



21. PETS POLICY

Original	19 September 2002
Updated :	July 2006
Adopted :	July 2007
Implemented :	July 2007
Next Review	July 2010

1. **GENERAL**

Cymdeithas Tai Clwyd acknowledges that pets which are being looked after well and in a responsible manner can be an asset to a community.

However, because of the nature and location of some of our properties, (more specifically flats with a communal entrance) it is not possible to permit all types of pets.

2. **THE TENANCY AGREEMENT STATES**

Pets **3.18** “To keep under control any animals kept at the Premises and to obtain
the written consent of the Association before keeping a dog or any other animal which might cause a nuisance to neighbours.

This means that the pet owner has to ensure that the pet(s) does not cause nuisance to others, and that allowing them to cause nuisance breaches one of the tenancy agreement conditions.

3. **RELEVANT LEGISLATION**

Dangerous Dogs Act 1991

This act prohibits owners from keeping the 4 listed species of dog without an Exemption Certificate.

Animal Welfare Act 2006

Pet owners must ensure that they take the welfare of their animals into consideration since 27 March 2007.

Clean Neighbourhoods and Environment Act 2005

Local Authorities can order that on certain public areas, dogs must be kept on a lead or can be excluded. Dog fouling bye laws can also be enforced on public land.

Control of Dog Order 1992

Every dog, while in a public place, must wear a collar displaying the owner's name and address.

Environmental Protection Act 1990

Local Authorities have the power to seize a stray dog and to hold it for 7 days. After 7 days, the dog can be found another home, sold or destroyed.

Animal Act 1971

If a dog worries livestock then it may be shot and the owner faces animal prosecution.

Protection of Animals Act 1911

Persons found guilty of cruelty or neglect may be imprisoned and/or fined. The Abandonment of Animals Act 1960 makes abandoning an animal an offence.

4. **CASES THAT DO NOT REQUIRE PERMISSION TO KEEP A PET**

4.1 Permission is not required if the tenant wishes to keep one caged bird, or fish in one tank of a normal size.

5. **CASES WHERE PERMISSION WILL NOT BE GRANTED UNDER ANY CONDITIONS**

- 5.1 Wild animals, farm animals nor endangered species will be permitted
- 5.2 Under the Dangerous Dogs Act 1991, it is illegal to keep the following breeds without an Exemption Certificate:-
- Pitbull Terrier
 - Dogo Argentino
 - Japanese Tosa
 - Fila Brasileiro

(and any other breeds, which are listed in subsequent legislation).

Because of this, the Association believe that a request to keep any of the above breeds to be too much of a risk to neighbours. Complaints about these dogs should be brought to the Police, who would be able to press charges. If an officer of Cymdeithas Tai Clwyd suspects a dog of this type is being kept at one of the Associations properties, the facts must be confirmed, before immediately contacting the Police.

6. WHEN IS PERMISSION REQUIRED?

- 6.1. The Association's permission must be gained if the tenant wishes to keep a dog, cat more than one caged bird, other caged animals, where the previous pet has passed away and is being replaced, or if the owner wishes to keep more pets.
- 6.2. Every tenant must seek permission to keep a pet, however, generally, permission will be granted for a pet in a house, flat with its own entrance, a bungalow e.g. a property without a communal entrance. However, permission will be granted for the elderly or the disabled who live alone in a property with shared access, to keep one small dog or one cat, and the animal must not be allowed to stray to communal areas.
- 6.3. When a tenant needs a guide dog, the following must be considered:-
- does the dog need a chemical toilet - and where would its location be
 - the wishes of other tenants within a communal area

N.B. The RNIB and Guide Dogs for The Blind must be satisfied that the person is suitable to keep a guide dog at their home.

7. WHEN IT IS NOT ALLOWED TO KEEP A PET

- 7.1. When the animal is in danger of suffering e.g. where there is proof of under feeding or if the animal is kept in confined spaces.
- 7.2. That keeping the animal is likely to lead to breaking tenancy regulations.
- 7.3. When the Association is aware that another animal has been ill-treated.
- 7.4. When the pet is large, requiring regular exercising, and that there is not a self contained garden.
- 7.5. When the tenant is living in a general needs flat, which is unsuitable to keep a pet.
- 7.6. When the tenant is living in a property where it is likely that the pet will be allowed to exercise on communal areas.

- 7.7 When the pet is allowed to go astray, or they are not supervised.
- 7.8 When the pet is allowed to foul in public areas, and when the owner continuously fails to clean up after.
- 7.9 When the pet (usually dogs) causes noise nuisance. The owner is given **one** chance to contact the vet, a specialised dog trainer or a specialised animal behaviour counsellor to try to overcome the problem. If the noise nuisance continues, the owner is expected to find another home for the pet.
- 7.10 When the pet is neglected. The matter should also be reported to the RSPCA.
- 7.11 A pet should not be kept on a balcony in case the pet falls or it is strangled.
- 7.12 A pet should not be kept on a lead as a method of controlling the animal.

8A. PETS IN FLATS

Cymdeithas Tai Clwyd believes in rewarding conscientious tenants living in flats, by giving them permission to keep one dog or cat in a flat with a communal entrance. This is subject to tight rules, and if the conditions are breached, the permission will be taken from the tenant, where they are expected to find a new home for the pet at once.

7.1 Conditions for keeping a dog

- 7.1.1 Ensure the dog does not foul in communal areas.
- 7.1.2 Ensure the dog does not bark regularly for a long period of time. A dog which is allowed to bark non-stop for more than 15 minutes is considered 'a long period'.
- 7.1.3 Thought must be given to tenants living underneath the flat, therefore, tenants are encouraged to have carpets on the floor and not to use laminated flooring.

