



South Australia Review of the Rental Laws

**Australian Pet Welfare Foundation (APWF) Submission
to the SA Government**



December 2022



The Australian Pet Welfare Foundation

The Australian Pet Welfare Foundation (APWF) is the peak research body and advocate for pet welfare in Australia. As a not-for-profit organisation, APWF uses science-based research to enhance community well-being and improve the health and welfare of animals and people. APWF specialises in evidence-based solutions to prevent euthanasia of healthy companion animals in shelters and pounds and the associated mental health damage to staff and community residents, and ensure all adoptable animals find a home. We share research knowledge with the community, shelters and pounds, state and local governments and veterinarians to create change and save animal and human lives.

APWF is led by Chief Scientist Dr. Jacquie Rand, Emeritus Professor of Companion Animal Health at The University of Queensland (UQ) and a registered specialist veterinarian in small animal internal medicine. She has worked extensively in shelter research over the last 15 years, including collaborative studies with the RSPCA, Animal Welfare League and local governments. While at UQ Dr Rand taught Urban Animal Management and since 2013 has co-authored 21 peer-reviewed articles on the management of semi-owned and unowned cats.

Keeping Pets in Residential Tenancies consultation

Thank you for the opportunity to provide comments on the Keeping Pets in Residential Tenancies – Consultation.

The Australian Pet Welfare Foundation is strongly opposed to current SA tenancy law which allows for blanket ‘no pets’ clauses, such that landlords can refuse requests to have a pet for any reason, or no reason at all.

Recommendation: The Australian Pet Welfare Foundation strongly advocates that “no-pets” clauses in tenancy agreements are banned in SA.

As a national organization, the Australian Pet Welfare Foundation aims to influence policy decisions to benefit the health and welfare of pets and their owners and the community. The Australian Pet Welfare Foundation argues that banning ‘no-pets’ clauses in tenancy agreements in SA is in the interests of animal welfare and the community, including landlords, and would represent evidence-based legislative change. The following scientific evidence supports this claim.

1. Banning “no pets” clauses in tenancy agreements will reduce surrender of pets to shelters and pounds.

- In Australia, the lack of rental accommodation allowing pets, or highly restrictive rental policies governing breed and size of dog, is one of the most common reasons people surrender pets to pounds or shelters.
- Lack of rental accommodation allowing pets accounts for 20 to 28% of all dog surrenders to shelters, and 36% of cat surrenders (Marston et al 2004; Alberthsen, 2014, 2016), which represents a significant proportion of surrenders.
- Although 33% of Australians live in rented accommodation (ABS, 2016), only 4% of advertised rentals specifically allow pets, making it almost impossible for pet-owning tenants to find a home (Danaher, 2016).
- Research led by Emeritus Professor Jacquie Rand, Executive Director and Chief Scientist from the Australian Pet Welfare Foundation shows that **approximately 20% of dogs and cats are surrendered by their owners in Australia each year because their owners could not find suitable rental accommodation (Alberthsen, 2014, Chua 2017, Hemy 2017).**



- In SA, we estimate that approximately than 2,000 dogs and cats are surrendered annually due to “no-pets” clauses in tenancy agreements with approximately 30% of cats and 10% of dogs euthanased (Chua et al 2017, Chua 2022).
- This unnecessary and preventable euthanasia causes life-threatening adverse mental health impacts on animal shelter and council pound staff involved in the euthanasia, and results in unnecessary costs to municipalities and tax payers.
- Australian shelter staff are often required to repeatedly kill large numbers of healthy cats and kittens, resulting in a significant human cost. Many workers directly involved with the euthanasia of healthy animals develop post-traumatic stress, which is associated with depression, substance abuse, high blood pressure, burnout, and increased risk of suicide (Australian Veterinary Association 2022, Baran 2009, Reeve 2005, Rohlf 2005, Rollin 2011, Tiesman 2015, Frommer 1999, Whiting 2011). This is a major human welfare issue which is often overlooked and requires urgent attention.
- Banning “no-pets” clauses in tenancy agreements would allow more pet owners to obtain rental accommodation, thus reducing the number of dogs and cats surrendered to shelters and pounds, which would reduce the number of cats and dogs unnecessarily euthanased and save animal and people’s lives.
- With the large percentage of the Australian public that own a pet, “no-pets” clauses adversely affect a very substantial proportion of renters. Given the close bond people have with their pets, with 88% saying they regard their pet as a family member (Franklin, 2006; Power 2015), “no-pets” clauses cause unnecessary distress and suffering to people seeking rental accommodation.

