



# PET FRIENDLY PROPERTIES

THE PRIVATE RENTED SECTOR



**BATTERSEA**  
HERE FOR EVERY DOG AND CAT

At a time when more people than ever are renting properties, and increasing numbers are looking to own a pet, Battersea's Pet Friendly Properties campaign is promoting open and constructive dialogue between landlords and tenants to support responsible pet ownership in rented accommodation – for the benefit of pets, tenants and landlords.

The COVID-19 pandemic has made people re-evaluate their relationships with their pets. Animals are more important than ever and for many people, a pet is a key part of their perfect home.

We want to achieve long-lasting change, so everyone can experience the joy of pet ownership – whatever their housing situation.

## ACKNOWLEDGEMENTS

We would like to thank the National Residential Landlords Association (NRLA), Fizzy Living, Sigma Capital (Simple Life Homes), PropertyMark, York Residential Landlords Association, the UK Apartment Association (UKAA), Advocats, British Landlords Association and the British Property Federation (BPF) for their help and support in carrying out this research.



I was scared to ask my landlord because I was scared to hear a 'no'. We like our flat and don't want to move.

From tenant chat forum



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# FOREWORD FROM OUR CHIEF EXECUTIVE



Since 1860, it has been an enduring passion for everyone working at Battersea to bring pets and owners together. When we were founded, our mission was to provide a safe haven for the street dogs – and soon after, cats – of London and the surrounding area. Over time, the nature of our job has changed to focus on caring for those animals who have either strayed and can't get home, or whose owners find themselves unable to look after the animal in their care.

Every year Battersea, and our rescue partners across the UK, receive many animals from owners who care deeply for them yet have been unable to find a rental property that will allow them to keep their beloved pet; irrespective of the trauma of separation for both animal and owner. As the private rental market grows, and with a relatively small number of affordable properties available to tenants with pets, decisive action is needed to stop this situation deteriorating.

It is with these cases in mind that we first launched our Pet Friendly Properties campaign in 2018. We focused then on the social rented sector, where decisions taken on pet policies, often remotely from the tenants directly affected, can have a significant impact. A number of partners in this sector have since made their policies more pet friendly, and we look forward to others following suit.

We must now focus on the private rental market too through this new report. The coronavirus pandemic has only made the provision of pet-friendly properties more important. Once the pandemic settled, a huge groundswell of interest in the benefits of pet ownership ensued, and for Battersea

this meant an unprecedented wave of applications to take on a dog or cat. In a time of crisis, people reached out for the companionship and love of animals. However, at the same time only 7% of properties on Zoopla are listed as pet friendly. There's a disconnect here, and it needs addressing for both animals and people.

We must recognise that for the landlord this is not without risk. Many landlords are not opposed to pets – indeed many will own pets themselves – but hold legitimate concerns over the impact of pets on a property they may care for deeply. Those of us who recognise and espouse the benefits of pet ownership must show consideration to landlord concerns if we are to persuade more of them that pet ownership will provide happier tenants who will stay longer, at less risk to their property than they may fear.

Through this report we have sought to strike a balance between the needs of animals, tenants and landlords; and to promote practical solutions that will lead to more animals finding happy homes with a greater number of tenants, and landlords enjoying greater peace of mind.

Thank you for your time in reading it, and I'd encourage you to visit our website to find out how you can share your experiences of finding pet-friendly properties, and take action to support our campaign.

A handwritten signature in black ink, appearing to read 'Peter Laurie'.

**Peter Laurie**  
Chief Executive





# EXECUTIVE SUMMARY

In 2018, Battersea launched its Pet Friendly Properties campaign with our first report focusing on the social rented sector.<sup>1</sup> That report highlighted the vast inequality of opportunity for those renting their homes wanting to own a pet and how tenancy issues led to many having to give up their dog or cat for rehoming. Battersea has since been working with Local Authorities and Housing Associations to improve their pet policies, including Lambeth, Sutton, Catalyst and L&Q.

However, we recognised from the start that our first report only focused on one part of the picture. This successor report focuses now on the private rented sector (PRS).

