

PE1706/C

Scottish Federation of Housing Associations submission of 28 November 2018

1. Who we are

1.1. The SFHA leads, represents and supports Scotland's housing associations and co-operatives. We want to see a thriving housing association and co-operative sector providing sustainable and affordable homes.

2. Executive summary

2.1. SFHA welcomes the opportunity to share with the Public Petitions Committee (the Committee) views of its members in relation Petition PE1706.

2.2 In particular, the Committee sought SFHA's view on whether:

- Tenants should be able to keep pets in rented or supported accommodation;
- It is necessary to introduce legislation, as called for by the petitioner.

2.3. SFHA understand the sentiment of the Petition and has some sympathy with its aims.

2.4. However, based on the fact that most – if not all – SFHA members allow pet ownership subject to responsible ownership policies, coupled with the fact that 'No-Pet clauses' are virtually impossible to enforce – as it would be highly unlikely a Sheriff or First Tier Tribunal would grant decree to evict based on pet ownership, SFHA **would not** support the petition that legislation is required to allow tenants to keep pets.

2.5. SFHA does recognise a potential shortfall in care and support accommodation that allows pets, but suggests service commissioners should ensure provision of pet-friendly places rather than legislate all service providers to allow pets.

3. Main Report

3.1. *The purpose of this document is to share with the Committee SFHA views on Petition PE1706, specifically SFHA's view on whether:*

- Tenants should be able to keep pets in rented or supported accommodation;
- It is necessary to introduce legislation, as called for by the petitioner.

3.2. SFHA understands the Sentiment of the petition, and has some sympathy with the aims.

3.3. As Registered Social Landlords, SFHA members offer Scottish Secure Tenancies(SSTs). Section 2.5 of the [SST model tenancy agreement](#) sets out the clauses relating to pets that social landlords can include in their tenancy agreement:

[KEEPING OF PETS. This paragraph should state the conditions relating to pets. This paragraph may cover the following issues:

- number of pets (if any) allowed;
- types of pets allowed;
- definition of pet;
- whether permission needs to be obtained for the keeping of pets, how that is to be obtained and the criteria applied;
- the general conditions applying to all permitted pets. The following are some of the conditions that may be applied;
 - Keeping your pet is not prohibited by the Dangerous Dogs Act 1991, or by any other law,
 - You are responsible for the behaviour of any pets owned by you or anyone living with you,
 - You must take all reasonable steps to supervise and keep such pets under control,
 - You must take all reasonable steps to prevent such pets causing nuisance, annoyance or danger to your neighbours. This includes fouling or noise or smell from your domestic pet,
 - You must take reasonable care to see that such pets do not foul or cause damage to the house, your neighbour's property, anything belonging to us or anything we are responsible for, such as the common parts;
 - Landlord entitled to require removal of the pet if causing nuisance or damage;

- Tenant responsible for cleaning up dog faeces.]

3.4. Most – if not all RSLs – are happy for tenants to keep pets in their home, subject to responsible pet ownership policies. Housing Associations recognise the value that pet ownership has for many tenants, but have policies in place to safeguard their communities and property from irresponsible pet ownership.

3.5. For instance, Lochaber Housing Association has a [‘Keeping of Pets Policy’](#) which states

“Lochaber Housing Association recognises the significant benefits that keeping animals as pets have, and of their importance to owners. But irresponsible ownership can also cause nuisance in the community or to property; or undue suffering to animals. This policy therefore outlines the conditions under which our tenants, their visitors or other members of their household can keep animals in our accommodation.”

3.6. Trust Housing Association Ltd’s [Pets Policy](#) states:

“Under the terms of their tenancy agreement with Trust Housing, tenants have a right to enjoy their home. The Association aims to ensure tenants are free to make their own lifestyle choices.

The Association accepts that, for some tenants, this may include keeping a pet, and acknowledges that keeping pets can offer significant health and social benefits to their owners.

Irresponsible pet ownership can cause nuisance to other tenants and staff, and suffering for the animal(s). It is, therefore, essential to have a policy in place which outlines the conditions relating to keeping pets in Association properties.”

3.7. When consulting our members, we did not find any Housing Association who had a blanket ban on tenants keeping pets, but all members consulted had policies in place to promote responsible pet ownership.

3.8. Some SFHA members, through subsidiary companies offer Mid-Market Rent properties through Private Residential Tenancies.

3.9. There were mixed views from SFHA members with Mid-Market Rent properties in relation to allowing pets.

3.10. Port of Leith Housing Association states:

Will I be allowed to keep a pet?

You must apply for permission to keep a pet. We will normally give permission to keep pets but the tenant must be aware that it is their responsibility to clean up after their pets and any damage caused by pets will be charged to the tenant.

3.11. Most stated they would not unreasonably withhold permission, but they asked tenants to request permission to keep pets in their property. A few landlords highlighted that they were inclined to disallow pets, due to the damage and mess pets can leave, even accidentally that is hard to remove without replacing carpets and soft-furnishing. Furthermore, some landlords highlighted issues with allergy sufferers and difficulties removing presence of pet-hair for new tenants. However, this is very much the minority position.

3.12. A view that was shared highlighted that there was no need for such legislation – a ‘No Pet’ policy is hard to enforce and it is doubtful whether a Sheriff or Tribunal would grant a decree to evict based on pet-ownership.

3.13. SFHA recognises the petitioner refers particularly to the probation of pets in care homes and supported accommodation; SFHA members tend not to provide these services, so is not in a position to comment directly on this. However, it is worth highlighting that while many people like and love their pets, many people dislike or are frightened of animals. Rather than forcing all accommodation like this to allow pets, it may be more positive to encourage commissioners of services (ie Health and Social Care Partnerships or Local Authorities) to ensure provision of at least some pet-friendly care and support places.

4. Conclusion

4.1. SFHA understands and appreciates the benefits of pet ownership enjoyed by many people. The majority of SFHA members already allow responsible pet ownership and recognise the benefits pet ownership can offer their tenants.

4.2. Even the majority of landlords with mid-market rent properties allow responsible pet ownership.

4.3. Based on this, SFHA does not recognise or support the need to legislate against pet prohibition, and would therefore not support the petition.

4.4. SFHA does recognise the shortage of care and support places that allow pets, and suggests these services should be commissioned in such a way to increase provision of pet-friendly places.