



Pets and Animals Policy

2023

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1 Introduction

- 1.1 This Policy outlines Mid Devon Housing's (MDH) approach to keeping pets and animals by its tenants and their households. Mid Devon Housing (MDH) understands the benefits that responsible pet ownership can bring. Owning a pet or animal can be life enhancing and we recognise that it can have a positive impact on physical health and mental well-being.
- 1.2 Our aim is to provide a pet-friendly and common-sense approach to tenant requests to keep a pet or animal. We will review all applications to consider if a tenant is able to responsibly and safely keep a pet or animal without causing nuisance or anti-social behaviour to other residents living in the community.
- 1.3 It is also recognised that some buildings may not be suitable for certain pets and animals such as cats and dogs and in some circumstances may be designated 'pet or animal free'. Tenants will be informed at the application stage if the property has been designated as 'pet or animal free' in order that they can decide if they wish to take on a property with this restriction.

2 Aims and Objectives

2.1 Aim

The aim of this policy is to:

- Ensure all pet and animal owners living in MDH properties are responsible for their pets and animals
- Ensure all pet and animal owners maintain their property and repair any damage caused by a pet or animal
- Ensure that certain pets and animals are only kept in appropriate MDH properties
- Protect staff and the wider community from any danger or nuisance as a result of a pet or animal living in a MDH owned property

2.2 Objective

The objective of the Pets and Animals Policy is to provide tenants with clear instructions and expectations when they wish to keep a pet or animal in a MDH home.

3 Legal Framework and Context

- 3.1 The Social Housing White Paper published in 2020 recognised that domestic pets also bring joy, happiness and comfort to people's lives, helping their owners through difficult times and improving their mental and physical wellbeing.
- 3.2 The Regulator of Social Housing encourages all social landlords to adopt a policy setting out how tenants could seek permission to keep a pet or animal depending on the location, provided they are well looked after and do not adversely affect the lives of neighbours and those living nearby.

- 3.3 The Regulator of Social Housing expects registered providers to use a co regulatory approach and they regard councillors as responsible for ensuring that providers' businesses are managed effectively and comply with all regulatory requirements.
- 3.4 Social Housing (Regulation) Act has received Royal Assent, meaning the bill has now been enacted into law. This will impact the regulatory framework for social housing and introduces a new proactive, consumer regulation regime focussed on meeting the needs of tenants. One aim of the legislation and regime is to ensure that providers of social housing, such as the Council, keep its properties and estates safe and clean.
- 3.5 As part of the new consumer regulation regime, from April 2023, the RSH introduced a series of 22 mandatory Tenant Satisfaction Measures (TSMs) creating a new system for assessing how well social housing landlords in England are doing at providing good quality homes and services. These measure include those applicable directly to building safety as well as those based on tenant perception surveys setting out tenants views on our performance which will include responsible neighbourhood management.
- 3.6 The TSM measures considered under the Pets and Animals Policy include:
- TP01 - Overall satisfaction
 - TP08 - Agreement that the landlord treats tenants fairly and with respect
 - TP09 - Satisfaction with the landlord's approach to handling of complaints
 - TP11 - Satisfaction that the landlord makes a positive contribution to neighbourhoods
- 3.7 The Pets and Animals Policy should be read in conjunction with:
- Anti-social Behaviour Policy
 - Neighbourhood Management Policy
 - Improvement to Council Properties Policy
 - Recharge Policy
 - Tenancy Agreement
 - Devon Home Choice Policy

4 Definitions

- 4.1 A pet is defined as an animal that a customer has homed inside their property or garden.
- 4.2 For the purposes of this Policy MDH defines the following as domestic pets:
- Dog (excluding any breeds highlighted by the Dangerous Dogs Act 1991);
 - Cat;
 - Bird (such as a budgie and cockatoo);
 - Fish;
 - Small caged rodent;
 - Small non-poisonous caged reptile;

- Non-poisonous contained insect or amphibian;
- Chicken/Bantam (female birds only);
- Guinea pig; or
- Rabbit.

5 Consent to keep pets and animals

- 5.1 While MDH aim to approve all reasonable pet and animal requests, there may need to be some exceptions, therefore our tenants are required to seek permission, using the Pet Application Form. In doing so, they will be required to provide information in support of the application. We encourage responsible pet and animal ownership and certain terms and conditions may apply to approved pets and animals.
- 5.2 Tenants are not allowed to keep or allow any dangerous pet(s)/animal(s) into their home. This includes those covered by The Dangerous Dogs Act 1991, The Dangerous Wild Animals Act 1976 or any other relevant legislation.
- 5.3 Some of our properties are not suited for certain pets or animals due to the location and size of property and potential tenants are made aware of this restriction prior to them accepting a property. All properties which do not allow pets or animals are advertised on Devon Home Choice as such and permission will not be granted to keep a pet or animal.
- 5.4 Households registering with Devon Home Choice are asked to confirm whether they have pets or animals, and if so, what these are. This is because certain pets or animals are not allowed in some homes that are advertised on Devon Home Choice.
- 5.5 Service animals (e.g. guide dogs for the blind, hearing dogs, emotional support animals etc.) are not classified as pets. Service animals should not be included as a pet on Devon Home Choice applications. Evidence of the need for a service animal is required from secondary health services or the charity that provided the animal. Feedback from a GP would generally not be seen as sufficient.
- 5.6 Tenants may be asked to provide additional information with the application, for example, if a pet or animal requires a licence they will need to show proof that this is in place. In all cases, a decision will be made by Mid Devon Housing (MDH) on a case-by-case basis.
- 5.7 MDH are not prescriptive about the type or number of pets or animals that a tenant can keep within their home, consideration will be given to the size of the property to allow adequate space for the pet or animal. Every application to keep pets or animals will be reviewed in line with what can sensibly be managed and will work considering the specific circumstances of the other residents and/or community. Pet or animal ownership should not cause any nuisance or inconvenience to other residents, nor cause damage to the property.