<sup>1</sup> <https://bdch.org.uk/files/Pet-friendly-Properties-Report.pdf>





IN THE UK, 4.6 MILLION HOUSEHOLDS  
(23% OF ALL HOUSEHOLDS)<sup>2</sup> RENT THEIR HOME  
FROM 2.6 MILLION PRIVATE LANDLORDS.<sup>3</sup>

IN 2021, LEADING PROPERTY LISTINGS  
WEBSITE ZOOPLA REPORTED THAT:



**only 7% of landlords listed their  
properties as suitable for pets.<sup>4</sup>**

THIS IS DESPITE A QUARTER OF THE  
POPULATION HAVING A CAT OR DOG.<sup>5</sup>

<sup>2</sup> <https://www.ons.gov.uk/employmentandlabourmarket/peopleinwork/employmentandemployeetypes/datasets/workingandworklesshouseholdstabledhouseholdsbyhousingtenureandcombinedeconomicactivitystatusofhouseholdmembers>

<sup>3</sup> <https://www.axa.co.uk/landlord-insurance/landlord-vs-letting-agent/>

<sup>4</sup> <https://www.zoopla.co.uk/discover/renting/renting-with-pets/>

<sup>5</sup> <https://www.pdsa.org.uk/what-we-do/pdsa-animal-wellbeing-report/paw-report-2021>



The barriers to pet ownership in the PRS disenfranchise many tenants from the health and welfare benefits of owning a pet. The COVID-19 pandemic and lockdowns have turned a spotlight particularly on the value of pets for mental health,<sup>6</sup> as well as the importance of our homes. In doing so, they have highlighted how the inequality of opportunity for pet ownership can have far-reaching consequences.

## However, the pressure for change is building:

- The role of the PRS is changing. It is now a mainstream provider of family homes. **35% of the PRS in England now provides long-term accommodation for households with children,<sup>7</sup> the types of home most likely to want a pet dog.<sup>8</sup>**
- The pandemic and the lengthy lockdowns of 2020 and 2021 have had a profound impact on people's relationships with their home and pet ownership, with people saying that their home had become more important to them now than ever<sup>9</sup> and more now owning a dog or cat.<sup>10 11</sup>
- Renters are just as likely as anyone else to want to complete their home with a pet and share in the great mental health, physical and social benefits of pet ownership. **At the height of the pandemic in 2020, 35% of applicants to Battersea to rehome a dog or cat were from people who rented their home, and Rightmove reports that demand for rented properties that allow pets has increased by 120% in the last year.<sup>12</sup>**
- There is a strong political desire to see more pet friendly tenancies, including from the UK Government, which talks of its revised Model Tenancy Agreement (MTA) as “bringing an end to the unfair blanket ban on pets”,<sup>13</sup> and from the Mayor of London making pet friendly policies a condition of funding under the Affordable Homes Programme<sup>14</sup> – **22% of the entire PRS in England is in London.<sup>15</sup>**
- Build-to-Rent (BTR) is a new and growing model of supply that is making pet friendliness a commercially competitive issue in the sector, with many BTR landlords recognising the commercial as well as societal benefits of allowing pet ownership. **In one BTR development of flats, 40% of tenants own a pet, with 75% of these pets being a dog.<sup>16</sup>**
- The UK Government's leasehold reform programme may ease some of the barriers to pet ownership in the sector. **37% of all dwellings in the PRS are rented from leaseholders and are therefore potentially subject to restrictive covenants on pet ownership in the lease.<sup>17</sup>**



Companion animals are a really good thing – cats, dogs or whatever they are – and it is vital that we work with landlords to ensure that people have the right to have the animal that brings so much joy into their lives with them, whatever form of tenure they enjoy.