2. Community costs associated with “no pets” clauses

- The Animal Welfare League in South Australia estimates the cost of shelter care to be \$245/dog per week, and when additional costs of preventive and veterinary care are included, the average cost to rehome a dog after one week of care is \$1056 (AWL, 2016).
- The estimated cost for municipal councils of admitting, rehoming or euthanasing a dog ranges from \$250 to in excess of \$1000, and this cost may increase when external pound service providers are used (Darebin & Moreland City Council, 2015).
- Based on the average minimum cost of care in a pound or a shelter of \$1,000 for a dog and \$500 for a cat until it is adopted or euthanased, this results in more than an estimated \$1.2 million in unnecessary and preventable costs to municipalities and welfare agencies in SA annually, as a result of “no-pets” clauses in tenancy agreements. These funds could be better spent on other community programs.
- Reducing intake into shelters and pounds is the most effective way to reduce euthanasia and costs to the community. In a US study, 98% of the decrease in euthanasia in shelters and pounds was accounted for by the decrease in intake (Marsh, 2010, Kreisler 2022). Therefore, it behoves governments to focus more on decreasing intake of animals into shelters and pounds, given this reduces both operational costs and euthanasia and devastating mental health damage to staff.
- Critically, ‘Not pet clauses’ act as a major barrier to cat semi-owners taking full ownership of the stray cat they are feeding – the key solution to resolving the wandering cat issue (APWF 2022).
- In addition, “no-pets” clauses in tenancy agreements means that fewer homes are available to adopt pets from shelters and pounds, further contributing to unnecessary and preventable pet euthanasia.

Banning “no pets” clauses in tenancy agreements is an important strategy to reduce council and community costs, and unnecessary euthanasia of pets.

The inclusion of “no pets” in tenancy agreements clauses is based on the myth that pet owners cause more property damage than non-pet owners. This myth is not supported by research.

3. Lack of evidence that pet-owning tenants are more detrimental to landlords’ properties than non-pet owners

- Many landlords have a preconceived notion that pet owners cause more property damage than non-owners (Carlisle-Frank et al, 2005), and conclude that pet owners will be a financial burden. However, research conducted in USA demonstrates that pet owners stay twice as long, pay more rent and are no more likely to cause damage than non-pet owners. In contrast, renters with children cause an average of \$150 more damage per unit per year (Carlisle-Frank et al, 2005), yet in Queensland, it is illegal to discriminate against tenants with children (Anti-Discrimination Act Queensland, 1991).
- The findings in USA are consistent with the experiences of First National in Australia. Stewart Bunn, a First National spokesperson stated that ‘what we observe is that pet owners generally sign longer leases and pay more rent’ (Quelch, 2015).
- According to Animal Medicines Australia (AMA2022), better understanding the many benefits of responsible pet ownership may work to ameliorate some of these challenges. Indeed, some research suggests that being pet friendly can increase property value by 10% and rental income by 30%. In some Australian jurisdictions, body corporate rules may still sometimes preclude pet ownership without any consideration of the appropriateness of some pets to higher density living.

In summary, there is no evidence to support the notion that pet owners are a greater risk to cause property damage than non-pet owners, and there are many potential benefits from engaging with a high demand and financially rewarding pet-owning tenant’s market including less vacancy time and less costs for advertising (Carlisle-Frank et al, 2005).

4. Community and health benefits

Pet ownership in the community has well-documented physical, psychological and social benefits for individuals and the community as a whole (RSPCA, 2015, Franklin 2006, Power 2013, 2015). Pet ownership decreases loneliness and stress amongst elderly pet owners (Keil, 1998), improves community neighborhood interactions and relations (Power, 2013), and enhances the sense of community (Wood et al, 2007).

Pet ownership also results in health benefits to the community.

- For example, total health care savings associated with pet ownership were estimated at \$1.813 billion or 5% of Australia’s total health expenditure in 1999 (Headey, 1999).
- Pet owners have reduced doctors’ visits and reduced use of medication for high blood pressure, high cholesterol, sleeping difficulties, and heart problems (Headey, 1999). “No-pet” clauses means many renters miss out on the health benefits of pet ownership.

“No pets” clauses reduce the health benefits to the community of pet ownership.

5. “No-pets” clauses in tenancy agreements are a cause of human homelessness

Lack of pet-friendly accommodation increases human homelessness, as people on a low income have in some cases chosen to live on the street or in their car, rather than surrender their pet (Danaher, 2016). Being forced to choose between a beloved pet and having a home also has detrimental impacts on physical health and emotional well-being.

Banning “no pets” clauses will mean renters are no longer faced with opting to be homeless instead of surrendering their pet.

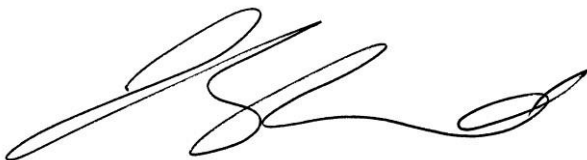
7. Tenant liability

The Australian Pet Welfare Foundation supports the approach presented by the Tenants’ Union of New South Wales in a similar submission to the NSW Government, that ‘companion animal ownership is fundamentally a matter of personal responsibility’. Subject to the law, ‘an individual should be free to choose to keep a companion animal ... and an individual who chooses to keep a companion animal should be liable for any costs or losses that arise from their keeping the animal’ (Tenants Union of New South Wales, 2016, McCarroll, 2016).

Conclusion

In light of the substantial costs to municipalities and welfare agencies for managing surrendered pets as a result of “no-pets” clauses, and the loss of individual and community health benefits of pet ownership, the SA government should legislate against “no-pets” clauses, in the same way it is illegal to discriminate against tenants with children. Consent for pets on a case-by-case basis is also a form of discrimination and should be banned, as should discrimination based on dog size and breed because this is not based on scientific evidence.

Yours sincerely,



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