allow an owner to meet the animals five welfare needs, as underpinned by the Animal Welfare Act 2006, notably:

1. **A suitable environment,**
2. **A suitable diet,**
3. **To be able to exhibit normal behaviour patterns,**
4. **To be housed with, or apart from, other animals, and**
5. **To be protected from pain, suffering, injury and disease.**

## **The Introduction of Standard Tenancy Agreements in England**

In January 2021, the UK Government introduced new standard tenancy agreements for landlords in England, that will help renters in the private sector to ensure they can keep their pets with them, without being subject to often unfair and discriminatory inflated fees. The introduction of such agreements has long been championed by the RSPCA, who have previously issued our own model agreements to both Housing Associations and private landlords, available [here](#).

Under the new Model Tenancy Agreements, landlords will no longer be able to issue blanket bans on pets. Instead, consent for pets will be the default position, and landlords will have to object in writing within 28 days of a written pet request from a tenant - providing good reason for any objection, such as in smaller properties or flats where owning a pet could be impractical or detrimental to welfare.

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<sup>10</sup> [Renting Homes \(Wales\) Act 2016, Guidance, February 2020](#)

<sup>11</sup> Welsh Government, National Survey for Wales 2014-2015, Pet Welfare

<sup>12</sup> Savanta ComRes interviewed 2,173 UK adults online from 13th to 15th November 2020. Data was weighted to be demographically representative of the UK by age, gender, region and social grade.

To ensure landlords are protected, tenants will continue to have a legal duty to repair or cover the cost of any damage to the property related to their per ownership - something which the RSPCA is wholly supportive of. Such a move places accountability on pet owners, which we hope will go some way to furthering responsible animal ownership, and creating a more harmonious relationship between pet and non-pet owners within communities.

It is hoped that these new model tenancy agreements will prevent pet owners from having to give up their companions in a bid to find a suitable home - and prevent any further increase in animal abandonment, as a result of a lack of premises that accommodate animals.

We hope that any future consultation on the introduction of model tenancy agreements in Wales, following the move by the UK Government in England, will give ample attention to the issues of pet ownership, and find a solution that works for both pet owners and landlords, allowing for tenancy agreements that accomodate well-behaved pets and responsible owners throughout the private rented sector in Wales.

The new model tenancy agreements for England can be found online [here](#).

## RSPCA Recommendations

The RSPCA is calling for the following future proposals to be put forward, supplementing the Renting Homes (Amendment) (Wales) Bill, to ensure that renting in the private sector in Wales no longer acts as a barrier to pet ownership, or results in animals being given up in a bid to find a suitable home. We believe that by introducing the following, the Welsh Government can help take steps to create more harmonious relationships between pet owners and non-pet owners, increase responsible dog ownership, and support both landlords and tenants in the private sector:

- 1. Introduce model tenancy agreement to prevent landlords from placing a blanket ban on pet ownership within the private rented sector. Such agreements should clearly and specifically lay out the conditions expected of the tenants, and provide the landlord with the ability to object to pet ownership, but only where good reason exists.**
- 2. Introduce - as a part of the registration and training for landlords under the Housing (Wales) Act - training on the role of Pets Policies, and the importance of responsible pet ownership, to ensure more widespread success with tenancy arrangements involving pets in the private rented sector.**

Questions to Consider
<b>1) What consideration has the Welsh Government given to introducing Model Tenancy Agreements in Wales?</b>
<b>2) What steps have the Welsh Government taken to protect tenants in the private rented sector by ensuring they are able to keep pets responsibly at their home?</b>
<b>3) Can the Welsh Government commit to introducing Model Tenancy Agreements for the private rented sector in Wales, which will promote responsible pet ownership, protect landlords and their properties, and ensure people aren't forced to choose between their pet and their home?</b>
<b>4) What legal protections currently exist in Wales for pet-owners in the private rented sector?</b>