

# Petition: Ban the use of 'no pet clauses' in tenancy agreements in Wales

Y Pwyllgor Deisebau | 13 Mehefin 2022  
Petitions Committee | 13 June 2022

Reference: SR22/2716-3

**Petition Number:** P-06-1272

**Petition title:** Ban the use of 'no pet clauses' in tenancy agreements in Wales.

**Text of petition:** The number of people privately renting is increasing year-on-year - currently many are prohibited from keeping pets because of clauses in their tenancy agreements. The benefits of pet ownership should not be exclusive to homeowners. Those who rent should be equally as entitled to keep a pet as those who own.

**More details:** According to the Dog's Trust, the single biggest reason for dogs being handed in to rehoming centres is because of a change of circumstances, such as being unable to live in a rented property with a pet. These clauses also stop large numbers of people coming forward to rehome pets; effectively prohibited from doing so by being a tenant. This means both tenants and pets suffer.

In January 2021 the UK Government introduced a new Model Tenancy Agreement which prohibited landlords from issuing blanket 'no pet' bans. Consent for pets is now the default position. In Wales, there is no such reference and therefore Welsh tenants are less likely to be able to keep a pet than their UK counterparts.



## 1. Background

The Welsh Government intends to fully commence the *Renting Homes (Wales) Act 2016* (the 2016 Act) on 15 July 2022. From that date, most new and existing residential tenants and licencees will become **contract-holders** under the terms of **occupation contracts**. The terms of an occupation contract will include key matters; fundamental terms, supplementary terms and any **additional terms** agreed by the landlord and contract-holder(s). Additional terms will be able to address issues **such as the keeping of pets**. Contract-holders must be provided with a **written statement** of the terms of their occupation contract.

In January 2021 the [model tenancy agreement](#) for assured shorthold tenancies in England was revised “to encourage landlords to offer greater flexibility in their approach to pet ownership, and enable responsible pet owning tenants to find private landlords who will accept them.” The UK Government’s [website](#) notes that use of the Model Tenancy Agreement is “entirely voluntary.”

## 2. Welsh Government action

In her letter dated 18 April 2022 to the Chair of Petitions Committee, the Minister for Climate Change notes that the RSPCA’s [Best Practice guidance for pets in private rented property](#) and [Homes for All Regulation of private rented housing & pets good practice guide](#) have been shared with private landlords and agents through Rent Smart Wales. The Minister also refers to Welsh Government guidance on this issue which is provided in a list of [frequently asked questions](#) relating to the implementation of the 2016 Act. That guidance notes that:

As elsewhere in the UK, we have not legislated to create a statutory right to keep a pet, landlords and contract-holders are able to agree additional terms covering the keeping of pets. The explanatory information that must be included in written statements of contracts makes it clear that all additional terms must comply with the Consumer Rights Act 2015 regarding fairness. Any pet clause as an additional term in the contract should allow a contract-holder to ask for permission to keep a pet, and the landlord would not be allowed to unreasonably refuse the request.

### 3. Welsh Parliament action

Janet Finch-Saunders MS has raised this issue in the Senedd twice recently. On 2 March 2022, she asked the Minister for Climate Change “What consideration has the Minister given to the introduction of a pets policy in Wales to make it easier for tenants with pets to find rented accommodation?” The Minister replied:

I am fully supportive of the RSPCA’s Best Practice guidance for pets in private rented property, and we have shared this, along with their Homes for All guide, with private landlords and agents through Rent Smart Wales. However, there are currently no plans for the Welsh Government to legislate regarding the keeping of pets in rental properties.

On 3 March 2022, Janet Finch-Saunders MS asked the Minister for Climate Change “What discussions has the Minister had regarding the introduction of a model tenancy agreement which would allow pets as a default in tenancy agreements unless there is a justifiable reason not to?” In her response, the Minister noted that **model written statements** bring together the fundamental terms set out in the 2016 Act and supplementary terms set out in secondary legislation and these had been “subject to extensive consultation and consideration with stakeholders.” Those terms do not provide a statutory right to keep a pet. However, the Minister again noted that “landlords and contract-holders are able to agree **additional terms** covering the keeping of pets.”

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