- 5.8 If a resident is found to be keeping pets or animals without permission, they must apply for permission within two weeks, if they do not do this they may be asked to remove the pet or animal from their home until an application has been received. If permission is not retrospectively granted, tenants will be asked to re-home their pet or animal. If tenants refuse to comply with the request to rehome the pet or animal MDH may have to consider further action which could result in tenants being legally obliged to do so if they wish to remain at the property.
- 5.9 Tenants with pets or animals who wish to undertake a mutual exchange will need to establish from us if pets or animals are permitted in the new property. Tenants will need to reapply for permission for keeping a pet or animal in the new home. If permission is not granted the tenant must ensure that the pet or animal is rehomed.

6 Terms of consent

- 6.1 Tenants must not keep any pet(s)/animal(s) at the property without the written consent of MDH unless it is a registered service animal, a small domestic caged animal or small fish. MDH will not unreasonably refuse permission. What amounts to a reasonable refusal will vary with the circumstances. For example, it might be reasonable to refuse permission to keep a large dog in a small flat.
- 6.2 Tenants are expected to ensure their properties are well kept when keeping pets or animals and restore or repair any damage caused to the property as a result of them.
- 6.3 The tenant must comply with the main terms of the Animal Welfare Act 2006, which include a proper diet, protection from pain, suffering, injury or disease, the ability to exhibit normal behaviour patterns, and a suitable environment to live in.
- 6.4 Cats and dogs must be registered with a local vet and be microchipped.
- 6.5 Tenants must not keep pigeons at their property unless you have written consent of MDH. Tenants must be a member of the Royal Pigeon Racing Association to be granted consent. Tenants are required to provide MDH with the relevant paperwork to support this request.
- 6.6 In the case of exotic species relevant licences must be held and we must be satisfied with the security of the animal.
- 6.7 Under no circumstances are pet and animal owners allowed to breed or offer any animal(s) for sale from a MDH owned property. Doing so is a breach of the Tenancy Agreement and tenants could be putting their home at risk.

- 6.8 All pets and animals must be kept under proper control and not cause a nuisance to other households. This includes dogs being kept on a lead in communal areas, not entering play areas and being under control when MDH employees or contractors attend a property (in accordance with the Dog Control Order 1992). Pets and animals must not injure, frighten, or cause a nuisance to anyone else.
- 6.9 When Officers and workmen visit, MDH will ask that tenants put their dog and/or cat into a different room and for caged animals and birds to be returned to their cages for the duration of their visit.
- 6.10 With the exception of house cats who never leave the property, cats must have access to the outside – this may be by the owner carrying their cat to the main door and collecting them upon their return or through a window or patio door and be provided with a litter tray in the customer’s home (at least one per cat) which is emptied regularly. Used litter should be securely bagged before being placed within any communal bins.
- 6.11 The pet or animal must be house trained and must not be permitted to foul communal areas at any time. If an incident of fouling occurs the owner must clean the mess immediately.
- 6.12 Tenants must have suitable arrangements in place for looking after their pet during prolonged periods of absence.
- 6.13 Cat or dog flaps must not be installed without the prior consent of MDH as these can compromise the fire safety and security of a property, as well as causing permanent damage to a door. Any permission granted will be done so in accordance with MDH’s Council Property and Recharge Policies. Dog and cat flaps will not be permitted in fire doors.
- 6.14 Dead pets or animals must be buried or disposed of in a responsible and safe manner and not laid to rest on land belonging to MDH, this includes gardens.
- 6.15 Pets or animals must not damage any MDH property, including communal parts of the building and neighbouring properties. Owners may be recharged for any repairs which are needed as a result of such damage.
- 6.16 Tenants living in flats, which judged by Officers as suitable for keeping pets or animals, who wish to keep a pet or animal must be conscious of the welfare of their pet or animal and the potential for noise to be transmitted to their neighbours. Some breeds of dog may not be suited to living in a flat. Tenants must consider the type of property they occupy and the needs of the pet or animal before applying for permission.

