

Policy Name	Keeping of Pets Policy
Policy Category	Customer Services
Policy Number	TM013
Officer Responsible	Housing Services Co-ordinator
Date to Board of Management	2 nd September 2021
Next Review Date	September 2026



1.0 Introduction

1.1 Lochaber Housing Association (LHA) recognises the significant benefits that keeping animals as pets can have, and of their importance to owners. But irresponsible ownership can also cause nuisance in the community or to property; or undue suffering to animals. This policy therefore outlines the conditions under which our tenants, their visitors or other members of their household can keep animals in our accommodation. It is not exhaustive and some exceptions may be allowed by the Housing Services Co-ordinator in certain circumstances.

1.2 In this policy, the term ‘pets’ means *pets* or *other animals*; the term ‘animals’ is taken to include mammals, birds, reptiles, fish and insects.

1.3 LHA’s Scottish Secure and Short Scottish Secure Tenancy agreements state in Section 2, paragraph 2.5 that tenants may keep a pet subject to certain conditions and that written permission must be obtained first from the Association.

1.4 The Association encourages responsible pet ownership. But tenants must ensure that they and their household members and visitors comply with the guidelines of this policy and ensure proper animal welfare. Failure to do so will result in enforcement action which may ultimately include eviction from the property.

2.0 Applying for permission

2.1 A tenant who wishes to keep an animal at our property must apply in writing to their Housing Officer **before** taking it home or before keeping it after weaning if born at the property. The request must give details of the type of animal they wish to keep, and where it will kept (for example within the property, in the garden or in purpose-built accommodation).

2.2 The Housing Officer will visit the tenant to verify the information given in the application to keep a pet, and to discuss the tenant’s responsibilities with them, should permission be granted. Every application will be considered on an individual basis taking full account of the tenant’s circumstances, the accommodation available and the reasons for their application.

2.3 Housing Officers will store the application and subsequent progress in the SDM Housing Management System.

3.0 Conditions of permission

- 3.1 Tenants will not be allowed to keep an animal that is prohibited by the Dangerous Wild Animals Act 1976, the Dangerous Dogs Act 1991, or by any other law. Tenants will not be allowed to keep livestock, and will also not generally be allowed to keep exotic or unusual animals; what constitutes an 'exotic or unusual' animal is at the discretion of the Association. This is to protect the safety of residents and employees or contractors of the Association who may come into contact with them.
- 3.2 The Association will generally give permission to keep **one** dog or cat, or an agreed number of other pets, such as a hamster, guinea pig, or caged bird, provided they are kept in suitable enclosures. In exceptional circumstances, and at the discretion of the Association, permission to keep more than one dog or cat may be granted, subject to guidelines laid down by the Pet Advisory Committee¹. Tenants will not be granted permission where the type or number of animals is not suitable for the size, location or amenity of the property.
- 3.3 If the Housing Officer finds the property and type of pet satisfactory, they will write to the tenant giving permission to keep the specified pet. The permission will be conditional upon the following:
- All animals capable of being micro-chipped must be, including all dogs over 8 weeks old without a veterinary surgeon's exemption certificate².
 - All animals must be registered with a local veterinary practice.
 - Animals must not be bred and offered for sale from the property.
 - The tenant will be responsible for the behaviour of the pet.
 - The tenant will take all reasonable steps to supervise and keep the pet under control.
 - Dogs must not be allowed outside the property on their own and must be kept under control and on a lead in public areas.
 - The tenant is responsible for the proper welfare of the pet including, in all appropriate circumstances, the regular control of parasites, vaccination and neutering.
 - The tenant will take all reasonable steps to prevent the pet causing nuisance, annoyance or danger to their neighbours and the community. This includes fouling or noise or smell from the pet.
 - The tenant will take all reasonable care to see that the pet does not foul or cause damage to their property, their neighbour's property, anything belonging to Lochaber Housing Association or anything Lochaber Housing Association is responsible for, such as the common parts. All faeces must be removed immediately.
 - Lochaber Housing Association is entitled to require removal of the pet if it is causing nuisance or damage.

