

Scope

This policy outlines the conditions under which Pacific Link Housing Limited (PLH) may grant permission to tenants to keep pets according to legal requirements of the Residential Tenancies Act 2010 (RTA), the Residential Tenancy Agreement and the Companion Animals Act NSW 1998 (CAA).

Purpose

PLH understands that living with a pet can positively impact a person's wellbeing. Where possible and practical, PLH will permit tenants to keep a pet. This policy sets out a fair, consistent and transparent process that is in accordance with legislation. The policy further outlines the responsibilities of tenants where approval is given by PLH to keep a pet.

Applying for Approval

Tenants may not keep pets without the prior consent of PLH unless the pet is an assistance animal as per the *Disability Discrimination Act 1992* (Cth). Tenants must request permission in writing, and provide any necessary evidence required by PLH, prior to moving in or acquiring the pet. Evidence required can include, but is not limited to, the type, breed, age and size of the pet, registration (and if applicable licence) details and the length of time that the tenant has owned the pet. Permission must be requested for every additional pet proposed to be brought into the household.

Given the variety of household pets and the range of properties and tenures that PLH offers, PLH will individually consider each application on its merits. PLH will consider:

- any legal or regulatory requirements, including local council requirements
- strata rules or bylaws,
- the type of property and tenure and suitability for pet ownership,
- the permission of the private owner for leasehold properties,
- the size and type of pet and whether it is microchipped and registered
- the history of the tenancy and
- the potential for any damage to the property or interference with neighbours.

Where a tenant receives approval to keep a pet, it is with the understanding that this approval is for the current property. If the tenant moves to another PLH property they will need sign another agreement related to that property.

Assistance Animals

Tenants do not have to ask for consent to keep an assistance animal. However, tenants should notify PLH if they have an assistance animal. This avoids a misunderstanding that the assistance animal is a pet living in the property without the landlord's consent.

If a tenant is keeping an assistance animal at the property, PLH may ask them to provide supporting information such as information that shows the animal is:

- accredited under a State or Territory law
- accredited by a relevant animal training organisation
- registered as an assistance animal in the NSW Pet Registry, or
- trained to assist a person with a disability and meets standards of hygiene and behaviour that are appropriate for an animal in a public place.

Conditions of Approval

As a responsible landlord, PLH will not unreasonably refuse consent for a tenant to keep an animal in their home as a special condition of the Residential Tenancy Agreement or strata bylaws, if the following conditions are met:

- Dogs and cats are registered and micro chipped to fully comply with the CAA and its regulations (further details on this requirement can be found at: www.petregistry.nsw.gov.au),
- The approved pet is properly cared for,
- The tenant complies with any licencing requirements and any relevant local council regulations or other legislation that restricts the keeping of certain types of animals,
- The nature of the property means the animal can be kept humanely and the tenant has been given written approval by PLH to keep a pet in the property, and
- The pet is unlikely to interfere with the reasonable peace, comfort and privacy of neighbours in accordance with the RTA and is kept under control in common areas,
- The tenant completes and agrees to the conditions contained in the Pet Application Form prescribed by the legislation, including conditions related to where the animal is kept, hygiene, exercise or the use of enclosures;
- The tenant pays for the cost of any property damage caused by their pet and for carpet cleaning and fumigation, if necessary.

PLH must give a written response to the tenant within 21 days after the application is received. The 21 days commences on receipt of a complete application in order to assess the request. The response must specify if consent is given or refused. For consent refused, the grounds under section 73F are to be outlined in the response to the tenant and will also advise the tenant of their right of appeal if they disagree with the decision.

Tenant responsibilities

When consent to have a pet is granted, tenants are responsible for:

- Caring for the pet
- Meeting the terms of their Residential Tenancy Agreement and conditions agreed to as documented on the form “Apply to keep a pet in a rental property” and making sure the pet does not interfere with the reasonable peace and enjoyment of their neighbours
- Following any relevant local council regulations
- Complying with any relevant legislation relating to the pet
- Keeping the animal under control and on a leash (dogs) while in the common area of properties
- Keeping cats inside and not allowing them to stray in common areas (complexes).

Withdrawing consent to keep a pet

Failure to comply with this Pets Policy and conditions documented on the “Apply to keep a pet in a rental property” form will result in PLH taking action. This can range from working with the tenant to resolve any problems caused by pet ownership, withdrawing permission to keep a pet or seeking an order from the NSW Civil and Administrative Tribunal (NCAT) if there has been a breach of the Residential Tenancy Agreement.

Complaints and Appeals

If a tenant is not satisfied with a service provided by PLH or does not agree with a decision it has made, they should first discuss their concerns with their Housing Officer. If they are still not satisfied they can ask for a formal review. Refer Complaints and Appeals Policy.

Related Documents*Residential Tenancies Act 2010 (NSW)**Residential Tenancies Regulation 2010 (NSW)**Companion Animals Act 1998 (NSW)**Companion Animals Regulation 2008 (NSW)*

Strata bylaws, as appropriate

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