

STATES OF JERSEY



PETS IN RENTAL PROPERTIES

**Lodged au Greffe on 9th October 2024
by Deputy C.D. Curtis of St. Helier Central
Earliest date for debate: 12th November 2024**

STATES GREFFE

PROPOSITION

THE STATES are asked to decide whether they are of opinion –

to request the Minister for Housing to bring forward for approval, before 31st March 2025, any necessary legislative changes to ensure that any tenant of a rental property be permitted to keep, or acquire, a pet or pets unless the landlord of the property provides a reasonable reason for not permitting this, and for the criteria determining these reasons to be defined within the relevant legislation.

DEPUTY C.D. CURTIS OF ST. HELIER CENTRAL

REPORT

Pets are considered as part of the family. Huge distress is caused to pet owners, and the animals concerned if a pet has to be given up. Renters in Jersey often have to move through no fault of their own, for example if the landlord wishes to sell the property and if a suitable property which allows pets is not available, a beloved pet may have to be given up. There are also families who would benefit from owning a pet who cannot do so due to living in a rental property in which pets are banned.

Of course, there may be good reasons to not permit a pet to be kept in a property – some pets need outside space; some may be a noise nuisance to close neighbours in an apartment block. Unfortunately, though there have been cases of rental properties in Jersey where a blanket ban has been imposed on keeping pets for no apparent good reason. The purpose of this proposition is to enable all renters to be able to keep a pet unless there is good reason to not do so.

The latest census shows that 33% of households are private rentals and roughly 13% are social housing rentals, demonstrating that almost half households in Jersey are rented. Therefore, this proposition could improve the lives of a lot of islanders, benefiting the animals too.

States members may be aware that there is similar work going on in the UK to enable renters to keep pets as part of the Renters' Rights Bill. My work on this proposition started completely separately to that, having heard from many islanders who'd had to give up their pets, but the UK Bill does provide useful information. The basic premise of that part of the proposed legislation is that "Landlord consent is therefore the default position unless otherwise specified in writing by a landlord"

There are several ways for a landlord to seek recompense for any damage caused by a pet to the property, for instance landlords could require a tenant to pay the landlord's reasonable costs towards maintaining insurance, or an additional pet deposit could be requested, within reason.

In Jersey, it is estimated that approximately one cat per month is given up to the cat sanctuary due to accommodation restrictions. (Cat Action Trust Jersey Branch) Any of us who own a cat will be aware of the heartache this causes to the owner, and especially children of the family, and the distress to the animal.

Data supplied by the JSPCA shows that 17 pets per year were disclaimed to the JSPCA due to the landlord specifically not allowing pets, another 42 per year where the reason given for disclaiming was "moving", and another 6 per year where the reason given for disclaiming was "change in circumstances" (average figures per year from 2020 to August 2024) The JSPCA also finds that not allowing pet ownership in accommodation affects their potential for rehoming a pet.

Research conducted by Dogs Trust and Cats Protection reveals that, in over a third of cases where cats or dogs have not been allowed by a private landlord, the landlord did not proactively decide this based on the individual tenants or pets, but either followed generic advice or used a standard tenancy template. The charity claims that allowing pets in rental properties is not just good for the tenants; there are advantages to landlords too as it could increase the length of time tenants choose to rent a property. It says some 26% of tenants would stay longer in a property if they were allowed to keep a pet.

[\(https://www.landlordtoday.co.uk/breaking-news/2024/09/pets-in-lets-are-good-for-landlords-as-well-as-tenants-insists-charity/\)](https://www.landlordtoday.co.uk/breaking-news/2024/09/pets-in-lets-are-good-for-landlords-as-well-as-tenants-insists-charity/)

Financial and staffing implications

If this proposition is adopted there will be a need for resource within the Legislative Drafting Office to draft any such necessary legislation. There are other potential additional costs which would need to be investigated by Environmental Health in relation to the control and arbitration of pets in rental properties.

Children's Rights Impact Assessment

A Children's Rights Impact Assessment (CRIA) has been prepared in relation to this proposition and is available to read on the States Assembly website.