**Rt Hon Michael Gove MP,  
Secretary of State for Levelling Up,  
Housing and Communities. HC deb,  
29 November 2021, c673.**

6 <https://www.battersea.org.uk/about-us/news/how-dogs-and-cats-can-help-tackle-loneliness>

7 <https://www.gov.uk/government/statistics/english-housing-survey-2017-to-2018-headline-report>

8 Battersea YouGov survey 2021

9 <https://www.bheta.co.uk/news/retailer-news/how-lockdown-changed-british-attitudes-to-our-homes-for-good/>

10 <https://www.pfma.org.uk/pet-population-2021>

11 <https://www.cats.org.uk/media/10005/cats-2021-full-report.pdf>

12 <https://www.standard.co.uk/homesandproperty/property-news/rentals-pet-allowed-pet-friendly-pandemic-puppy-boom-b952342.html> 13 <https://www.gov.uk/government/news/new-standard-tenancy-agreement-to-help-renters-with-well-behaved-pets>

14 [https://www.london.gov.uk/sites/default/files/301120\\_homes\\_for\\_londoners\\_-\\_funding\\_guidance-acc1.pdf](https://www.london.gov.uk/sites/default/files/301120_homes_for_londoners_-_funding_guidance-acc1.pdf)

15 [https://eprints.whiterose.ac.uk/135787/1/Private\\_Rented\\_Sector\\_Report.pdf](https://eprints.whiterose.ac.uk/135787/1/Private_Rented_Sector_Report.pdf) 16 Reported to Battersea by Fizzy Living in 2021 interview

16 Reported to Battersea by Fizzy Living in 2021 interview

17 [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/898194/Leasehold\\_Estimate\\_2018-19.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/898194/Leasehold_Estimate_2018-19.pdf)



**76% of tenants already own or aspire to take on a pet in the future**



**40% of rented flats don't allow dogs**



**37% of rented flats don't allow cats**

# KEY RESEARCH FINDINGS

**In 2021, Battersea conducted a survey of tenants renting in the private sector, a survey of private landlords with the aid of the National Residential Landlords Association, and interviews with both landlord organisations and with BTR providers. The key findings included:**

- Demand for pet friendly accommodation in the sector is high, with 43% of tenants owning a pet and a further 33% aspiring to own a pet now or in the future. **This suggests that 76% of tenants are directly affected by landlord pet policies, and that landlords should be aware that three in four tenants are looking for somewhere they could potentially take on a pet.**
- **35% of landlords said they did not allow their tenants to keep either a dog or cat**, a significant and welcome improvement over the figure of 55% in 2017.<sup>18</sup>
- A lack of pet friendly housing is most acute where flats are concerned. Making up 64% of all dwellings in the sector, **dogs and cats were not allowed in 40% and 37% of flats respectively.**
- As **75% of flats in the sector are rented from landlords who own the property on a leasehold basis**,<sup>19</sup> many tenants potentially will be subject to restrictive covenants on pets in leases.
- **Dogs and cats were banned in 25% and 24% of family houses respectively**, signalling inconsistent practices since most landlords allowed pets in such accommodation – the reasons behind such bans are unclear.

<sup>18</sup> National Landlords Association (September 2018), Quarterly Research Panel Report 'Tenancy Deposit Cap: restricting PRS access'

<sup>19</sup> [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/898194/Leasehold\\_Estimate\\_2018-19.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/898194/Leasehold_Estimate_2018-19.pdf)



**Only 3% of dog owners**

REPORTED THAT THEIR DOG  
HAD EVER DAMAGED PROPERTY



**42% of landlords  
would consider pets**

IF THEY COULD INSIST ON INSURANCE  
AGAINST DAMAGE CAUSED BY PETS



- Pet bans affected tenants in significant ways:
  - 60% of people living in accommodation where pets are banned would like to own a pet, either now or in the future.
  - 50% of pet owners said they had experienced difficulties finding somewhere to live, mainly because landlords were unwilling to take pets but also because they had to agree to pay for any damage or specialist cleaning or an additional deposit. This refusal was not always accompanied by a specific reason from the landlord.
  - 9% of tenants living in accommodation where pets were banned said they kept a pet, apparently in breach of their contract and risking eviction.
- The main reason landlords, some of whom are renting out a much-loved family home, were hesitant about allowing pets was concern about the risk of damage to their property or mess. **However, only 3% of dog owners reported that their pet had ever been the subject of a noise complaint and 3% said their dog had ever damaged property.**
- **42% of landlords said they would be more willing to consider pets if they could insist on insurance against damage caused by pets,** impose a higher security deposit for pets (33%), and see evidence of responsible ownership or training (31%). 66% of tenants felt that landlords should deal fairly with requests to keep a pet, agreeing that this could include attaching such conditions.
- Pet policies in the BTR market are often more progressive. Pet ownership fits with this commercial model which relies on low turnover and long tenancies for financial viability.
- 40% of tenants living in flats managed by one BTR provider (Fizzy Living) own a pet, 75% of these pets being a dog. Few of these were the cause of any complaint or damage, with just two pet-related complaints in one development of 1,000 flats in 2019. Pet owners also stayed longer in their tenancies, on average 24 months compared with 21 months for tenants without pets.<sup>20</sup>
- The UK Government's revised MTA has so far made little impact. Only 9% of landlords said they had changed their behaviour as a result and most tenants were unaware of the Agreement.