- 6.17 Tenants living in first floor flats or above will not be granted permission for fish tanks over 36 inches in length, 12.5 inches in width, and 16.75 inches in height. This is because of the weight of the tank when full and the potential for water damage to downstairs neighbours if the tank were to leak. Tanks need to be covered and well ventilated to avoid condensation/damp issues in the home, and tenants are responsible for any damage caused by leaks.
- 6.18 The tenant is responsible for ensuring that their pets/animals and property are free from fleas, ticks or other pests that could be transferred onto carpets or furnishings within the home. Any infestation of fleas or other pests will be the tenant's responsibility to treat.

7 Refusing or withdrawing consent

- 7.1 Very occasionally MDH may refuse permission to keep a pet or animal or may have to withdraw consent to keep a pet or animal.
- 7.2 Where keeping a pet or animal is causing disturbance to other customers, MDH will act to ensure problems are resolved as quickly as possible.
- 7.3 A range of behaviours by pets or animals can cause nuisance to neighbours. Nuisance includes but is not limited to:
- Roaming and unattended animals;
 - Pets fouling in communal areas and in neighbours' gardens;
 - Excessive noise;
 - Over-population of animals within a household/ pet hoarding;
 - Aggressive animals;
 - Animals that are attracting vermin; or
 - Animals being kept in unhygienic conditions.
- 7.4 In the very rare event that a tenant is advised that they cannot keep an existing pet or animal, MDH will work with them to identify any animal welfare agencies who can assist in placing the pet or animal in a new home. Tenants are expected to start looking at rehoming the pet or animal as soon as possible. MDH recognise that this can be an extremely traumatic time and will deal with the matter sensitively, however, extreme nuisance behaviour or mistreatment of the animal(s) will – if necessary - result in a legal action to remove the pet or animal from the home.
- 7.5 MDH may refuse a tenant permission to have a pet or animal if it has ever caused injury to a person, or if it is dangerous in any other way. This includes all animals prescribed under the Dangerous Wild Animals Act 1976. This also includes a dog which has been found to be dangerously out of control in a public or a private place under Section 3 Dangerous Dogs Act 1991, as amended by the Anti-social Behaviour, Crime and Policing Act 2014.

- 7.6 Permission will be refused if the tenant or another household member has any convictions, or past history of abandonment, cruelty, neglect or mistreatment of animals, or convictions for any offences under the Dangerous Dogs Act 1991, or has been disqualified from keeping animals or a particular type of animal due to a conviction. This also includes where a tenant or a member of their household has previously abandoned a pet or animal when they moved out of a Council property.
- 7.7 Enforcement action will be taken against any tenant who fails to control their pets or animals. This could include withdrawal of permission and the removal of the pet or animal from the home. Tenants are expected to take appropriate action to avoid pets or animals causing a nuisance in communal or public areas. They must not be used to threaten or intimidate any member of the public, including MDH staff and / or the police.
- 7.8 If a tenant's animal injures another dog, animal or person MDH will insist that this is rehomed or any other course of action which the Police have ordered such as the pet or animal being destroyed.
- 7.9 Any tenant believed to be neglecting or abusing any pet(s) or animal(s) in their care may be reported to the Police or RSPCA and MDH may provide these organisations with any evidence that we hold. In such cases we may also withdraw our permission and require that the tenant immediately ceases to keep the pet or animal at any property that MDH own.

8 Complaints and Feedback

- 8.1 We try to get things right the first time and when we do, we would love people to let us know. It's great for us to receive positive comments or feedback, so if people wish to complement our staff for doing a great job, we would love to hear from them.
- 8.2 If things do go wrong the council is committed to:
- Dealing with complaints and comments quickly and effectively; and
 - Using complaints, comments and compliments to review and improve our services
- 8.3 When tenants contact us to tell us they are dissatisfied with the service we have provided, we will offer them the choice to have an informal conversation to see if we can put things right quickly, without the need for a formal investigation.
- 8.4 The Housing Ombudsman Service advise that a complaint must be defined as:

'an expression of dissatisfaction, however made, about the standard of service, actions or lack of action by the organisation, its own staff, or those acting on its behalf, affecting an individual resident or group of residents'.

- 8.5 Where a tenant considers that the council has given a poor service or has got something wrong, they may tell a member of staff in the first instance. This does not need to be treated as a formal complaint (unless the complainant asks us to do so) and may be resolved 'there and then' by way of an apology or plan of action. Any comments provided will be used to take appropriate action, or give information.
- 8.6 If a tenant does not want to do this or is unhappy with the response, they may make a formal complaint, which can escalate from stage 1 or stage 2 if they are still not satisfied with the response. Having been through stages 1 and 2 and they are still not satisfied, the tenant may contact the Housing Ombudsman Service.
- 8.7 MDH's complaints procedure is detailed on Mid Devon District Council website: [Feedback and Complaints](#)

9 Equality Impact Assessments

- 9.1 MDH complete an equality impact assessment each time we develop or review a policy, procedure or service. The assessment is to help us ensure our decision making is fair and does not present any barriers or disadvantage to customers from any protected group (including disability) under the Equality Act 2010.

10 Review and version control

- 10.1 MDH will review this Policy every 10 years and as required to address legislative, regulatory, best practice or operational issues.
- 10.2 This policy was produced in 2023 and is version 5.00
- 10.3 This policy was adopted by Cabinet on 6th February 2024