7.2 Conditions for keeping a cat

That the cat uses a litter tray to foul and does not foul in communal gardens and areas. The tenant is expected to regularly dispose of litter to avoid unpleasant odours.

- 7.3 A tenant may keep small mammals, such as, rats and mice, gerbil or hamster. If they keep two, it must be ensured that they are both the same sex or have been neutered. It is not allowed to keep a guinea pig in a flat. A tenant may keep a rabbit in a flat if it is house trained. It is not allowed to keep more than 2 small mammals in one flat. The animals should not be allowed to rear.

8. SUPPORTED HOUSING

It is acknowledged that pets can play a very important role in providing friendship and create interest and focus to individuals. The following must be remembered when considering an application from a Supported Housing tenant:

- Status of pet – who owns it? This information must be obtained at the start, to avoid arguments over care costs etc.

- If the pet is shared, who is responsible for it's day to day routine, veterinary needs etc? (Usually a member of the property staff).
- If the tenant owns the pet, what happens if the tenant is not able to care for the pet?
- They should consider insuring the pet for care costs.
- Is the location suitable? If the tenant wants to keep a dog, is there a suitable garden, and is there a fence around the garden? Where will the pet be kept? If it is a dog, who will be responsible for ensuring that the dog has regular exercise?

9. WHAT HAPPENS IF THE CONDITIONS ARE BROKEN?

- 9.1. If the Association receives complaints about a pet, the Housing Officer ensures measures are taken to rectify the problem and to reduce the nuisance, by co-operating with the Dog Warden and the Environmental Health Department.
- 9.2. When keeping a pet breaches the Tenancy Agreement, Cymdeithas Tai Clwyd will take action as follows:-
- visit and interview the complainant and the person complained about to establish the facts and to request that the nuisance ends. A letter will be sent to the tenant stating the conditions.
 - contact the Environmental Health Department if the nuisance is because of fouling or noise.
 - contact the dog warden if the animal is not under control.
 - contact the RSPCA if there is proof or that there are suspicions that the animal is ill-treated.
 - if the pet is allowed to be a nuisance, with the tenant keeping the pet without permission, the Association will ask the owner to find an alternative home for the pet.
 - if the pet is allowed to be a nuisance, and the tenant has gained permission to keep the pet, they will receive a letter of warning to keep the pet under control, if the situation deteriorates, and that there are regular nuisance complaints, it is expected that the tenant will find an alternative home for the pet within 14 days.
 - if the pet causes damage to the property, it is the tenant's responsibility to repair the damage.
 - if the problem is not resolved after following the above, as a last resort, the Association can present a Notice Seeking Possession for breaching tenancy conditions.
 - An Environmental Act came to force in April 2006 in England, and we are still waiting for guidance from the Assembly. The new system is more simple, which will enable Local Authorities and community councils to deal with dog fouling, ban dogs from specific areas, expect dogs to be on a lead and limit the amount of dogs that can be on a lead at the same time.

10. PETS IN EMPTY PROPERTIES

A situation can arise where a tenant has left a pet in the property after leaving the property or eviction. The following steps should be taken:

Eviction

Each pet which has been left is considered as a 'property' under the Abandonment of Animals Act 1960. It is the landlord's responsibility to maintain the property until they have been claimed or sold (to claim the cost) or given away, if there is no value to the property. The former tenant is given 7 days to claim the property, the pet will be transferred to the local RSPCA centre (0870 3335 999 – www.rspca.org.uk)

During the first 7 days the tenant may make arrangements to collect the animal from the centre. If the animal is considered valuable – arrangements will be made to sell the animal and the money will be used to pay the cost of caring for the animal for the first 7 days (suitable accommodation should be arranged). When a tenant is evicted the following must be considered:

- Find out whether they have a pet.
- Ensure that the pet owner is aware that he/she is legally responsible for the pet and ensure that they are aware of the consequences of leaving the pet.
- Inform the bailiff that a pet cannot be left in the property without supervision (see the above procedure).
- If the Housing Officer is aware that there is a pet in the property, the tenant's attention should be drawn to this matter when corresponding regarding the eviction.

It is possible for an officer from the RSPCA to be present when a tenant is being evicted. A written consent must be obtained from the tenant that the pet is transferred to the care of the RSPCA. This is not always possible.

Abandonment

If Cymdeithas Tai Clwyd believes that a tenant has abandoned a property with a pet in the property, and that there is no intention to return (see Abandonment Policy) the Association must contact the RSPCA. They will consider taking action in accordance with the Abandonment of Animals Act 1960.

Dear

RE: PERMISSION TO KEEP (type of animal) IN (address)

We acknowledge receipt of your letter requesting permission to keep (type of animal). I am pleased to inform you that the Association gives permission for you to keep the above animal(s).

You are asked to agree to the following conditions:

The pet animal should not cause nuisance to neighbours, and if a complaint is received, the Association can ask you to find another home for the pet.

If the animal is causes damage to the property, you are responsible for any costs incurred
Every pet animal should be kept under control

If any of the above conditions are breached, it is likely that we will ask you to find another home for your pet animal.

This permission is given in relation to the above animal only.

Yours sincerely

1. Wynne's Park

Permission is granted for keeping of small dogs at Wynne's Park on the condition that whilst outside of the property. Dogs should not be exercised round the back of the property to respect the privacy of fellow residents at Wynne's Park.