# RECOMMENDATIONS

1



## Review the impact of the revised pets clause in the UK Government’s Model Tenancy Agreement

It was the UK Government’s hope and expectation that the revised pets clause in its MTA would bring an end to unfair bans on pets.<sup>21</sup> We could find, unfortunately, little evidence of this happening so far when researching this report. One year on from its introduction, the revised MTA should be reviewed to assess its impact in encouraging more pet friendly policies and the need for further action, including legislation to ban ‘no pets’ clauses in tenancy agreements if necessary.

2



## Incentivise insurance against pet damage

There is some important common ground between tenants and landlords on the issue of insurance. Allowing landlords to insist that tenants take out insurance against damage caused by their pets would enable more landlords to accept pets. Landlords want this, it has political and public support including amongst dog- and cat-owning renters<sup>22</sup> and could be achieved relatively easily by amending the list of permitted payments in the Tenant Fees Act 2019.

3



## Ensure public funds lever pet friendly properties

Wherever public funds are invested in building new homes for rent, pet friendly policies should be a condition of funding. Homes England, in delivering the Government’s Affordable Homes Programme outside of London, should ensure that flexible pet policies are a funding criterion as is already the case in London.

<sup>21</sup> <https://www.gov.uk/government/news/jenrick-overhauls-tenancy-agreement-to-help-end-pet-bans>

<sup>22</sup> <https://www.advocatseastmids.org.uk/wp-content/uploads/2021/05/Heads-for-Tails-report.pdf>

4



#### **Develop practical guidance on pets in flats**

Organisations promoting pet friendly properties should, together with landlord organisations, develop practical advice specifically on how to assess requests to keep a dog or cat in a flat. This is where landlords experience the most difficult decision-making. The advice should draw on the experience of those landlords who permit pets in their flats, including in the BTR sector.

5



#### **Ensure pet ownership is addressed in the work of the Commonhold Council**

Many tenants, particularly those living in flats, are affected by restrictive covenants on pets in leases. The UK Government has accepted that the leasehold system is not working in consumers' best interests and has set up the Commonhold Council to encourage the widespread take-up of commonhold as an alternative form of tenure for flats. The issue of how to deal with and manage pet ownership in the commonhold system should be addressed in this work. This would include developing advice on appropriate pet clauses in Commonhold Community Statements and the process for handling requests to keep a pet. The animal welfare sector should be prepared to advise the Council on this.

6



#### **Continue to build the economic case for pet friendly properties**

Landlords' policies on pets are driven often by commercial considerations. This report and our previous research on the social rented sector found little evidence that pets cause more damage or complaints. Nevertheless, there is a perception amongst some more risk-averse landlords that accepting tenants with pets imposes additional management costs that outweigh the benefits. A rigorous economic analysis of the costs and benefits of accepting pets in tenancies is needed to provide the highest standard of evidence on this question. Battersea is planning to undertake such research to fill this important evidence gap.

