



2 August 2019

Better Regulation Division, Regulatory Policy
NSW Department of Customer Service
Via email: rtreg@finance.nsw.gov.au

Dear Department of Customer Service

RE: Consultation paper on proposed Residential Tenancies Regulations 2019

CHOICE is Australia's largest consumer group, with 60 years' experience representing the interests of Australian consumers. CHOICE has been calling for a coordinated national approach to renting to make renting more secure, more affordable and less stressful for millions of Australians. We can and should make renting a home better for everyone.

I write regarding the consultation for the Residential Tenancies Regulations 2019. The NSW Government has an excellent opportunity to modernise NSW's renting system, and bring it into line with the expectations of the community in relation to pets. CHOICE makes two recommendations to achieve this:

- 1. The regulations be amended to include a prohibition on 'no pets' clauses; and**
- 2. The regulations include an amendment to the standard form agreement which lays out a responsible pet ownership model.**

The proposed regulations should include a prohibition on blanket 'no pets' clauses, in line with other jurisdictions like Victoria and the ACT. Blanket 'no pets' clauses should be made a prohibited term unless pets are restricted by another law. This does not mean landlords must accept all pets in all properties – but they should not refuse pets as a default position. In a CHOICE commissioned nationally representative survey, we found that 20 per cent of renters in NSW have felt discriminated against when looking for a rental property on the basis of having a pet¹.

¹ Fieldwork was conducted from 12th - 31st October, 2016. Fieldwork was conducted by The ORU. The ORU are ISO 20252 and 26362 accredited and are full AMSRO members. The data has been weighted to ensure it is representative of the Australian renting population. 1005 people participated in the survey.

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We also support an amendment to the standard form agreement which lays out a responsible pet ownership model. Currently the standard form agreement starts with a negative default additional term against pets. This is not required by the *Residential Tenancies Act 2010* and is not in keeping with modern community standards. CHOICE supports a default additional term which encourages responsible pet ownership and makes clear to both tenants and landlords the responsibilities tenants have around keeping pets. This will avoid the majority of property care issues and nuisance to neighbours.

In our campaign for better pet food standards, thousands of people contacted us to tell us how much they love their pets and consider them part of the family. For renters, the process of finding a home that will suit them and also allows pets can be extremely stressful. A reform to these provisions will not cause detriment to landlords - it is in fact likely to be to their advantage, encouraging longer-term tenants. A responsible pet ownership provision in the standard form agreement works for both tenants and landlords in clarifying expectations and requirements.

“Pets are an important part of their owners’ lives and rely on us to be their carers. As a pet owner, we have [a] responsibility to ensure we look after our pets as best as we can.” – Cathy

“Our pets are like family members and we care about them.” – Neil

People should be able to bring their whole families into the homes they rent - including their pets. CHOICE urges the NSW Government to pass pet-friendly renting regulations, for the benefit of the many New South Wales residents who rent their homes and love their pets.

For further information please contact CHOICE on sagar@choice.com.au

Yours sincerely,



Sarah Agar

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