
From: Residential Tenancies Regulation 2010
Subject: FW:

From: Kristy Mann
Sent: Monday, 29 July 2019 6:08 PM
To: Residential Tenancies Regulation 2010 <rtreg@finance.nsw.gov.au>
Subject:

I support a positive approach to pets in rented homes that places responsibility for the decision to keep pets with tenants, gives access to the health and wellbeing benefits of pet ownership to tenants and reduces the number of animals abandoned each year. The Residential Tenancies Regulation should prohibit blanket 'no pets' terms from tenancy agreements except where another law prevents the keeping of pets (for instance a strata by-law) and additional terms in the standard form agreement should encourage responsible pet ownership.

1. A prohibition on 'no pets' clauses

Too many landlords issue blanket 'no pets' clauses in their tenancy contracts. These blanket terms are unfair and contribute to abandonment and loss of pets. The Residential Tenancies Regulation has the ability to restrict the kinds of additional terms from being placed into an agreement. Blanket 'no pets' clauses should be made a prohibited term unless pets are restricted by another law.

2. An additional term on the standard form agreement which lays out a responsible pet ownership model

Currently the standard form agreement starts with a negative default additional term against pets. This is not required by the Act and is not in keeping with modern community standards. I support a default additional term which encourages responsible pet ownership and makes clear to both tenants and landlords the responsibilities tenants have around keeping pets. This will avoid the majority of property care issue and nuisance to neighbours.

A reform to these provisions will not cause any detriment to landlords – in fact evidence suggests it may be to their advantage, creating longer-term tenants who take greater care of the premises[2]. The reforms do not provide for any animal in any property, but instead encourage responsible pet ownership and promote animal welfare. Property care is already well regulated and should remain so. No changes are required to bonds provisions – the review of the Residential Tenancies Act 2010 examined this issue and found that current bonds system is more than adequate. Greater take-up and modification of insurance policies may be a result of change but this is in line with business practices of service providers generally and should be seen as a positive outcome.

We hope you will join us in writing to the consultation recommending these changes, and sharing the opportunity to improve NSW to your friends and family!

[1] 'Ban the no pets clause in NSW tenancy agreements' <https://www.change.org/p/ban-the-no-pets-clause-in-nsw-tenancy-agreements>

[2] Dr Emma Power "As pet owners suffer rental insecurity, perhaps landlords should think again" <https://theconversation.com/as-pet-owners-suffer-rental-insecurity-perhaps-landlords-should-think-again-63275>

Thanks
Sent from my iPhone