# BACKGROUND TO THIS REPORT

The COVID-19 pandemic presented a huge challenge to the mental well-being of the nation, with the requirement for citizens to undergo long periods of self-isolation, restricted social contact and social distancing having negative and long-lasting consequences for mental health.<sup>23</sup>

The social and health benefits of owning a dog or cat in these circumstances have been well-documented.<sup>24</sup> Pet owners are 60% more likely than non-pet owners to get to know people in their neighbourhoods and build support networks.<sup>25</sup> They also make 15% fewer visits to a doctor for both physical and mental health reasons, saving the NHS £2.45 billion annually.<sup>26</sup> The All-Party Parliamentary Group on Cats (APGOCATS) found that cat ownership and interaction with cats have the potential to help tackle loneliness across all age groups in specific social situations, especially if coupled with other targeted measures.<sup>27</sup>

It is perhaps not surprising that there was a huge surge in demand for pets as people turned to dogs and cats for comfort, companionship and support during the pandemic.<sup>28 29 30</sup> Battersea research found that rescue animals were a profound source of support for many owners during the national

lockdown in 2020.<sup>31</sup> Subsequent research led by academics from the University of York and University College London has revealed the extent and depth of that emotional support:<sup>32</sup>

- **91% of dog owners and 89% of cat owners said their animal helped them cope emotionally with the COVID-19 pandemic**
- Looking at the relationship between pet ownership, mental health and loneliness, the research team concluded that ‘animal ownership seemed to mitigate some of the detrimental psychological effects of the COVID-19 lockdown’.

The pandemic and the anxiety it generated for many people has shone a spotlight on the value of pets for mental health. In doing so, it has highlighted the unfairness of barriers to keeping a pet that can disenfranchise whole communities from the health and well-being benefits of pet ownership.

<sup>23</sup> <https://www.mentalhealth.org.uk/our-work/research/coronavirus-mental-health-pandemic/>

<sup>24</sup> See Battersea’s first Pet Friendly Properties report for a summary (<https://bdch.org.uk/files/Pet-friendly-Properties-Report.pdf>)

<sup>25</sup> <https://www.health.harvard.edu/blog/pets-can-help-their-humans-create-friendships-find-social-support-201505067981>

<sup>26</sup> <https://www.lincoln.ac.uk/news/2016/12/1300.asp>

<sup>27</sup> [http://www.apgocats.org.uk/wp-content/uploads/2020/06/APGOCATS\\_Loneliness-Report.pdf](http://www.apgocats.org.uk/wp-content/uploads/2020/06/APGOCATS_Loneliness-Report.pdf)

<sup>28</sup> [https://docs.google.com/presentation/d/e/2PACX-1vTINzbjXcTaOXhd\\_wWJmZdASWHw6rGLxPyzTIBiAxriiOTzAHPXKzF02jWkdR5PgJxbUIDYztgJ\\_mHu/pub?start=false&loop=false&delayms=3000&slide=id.ga68ee19092\\_0\\_38](https://docs.google.com/presentation/d/e/2PACX-1vTINzbjXcTaOXhd_wWJmZdASWHw6rGLxPyzTIBiAxriiOTzAHPXKzF02jWkdR5PgJxbUIDYztgJ_mHu/pub?start=false&loop=false&delayms=3000&slide=id.ga68ee19092_0_38)

<sup>29</sup> <https://adch.org.uk/wp-content/uploads/2021/02/ADCH-Covid-Impact-Survey-No.3-as-at-January-2021.pdf>

<sup>30</sup> There were 66,982 applications to rehome a dog in March 2019 – February 2020 and 145,532 in March 2020 – February 2021. There were 22,543 applications to rehome a cat March 2019 – February 2020 and 38,813 in March 2020 – February 2021

<sup>31</sup> <https://www.battersea.org.uk/about-us/press/press-releases/we-rescued-them-now-theyre-rescuing-us>

<sup>32</sup> <https://journals.plos.org/plosone/article?id=10.1371/journal.pone.0239397#abstract0>





I have recently been asked by my family if I can adopt my nan's cat. I straight up said that I'm not allowed pets as part of my tenancy agreement, but I would much rather have her than see her go back into an adoption centre as she is already a rescue.

From tenant chat forum



Housing tenure is one such barrier.

While owner-occupiers are largely unfettered in being able to keep a pet, those who rent or lease their home typically do not have the same freedom, requiring at least the permission of their landlord to keep a pet if not banned from doing so.

