

## Briefing for the Public Petitions Committee

**Petition Number:** [PE1706](#)

**Main Petitioner:** Geraldine Mackenzie

**Subject:** Keeping pets in rented and supported accommodation

Calls on the Parliament to urge the Scottish Government to introduce a law to allow all Scottish residents who live in rented and supported accommodation to let their pets live with them.

### Background

#### Benefits of pet ownership

The Petitioner refers to journal article<sup>1</sup> on the human-companion animal relationship in housing law and policy. The article cites evidence to suggest that owning a pet can reduce isolation and loneliness and can have physical health benefits such as lowering the risk of death by cardiovascular disease.

#### Pets in rented and supported housing

There is no legislation in Scotland which specifically ban pets from being kept in rented or supported accommodation.

Tenants will have a tenancy agreement with their accommodation provider which will set out the rights and responsibilities each party. Whether pets can be kept in the property will depend on the landlord's policy.

For example, some landlords may place a general condition in their tenancy agreements that pets cannot be kept. However, in practice, how and whether this condition is enforced will vary. Many tenants will keep pets and landlords will only seek to take action against them if the pets are causing a nuisance to neighbours.

Some social landlords may have a specific pet policy which allows pets to be kept under certain circumstances. For example, some housing associations

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<sup>1</sup> Rook, D. 2018. 'For the Love of Darcie: Recognising the Human-Companion Animal Relationship in Housing Law and Policy' *Liverpool Law Review*: 29-46

that specialise in providing housing for the elderly recognise the benefits that pets can bring for their tenants.<sup>2</sup>

In some cases, tenants may have to seek permission from their social landlord to keep a pet. Landlords may consider each application on its merits. If permission is granted to keep a pet, there may be conditions involved. For example, a condition could include that dogs can only be walked outwith the development grounds. In some cases, the landlord might impose a general rule such as that dogs cannot be kept in communal stair flats.

The journal article<sup>3</sup> the Petitioner refers to suggests that there are legal precedents which support legislation that bans 'no pet' covenants. The journal article gives examples of legislation in other countries, including France and parts of Canada, that prohibits the use of 'no pet' covenants. Such legislation also seeks to protect the rights of landlords and other tenants; for example, there may be exclusions for pets which are a nuisance or which cause severe allergic reactions.

### **Scottish Parliament/ Scottish Government action**

In April 2018, it was reported in the media<sup>4</sup> that Scottish Labour environment spokesperson, Claudia Beamish MSP, wanted the default position to be that pets should be allowed in rented, supported, or temporary accommodation, unless there is evidence that the animal is causing a nuisance.

In response to this, a spokeswoman for the Scottish Government was quoted as saying:

"We want to ensure that all elderly and vulnerable people are fully supported in finding and keeping a home that works for them.

"Decisions around keeping pets are for individual accommodation providers, however, we would encourage them to take a practical and considered approach that removes any potential for distress or difficulties, and ensures elderly and vulnerable people have a positive outcome."<sup>5</sup>

**Kate Berry**  
**Senior Researcher, SPICe**  
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<sup>2</sup> For example, Hanover Scotland and Bield Housing Association will allow their tenants to keep pets in certain circumstances.

<sup>3</sup> Rook, D. 2018. 'For the Love of Darcie: Recognising the Human–Companion Animal Relationship in Housing Law and Policy' *Liverpool Law Review*: 29-46

<sup>4</sup> For example, see Scotsman 9 April 2018, <https://www.scotsman.com/news/politics/let-elderly-scots-keep-beloved-pets-in-care-homes-says-labour-1-4720779>

<sup>5</sup> Glasgow Live Plans to introduce paws clause allowing elderly to keep their pets in care homes. <https://www.glasgowlive.co.uk/news/glasgow-news/their-pets-in-care-homes-14506828>

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