

Economic Policy Scrutiny Committee
Legislative Assembly of the Northern Territory

Via email to: epsc@nt.gov.au

Wednesday 13 November 2019

Dear Chair and Committee Members,

Submission to the Economic Policy Scrutiny Committee inquiry into the Residential Tenancies Legislation Amendment Bill 2019 – pet ownership

Introduction

The Northern Territory is an animal loving jurisdiction, with the highest animal ownership levels in Australia of 82% compared to an Australian average of 62%*.

We believe the ownership of pets provides many benefits to people and the community. This includes helping develop friendships, increasing physical activity and providing emotional support. Pet ownership helps build better communities and encourages improved health of populations, benefiting government and society.

All too frequently, RSPCA Darwin and our fellow rehoming organisations across the Northern Territory end up as the last option when pet owners move home simply because the rules imposed by a landlord or body corporates. In many cases, the circumstances maybe outside of the pet owners control due to reasons such as financial hardship, relationship breakdowns and leases ending. As a sector, we see the emotional strain this places on those surrendering their animals. Charities are left to carry the subsequent financial impost to care for and rehome the animals.

Summary

We welcome the reforms proposed in the Residential Tenancies Bill and congratulate the government for bringing these reforms forward to enable more Territorians to have pets in their homes.

These reforms now align the Territory with some other Australian jurisdictions, however we believe there should also be additional changes made to reflect those of the Australian Capital Territory with regards to body corporates. The extension of provisions to body corporates would require that they also do not unreasonably refuse pets to be housed in residential buildings. We recognise that this may require minor amendments to other legislation.

In addition, we have some concern that the timeframe of 14 days for landlords to raise an objection to the tenant having a pet. The concern is that this may lead to adverse outcomes for those who are under time duress and who are potentially vulnerable.

RSPCA Darwin
Regional Branch
Incorporated

ABN 42 603 546 873

P 08 8984 3795
F 08 8984 3635
W rspcdarwin.org.au

PO Box 40034
Casuarina NT 0811



Considerations

Benefits

Extending the rights of tenants to have pets in their home will benefit pet owners, landlords, government and animal rehoming charities. Examples include:

- Tenants:
 - Get greater choice of property
 - Longer tenancy providing less disruption from moving
 - Benefits of pet ownership to social, physical and mental health
- Landlords:
 - Greater pool of prospective tenants
 - Responsible pet owners are likely to be better tenants
 - Longer tenancies and stickier tenants
- Government:
 - Economic contribution from potential lower vacancy rates and spending on pets (A 2018 report found that Australians were spending \$743M on their beloved pets, growth of 90% in just two years~)
 - Health, community and social benefits potential reducing the need for government services
 - Improving the attractiveness of the NT as a place to live may lead to longer term residents remaining in the Territory and attracting additional people assisting with population goals of government
- Animal rehoming charities:
 - Greater pool of the population that are able to rehome or even foster animals which can lead to greater level of adoptions, assisting more animals
 - Reducing the cost burden on charities through less surrenders and greater adoptions

Body Corporates

Whilst this Bill proposes to require landlords to provide justified reasons why pets cannot be housed in tenant's properties, the rules imposed on landlords and tenants by body corporates may result in the intent of this Bill and its benefits being lost.

We recognise that many body corporates are apartment buildings and there are perceptions that pets should not be kept in apartments due to the welfare of the animal, potential for neighbour disruption (i.e. barking dogs) and odours.

The arguments above assume pets owners are not responsible and/or an inability to easily address potential behavioural issues. Animals are perfectly able to live in apartments, providing consideration of appropriateness, exercise and enrichment is given to ensure their welfare is maintained and behavioural issues are addressed through training. Given local governments already have responsibilities for animal management and nuisance animals, there is no requirement to consider these matters as part of this legislation.

Without an extension of the provisions of the proposed Bill to also apply to Body Corporates, the Government risks losing many of the benefits outlined above.

Landlord's timeframe to object

The timeframe of 14 days provided for a landlord to object to a tenant's request to have a pet may, in large be appropriate and reasonable. However we do have concerns that this may result in adverse implications for some community members. This is particularly true for those that due to affordability constraints may have limited rental options available to them. This may become an issue if they are also in urgent need of new accommodation and potentially having to sign and commence a lease in

order to keep a roof over their head whilst a decision is made on their pet. This could lead to the tenant having to give up their animal or breaking the provisions of the act by housing the animal at the property during this period.

This is a challenging scenario but one we think should be considered further in order to protect consumers in extenuating circumstances.

Recommendation

Therefore we call for the Committee to recommend and the Government to accept the following changes:

1. Extend the requirement to seek a NTCAT approval for objection of pets in properties by Body Corporates as well as landlords in general.
2. Consider the implications on potential tenants having to wait 14 days for a landlord to respond to their request for pets. This is particularly true of those who may have limited options due to affordability and need to move at short notice.

With the above amendments, we commend this Bill for approval of the Legislative Assembly as it will benefit the whole community.

Should you wish to discuss this submission further, RSPCA Darwin are available to assist the Committee in its deliberations further including public appearances. The contact for this matter is Danny Moore, Chair of RSPCA Darwin (email chair@rspcadarwin.org.au, mobile 0408 016 285).

Kind regards,



Danny Moore

Chair

RSPCA Darwin Regional Branch Inc.

*<https://piaa.net.au/Australian-pet-ownership-statistics/>

~<https://www.news.com.au/lifestyle/home/pets/australians-are-spending-up-big-when-it-comes-to-pampering-their-pets/news-story/ba2be56314cecae7e3c2ec8983a4f78a>