This can lead to harrowing situations where tenants have to give up their pets because, for example, they are moving to the rented sector and can't find accommodation that allows a pet. **In 2019, the year before the pandemic, Battersea took in 191 dogs and cats given up by their owners because of tenancy issues.**

Faced with such barriers, some tenants will even risk eviction to keep their pet, hiding this from their landlord and breaching the terms of their tenancy agreement.<sup>33 34</sup>

In 2018, Battersea launched its Pet Friendly Properties campaign with a first report<sup>35</sup> focusing on the social rented sector. That report highlighted the inequality of

opportunity for those renting their homes in the social sector wanting to own a pet, with tenants subject to inconsistent pet policies across Local Authorities and Housing Associations. Battersea has since been working with social housing providers to improve their pet policies.

This report turns to the private rented sector. In 2021, property website Zoopla reported that only 7% of private landlords listed their properties as suitable for pets.<sup>36</sup> Cats Protection estimates that 1 million households would like to own a cat but cannot because they live in rented accommodation that does not allow pets.<sup>37</sup> However, the sector landscape is complex and changing, with new market forces and political pressure growing on landlords to become more pet friendly.<sup>38 39 40 41</sup> As housing is a devolved issue and the legal landscape is slightly different in Wales, Scotland and Northern Ireland, this report focuses on the private sector in England. However, these issues are common to every country of the UK, even if the law is not.

<sup>33</sup> <http://www.tandfonline.com/doi/full/10.1080/02673037.2016.1210095>

<sup>34</sup> <https://www.directlineforbusiness.co.uk/landlord-insurance/knowledge-centre/news/1-in-7-renters-bend-tenancy-rules>

<sup>35</sup> <https://bdch.org.uk/files/Pet-friendly-Properties-Report.pdf>

<sup>36</sup> <https://www.zoopla.co.uk/discover/renting/renting-with-pets/>

<sup>37</sup> <https://www.cats.org.uk/media/10005/cats-2021-full-report.pdf>

<sup>38</sup> <https://propertyindustryeye.com/searches-for-purrfect-pet-friendly-properties-up-by-120-rightmove/>

<sup>39</sup> <https://www.rosindell.com/news/model-tenancy-agreement-be-made-pet-friendly-major-win-pet-every-home-campaign>

<sup>40</sup> <https://www.london.gov.uk/questions/2021/2828>

<sup>41</sup> <https://www.london.gov.uk/questions/2021/2827>

# THE PRIVATE RENTED SECTOR LANDSCAPE





- The decline of 'small landlordism'
- The growth of family life in the private rented sector
- Flats and the leasehold conundrum
- Letting agents – a door to evidence-based practice
- Build-to-Rent
- Political interest in encouraging pet friendly properties



# THE DECLINE OF 'SMALL LANDLORDISM'

The PRS has grown from a marginal to a very significant supplier in the UK housing market.

In 2001, just 10% of UK households were privately rented. By 2011 this had doubled to 20%.<sup>42</sup> The PRS is now the second largest tenure group in the UK, after owner-occupier. 4.6 million households (23% of all households in the UK)<sup>43</sup> now rent their home from 2.6 million private landlords.<sup>44</sup>

London tends to dominate the PRS landscape. 29% of households in London are privately rented compared to 18% for the rest of England.<sup>45</sup> In inner London, the figure is 38%<sup>46</sup> and in Westminster, 42% of households are privately rented, the highest concentration in any Local Authority area in the country.<sup>47</sup> 22% of the entire PRS in England is in London<sup>48</sup> compared with 16% of the population.<sup>49</sup>

The PRS is an evolving landscape. Demand is changing, reform of the law around home ownership is underway, and new commercial models are emerging to meet the undersupply of rented accommodation. These developments all have implications for the future of pet ownership in the PRS.

The sector has traditionally been dominated by landlords letting just one or two properties. The evidence indicates that this 'small landlordism' may be in decline.

## **In 2010, 78% of landlords in England owned just one let. By 2018, the profile had changed:<sup>50</sup>**

- 45% of landlords owned just one letting and accounted for 21% of all lettings.
- 38% of landlords owned between two and four lettings, accounting for 31% of all lets.
- 17% of landlords owned five or more lettings, supplying 48% of dwellings in the PRS.
- The difference between 2010 and 2018 may in part be due to the different survey methodologies.<sup>51</sup> Nevertheless, the figures are sufficiently far apart to indicate change is taking place.