¹ Pet Advisory Committee (2010) *Guidelines on Pet Management for Housing Providers*, and any subsequent guidance from them

² Microchipping of Dogs (Scotland) Regulations 2016, s.6

- Animals must not be left in the property whilst the tenant is away unless proper arrangements have been made for provision of adequate care.
 - The tenant will be responsible for the proper disposal of any dead pets.
- 3.4 Permission to keep a pet is granted for the lifetime of the pet detailed in the application. Permission lapses on the death of the pet, and the tenant has no automatic right to take another pet into the home to replace the dead pet. In these circumstances a new application must be made.
- 4.0 Refusal of permission
- 4.1 If the property type or the type of pet is unsuitable, the Housing Officer will write to the tenant stating that permission has been refused, and giving the reasons why.
- 4.2 The Housing Officer will record the decision and any correspondence issued in the SDM Housing Management System
- 5.0 Withdrawing permission
- 5.1 Where any pet is the subject of a complaint the Housing Officer will visit the tenant to investigate the matter. Should the complaint be substantiated, the Housing Officer will advise them that permission will be withdrawn if further complaints are received. The opportunity will be given to remove the cause of the complaint and the tenant will be given support and advice on how to do so. Where appropriate the Housing Officer can refer the tenant to an outside agency for specialist support in dealing with the problem.
- 5.2 If the complaints continue and the tenant has not addressed the problem, the Housing Officer will advise the tenant in writing that permission to keep the pet has been withdrawn. The tenant will be given 14 days from the date of the letter to make suitable alternative arrangements for the pet and will be referred to the appropriate agencies for support to do so.
- 5.3 If the tenant refuses or fails to remove the pet, they will be in breach of their tenancy agreement, and further action will be taken to enforce the tenancy conditions.
- 5.4 All interventions must be recorded in the SDM Housing Management System to ensure a chronology of events can be reported via the diary reports available on the system.
- 6.0 Injury to others
- 6.1 Where there is evidence that a pet has attacked a person, the Association will withdraw permission to keep the pet with immediate effect, and will notify the police and the Highland Council (where

appropriate) of the incident. Tenancy conditions will be enforced and the tenant will be required to remove the pet immediately.

7.0 Damage to property

7.1 Where damage to property is attributable to a pet, the tenant who has received permission to keep the pet concerned will be liable to repay the costs of necessary repairs and / or reinstatement.

7.2 Any damage will be subject to the Associations Tenant Disrepair and Recharge Policy.

8.0 Mutual exchanges/transfers

8.1 Applicants wishing to transfer or exchange into a Lochaber Housing Association property will be subject to the keeping of pets policy as detailed above. Applicants will be required to request permission to keep a pet as set out in this policy. Transfer offers, or the approval of mutual exchanges may be conditional upon this basis. All applicants will be advised in writing by the Housing Officer when the transfer offer is made, or the mutual exchange approved, if any such conditions apply.

9.0 Existing pets

9.1 All existing pets in LHA properties at the date this policy was initially approved in 2016 are excluded from the seeking permission requirements of this policy. However, if pets owned prior to this date contravene any of the conditions outlined in 3.3, the tenancy agreement will have been breached, and the Association will take action as outlined in 5.0 or 6.0, as appropriate.

9.2 The onus will always be on the tenant to prove that the pet's ownership-commencement date was at or prior to the date this policy was approved, in order to gain exemption from its seeking permission requirements.

9.3 Where an applicant is offered an LHA tenancy, and they have more pets than would normally be permitted, the Association will make the offer of the tenancy on the strict condition that the number of pets owned is reduced before the tenancy commences; or that the tenant(s) do not acquire further pets in addition to the ones already owned, and they will adhere to the conditions in 3.2 on the death of their existing pets. The option applied will be at the discretion of the Association.

10.0 Tenant Consultation

10.1 Tenants will be consulted in line with the Association's Tenant Participation Strategy when this policy comes to be reviewed.

11.0 Appeals

11.1 Any applicant who feels their application for permission to have a pet has been unfairly dealt with has a right of Appeal to the Housing Services Co-Ordinator or a member of the Senior Management Team.

12. Equalities Commitment

12.1 Lochaber Housing Association is committed to tackling discrimination on the grounds of sex or marital status, racial grounds, or grounds of disability, age, sexual orientation, language, social origin, or of other personal attributes, including beliefs or opinions, such as religious beliefs or political opinions.

12.2 Lochaber Housing Association seeks to embrace diversity, promote equal opportunities for all and eliminate any unlawful discrimination in all areas of our work and meet the legislative requirements of the Equalities Act 2010. Ensuring that applicants with protected characteristics covered by the legislation are not disadvantaged or discriminated against by this policy.