

Pets in Your Property: What You Should Know

Pets are part of the family for many tenants, but when it comes to rentals, there are rules to follow. Here's your simple guide to navigating pets in your property.

Can my tenant have a pet?

It depends on the tenancy agreement:

- If the agreement says they need your consent, they must ask you first.
- If the agreement says nothing about pets, the tenant is allowed to have one without asking.

Can I ban all pets?

Not outright.

You can require tenants to request consent, but you can't impose a blanket 'no pets' rule.

In certain cases, you can apply to ACAT to restrict or exclude animals, but only under specific and exceptional circumstances.

Do I need to state my pet policy when advertising?

Yes, it's actually a legal requirement.

Your ad must clearly state whether tenants need to seek approval for pets.

If you already have ACAT approved restrictions or conditions for pets, those must be listed too.

How do tenants request consent?

If your lease requires them to ask, the tenant needs to do so in writing.

If you don't respond within 14 days, the law assumes you've said yes.

How do I refuse consent?

You can only refuse if ACAT agrees, based on reasons such as:

- It's illegal to keep the animal
- The property is unsuitable
- The pet would likely cause unreasonable damage
- There's a risk to public health or safety
- Allowing the pet would cause you significant hardship

Can I approve a pet but set conditions?

Yes, as long as they're reasonable and relate to:

- Property maintenance, or
- The number of animals allowed

For any other conditions, ACAT approval is required.

In the ACT you **cannot**:

- Increase the bond
- Charge a 'pet bond'
- Do extra inspections just to check for pet conduct

What about strata properties?

In strata buildings, the owners corporation must also approve pets.

They can't unreasonably refuse consent, but they can enforce rules under strata law.

Do these rules apply to assistance animals?

No, assistance animals are protected under the *Discrimination Act 1991*.

It is unlawful to refuse or restrict them.