<sup>42</sup> <https://www.ons.gov.uk/employmentandlabourmarket/peopleinwork/employmentandemployeetypes/datasets/workingandworklesshouseholdstabledhouseholdsbyhousingtenureandcombinedeconomicactivitystatusofhouseholdmembers>

<sup>43</sup> <https://www.ons.gov.uk/employmentandlabourmarket/peopleinwork/employmentandemployeetypes/datasets/workingandworklesshouseholdstabledhouseholdsbyhousingtenureandcombinedeconomicactivitystatusofhouseholdmembers>

<sup>44</sup> <https://www.axa.co.uk/landlord-insurance/landlord-vs-letting-agent/>

<sup>45</sup> <https://www.gov.uk/government/statistics/english-housing-survey-2017-to-2018-headline-report>

<sup>46</sup> <https://www.ukhousingreview.org.uk/ukhr18/tables-figures/pdf/18-030.pdf>

<sup>47</sup> <https://www.ons.gov.uk/peoplepopulationandcommunity/housing/articles/researchoutputsubnationaldwellingstockbytenureestimatesengland2012to2015/2019>

<sup>48</sup> [https://eprints.whiterose.ac.uk/135787/1/Private\\_Rented\\_Sector\\_Report.pdf](https://eprints.whiterose.ac.uk/135787/1/Private_Rented_Sector_Report.pdf)

<sup>49</sup> <https://www.ons.gov.uk/peoplepopulationandcommunity/populationandmigration/populationestimates/datasets/populationestimatesforukenglandandwalesscotlandandnorthernireland>

<sup>50</sup> [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/775002/EPLS\\_main\\_report.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/775002/EPLS_main_report.pdf)

<sup>51</sup> The 2018 survey was an online survey of a sample of landlords registered with a government-backed Tenancy Deposit Scheme. Previous surveys were face-to-face and telephone surveys of a sample of landlords drawn from surveys of private renters who provided details of their landlords



The Government and organisations such as Shelter, ACORN [Tenants Union] and Generation Rent [Generation Rent], have made things so difficult for landlords that some are selling up and investing elsewhere. Over the years the gov has removed the 10% wear and tear, tax relief on mortgages, and is wanting properties to reach at least a C for an EPC [Energy Performance Certificate].

From tenant chat forum



### Political and economic drivers of this shift away from small landlordism in the PRS include:

- Policy interest in enticing more large-scale organisations into the sector, with initiatives such as BTR.
- Changes in taxation regimes that reduce the attractiveness of small-scale individual investment in rental property. Many landlords are now selling their properties as they struggle to service their buy-to-let mortgages.<sup>52</sup>
- The increasing attraction of the residential rental sector for large-scale investors and management companies as demand in the commercial sector for office/retail space slows.<sup>53</sup>

This shift has implications for pet ownership. Larger organisations have more resources to better develop and implement best practices.

This is already becoming apparent in the BTR sector where in-house research is leading to more flexible and positive pet policies. These new practices could spread through the sector as pet ownership provides a more commercial edge.



**The percentage of UK households that are privately rented has more than doubled from 10% in 2001 to 23% in 2021.**



**The percentage of private landlords owning just one letting went from 78% in 2010 down to 48% in 2018.**

<sup>52</sup> <https://pdf.euro.savills.co.uk/residential---other/uk-operational-real-estate.pdf>

<sup>53</sup> <https://nationwidefoundation.org.uk/wp-content/uploads/2018/09/Private-Rented-Sector-report.pdf>



## FIZZY LIVING

Fizzy Living is a Build-to-Rent landlord based in London, owning and managing eight buildings across the capital with a portfolio of just under 1,000 flats. Voted London's most pet friendly landlord,\* Fizzy provides dedicated bespoke flats for tenants with a policy of up to 70% pet occupancy at any time. Tenants are asked to provide a 'pet passport' before moving in, which includes an up-to-date record of the microchip and vaccination details. Fizzy charges a monthly fee in addition to the rent that covers the provision of pet-related services such as pet stations in communal areas equipped with doggy treats, toys and wipes, and pet friendly social events.

