



# ConsultationResponse

FROM THE RSPCA IN WALES

## Consultation response: Renting Homes (Wales) Act 2016 Draft Regulations

June 2021

RSPCA Cymru welcomes the opportunity to comment on these important and timely proposals to make renting in Wales a simpler and more transparent process - which we believe should include due consideration for responsible pet ownership in the rented sector where safe and appropriate.

Landlords may be apprehensive about taking requests for pets in rented properties, through fear of an animal damaging the property, or causing a nuisance. However, if managed correctly, allowing the keeping of pets can yield wide-ranging social benefits, promote responsible animal ownership and facilitate happy, healthy tenants. This can benefit the landlord by helping to maintain longer-term, successful letting arrangements. It is also hoped this would reduce instances of animals being unnecessarily given up or, in extreme cases, abandoned. Rental properties that allow pets, where appropriate, are likely to be more desirable properties. The high levels of pet ownership in Wales, and the growth of the private rented sector, suggests demand for such accommodation is likely to grow. As such, landlords may find it easier to occupy properties if an appropriate, welfare friendly policy with regards to the allowing of pets is in place - and the Welsh Government is now well placed to transform the sector by making this the default position.

Indeed, in light of recent developments elsewhere in the UK with regards to pet ownership within the privately rented sector - for example the new model tenancy agreements introduced in England in January 2021<sup>1</sup> - the RSPCA hope that the Welsh Government will consider amending the proposed draft regulations in line with our comments below, and ensure that responsible pet ownership is incorporated into the model written statements, removing the unnecessary barriers to renting for pet owners; and ensuring people do not face a choice between their beloved pet, and a place to live.

The RSPCA has produced our own model tenancy agreements which can be found [here](#) - and we have long worked with both the private rented sector and housing associations across Wales to drive up standards and improve relationships between landlords and tenants - many of which are responsible pet owners.

### QUESTION 11: ARE THERE ANY OTHER COMMENTS YOU WOULD LIKE TO MAKE REGARDING THIS CONSULTATION OR DRAFT REGULATIONS?

RSPCA Cymru believes that pet ownership - and the issue of tenants in the private rented sector often being denied the opportunity to own pets in a responsible and safe manner - needs to be explicitly addressed within the regulations and the model written statements, to ensure that individuals are not made to choose between their pets and a place to live in the private rented sector. This will ensure those

<sup>1</sup> <https://www.gov.uk/government/news/new-standard-tenancy-agreement-to-help-renters-with-well-behaved-pets>

settled in the private rented sector are not denied the opportunity of adding a pet to their family due to unwarranted or unnecessary restrictions. This can be achieved by clearly stating that pet ownership should be allowed within the private rented sector - where appropriate - as the default position, and that a landlord can refuse pet ownership but only where a valid reason stands.

**14 percent** of dwellings in Wales, as of March 2020, were privately rented<sup>2</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>3</sup> - and this situation is worsened by the fact that there is no maximum deposit that landlords/agents can place on properties in Wales<sup>4</sup>.

**47 percent** of all households in Wales own at least one pet<sup>5</sup>, and recent RSPCA polling found that 24% of Welsh adults were interested in purchasing a new puppy or dog in the next 6 months<sup>6</sup>. This data tells us that pet ownership is very likely on the rise in Wales, but accessibility to privately rented accommodation for pet owners is not growing with that trend.

The RSPCA remains disappointed that there is no reference to pet ownership within the draft model written statements, which we believe will result in tenants continuing to be refused pets within properties, or facing inflated costs as a result of wanting to keep their pet. The model written statements, we feel, need to explicitly outline that landlords cannot refuse pet ownership within properties, without clear reasoning which is provided to the tenant in writing. The default position within these written statements should be that pet ownership is allowed, as is the case in, for example, England.

This should be supplemented by supporting landlords to make informed decisions about pet ownership by providing materials to them as part of their registration under the Housing (Wales) Act 2014. This was explored by the RSPCA in the '[Homes for All](#)' report and guidance, considering the opportunities for landlords, tenants and pets as a result of this new regulation of private rented housing implemented by the Welsh Government.

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. Under these 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. 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 pet 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 housing communities and dwellings.

RSPCA Cymru is calling for the following future proposals to be put forward, to ensure that renting in the private sector in Wales no longer acts as a barrier to pet ownership, nor that those entering the sector any longer face the potentially agonising choice of having to give up pets when renting accommodation. We believe that by introducing the following, the Welsh Government can increase responsible pet ownership, and support both landlords and tenants in the private sector:

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<sup>2</sup> [Welsh Government, Dwelling Stock Estimates, 2020](#)

<sup>3</sup> <https://www.theguardian.com/money/2019/sep/03/landlords-pet-rent-ban-unfair-fees>

<sup>4</sup> [Welsh Government, Renting Homes \(Fees Etc.\) \(Wales\) Act 2019: Guidance for tenants, 2019](#)

<sup>5</sup> Welsh Government, National Survey for Wales 2014-2015, Pet Welfare

<sup>6</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.

- 1. Introduce clear sections within the model written statements on pet ownership, which 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 and justifiable 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.**