



Pets in Housing Tasmania Properties

Policy Intent

The purpose of this policy is to provide a decision making framework for keeping pets by public housing tenants.

Why does Housing Tasmania need a policy?

Housing Tasmania understand that pets are an important part of many people's lives. They provide a social and recreational outlet for many people. As landlord, Housing Tasmania determines whether a tenant can keep pets under their lease.

Even though Housing Tasmania will usually agree to animals being kept at a property there is a need for some requirements to be met prior to permission being given. This is because not all properties are suitable for pets.

Housing Tasmania may revoke permission if there are reasonable grounds to do so.

What does the lease say?

The lease states that tenants must not keep animals at their property unless prior permission has been given. Clause 3.16 states:

- a) *You must not keep any animal or bird at the premises.*
- b) *If we give you permission to keep an animal or bird, it must not cause, or be likely to cause, a nuisance or be a danger to other people. You must comply with Local Council regulations for the keeping and licensing of animals and birds.*
- c) *You are responsible for any damage caused to people or property by your animal or bird.*
- d) *You acknowledge that we may revoke our permission for you to keep an animal or bird if we have reasonable grounds for doing so.*

When will permission not be given?

Keeping in mind that discretion may be applied, permission will not be given if:

- The unit / house does not have an enclosed rear yard of a sufficient size suitable for the type or size of the animal;
- The type or height of fencing is unsuitable for the type or size of the animal;
- The individual animal is considered to be dangerous by the local council;

When will permission not be given? (cont.)

- The breed of the animal is listed as dangerous by the local council or Housing Tasmania believe the animal to be dangerous;
- The unit / house has body corporate rules that limit or prohibit the keeping of animals;
- Legitimate access to the property is impeded by the animal e.g. meter box access etc;
- The keeping of the animals requires a kennel license. This varies from council to council but would normally apply to two (2) or more animals;
- The animal/s is used for business, racing or breeding purposes of a commercial nature. This is a breach of the Housing Tasmania lease;
- The animal is not a pet which is usually kept in a domestic setting such as a horse or goat; however, in very limited circumstances this may be appropriate. I.e. A large property in a rural area.
- The client has a history of poor treatment of animals such as RSPCA involvement or abandonment; and/or
- The client's animal is not neutered and there are or have been problems with unwanted strays near the premises, and the client is not willing to neuter the animal.

If the animals are not owned by the tenant or a household member, permission may be granted for a short term stay as long as the tenant meets the conditions set out in 3.16 of their lease. If care of an animal is to be longer term (e.g. more than one month), the tenant will need to obtain permission from Housing Tasmania, even if the care is temporary.

What about unit complexes?

Permission will only be given for a maximum of one animal per unit provided the animal is suitable for the unit. Dogs are not permitted in unit complexes where there is no fenced outside area. A fence will not be provided for this purpose. The breed of dog must also be appropriate to the size of the fenced yard.

Council Registration

Where local councils require the animal to be registered, the tenant must provide a copy of that registration to Housing Tasmania.

Council Determinations

The keeping of dangerous animals (particularly dogs) in residential areas is not seen as consistent with establishing and maintaining an inclusive family friendly community.

Where a public housing tenant has been served with a notice, by Council, under the Dog Control Act (2000) declaring their dog/s to be a dangerous dog/s Housing Tasmania will generally not consent to the significant modifications required to facilitate the keeping of such dogs.

Where permission is granted, the tenant is required to house the dog/s as the Council has specified. All costs to do so will be incurred by the tenant. It is the responsibility of the tenant to seek any and all necessary approvals to enable the erection of such an enclosure or installation of a restraining lead within prescribed timeframes.

Housing Tasmania will provide consent for the construction of enclosures or installation of a restraining lead only in exceptional circumstances.

Permission will not be refused if:

Housing Tasmania will not refuse permission where the animal assists the tenant or a household member with a disability e.g. a guide dog. This would be in breach of discrimination legislation (Anti-Discrimination Act 1998, Part 4 16 [k]).

Permission may be revoked if:

Permission may be revoked if the:

- Tenant has not complied with the listed requirements;
- Animal/s are causing damage to the property;
- Animal/s become a nuisance or danger to neighbours or visitors;
- Animal is not cared for in a satisfactory manner (this includes the appropriate disposal of wastes);
- Housing Tasmania requires the animal to be neutered because of problems with unwanted strays near the premises, and evidence is not supplied showing that the animal has been neutered as required;
- Animal is not registered in accordance with council requirements.
- The relevant Council has indicated that a tenant has a dangerous dog/s and that it must be removed; and/or
- The relevant Council has instructed that a specific enclosure be constructed to ensure the dog/s is secure under the Dogs Control Act 2000. Housing Tasmania may prohibit the enclosure to be constructed on public housing property.

It is important to record information leading to permission being revoked. For example, file notes of complaints from neighbours.