In 2019, before the pandemic, 40% of tenants had a pet, with 75% of these being a dog. Fizzy's experience is that owning a pet has no impact on whether any deposit is withheld at the end of tenancy, indicating that pet-owning tenants do not cause any more damage than other tenants. Pets were also the cause of very few complaints, with just two pet-related complaints in 2019. Fizzy Living has also found financial benefits to having a pet friendly policy, with their pet-owning tenants staying for an average of 24 months compared with 21 months for tenants without pets.

[fizzyliving.com](https://www.fizzyliving.com)

\* <https://www.fizzyeast16.com/faq>





# THE GROWTH OF FAMILY LIFE IN THE PRIVATE RENTED SECTOR

Households with children are a growing market in the PRS, and this brings more demand for pets. The overarching role of the PRS traditionally has been to provide easy access, often short-term housing, with tenants usually aspiring to long-term residency in the social or owner-occupier sectors. It has not traditionally provided 'cradle-to-grave' housing.

## This 'staging post' role of the PRS is changing, particularly for families with children:

- The 'churn' rate in the sector is slowing. **Proportionately fewer people are now moving home within the sector and fewer are leaving the sector.**<sup>54</sup> This is perhaps to be expected as the sharp rise in property prices relative to incomes makes home ownership a less realistic option, particularly for people on low and even middle incomes.
- The proportion of households living in their accommodation for three to five years increased from 18% to 30% between 2008/09 and 2015/16, with a corresponding drop in the number staying for less than one year. This trend for lengthier tenancies was particularly marked for families with children.<sup>55</sup>
- In England, the number of households with children in the PRS increased by 177% between 2003 and 2018, compared with a decrease of 15% and 4% in the owner-occupied and social rented sectors, respectively. Households with children now make up 35% of the PRS in England.<sup>56</sup> In Scotland there has been a similar but less marked change, with families with children making up 16% of the sector.<sup>57</sup>

The PRS is becoming a mainstream provider of family homes.<sup>58</sup> This is likely to increase demand for pet ownership in the PRS. In a recent YouGov survey, Battersea found that households with children were more likely to own a pet, with 32% having a dog compared with 24% of households with no children.<sup>59</sup> In addition, lockdown during the COVID-19 pandemic has acted as a catalyst for pet ownership, with hugely increased demand for pets during this period, much of this from people who had not previously planned to acquire a pet.<sup>60</sup>



**The number of households with children in the PRS increased by 177% between 2003 and 2018.**

THIS IS LIKELY TO INCREASE THE DEMAND FOR PET OWNERSHIP.

<sup>54</sup> The English Housing Survey:

[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/6695/1750765.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/6695/1750765.pdf) and [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/834603/2017-18\\_EHS\\_Headline\\_Report.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/834603/2017-18_EHS_Headline_Report.pdf)

<sup>55</sup> <https://nationwidefoundation.org.uk/wp-content/uploads/2018/09/Private-Rented-Sector-report.pdf>

<sup>56</sup> <https://www.gov.uk/government/statistics/english-housing-survey-2017-to-2018-headline-report>

<sup>57</sup> [https://housingevidence.ac.uk/wp-content/uploads/2019/07/TDS-Overview-paper\\_final.pdf](https://housingevidence.ac.uk/wp-content/uploads/2019/07/TDS-Overview-paper_final.pdf)

<sup>58</sup> [http://www.cpc.ac.uk/docs/PB63\\_Homeownership\\_and\\_the\\_transition\\_to\\_parenthood.pdf](http://www.cpc.ac.uk/docs/PB63_Homeownership_and_the_transition_to_parenthood.pdf)

<sup>59</sup> Battersea YouGov survey 2021

<sup>60</sup> <https://bdch.org.uk/files/BATTERSEA-Covid-Research-Report.pdf>

# FLATS AND THE LEASEHOLD CONUNDRUM

37% of all dwellings and 75% of flats in the PRS are rented from landlords who own the property on a leasehold basis.<sup>61</sup> This presents particular challenges for people looking to take on a pet.

**Leasehold was developed primarily as a solution to the legal problem of home ownership, typically in blocks of flats, where more than one home sits on the same plot of land. It involves an arrangement of shared ownership, responsibilities and control:**

- Leaseholders are essentially long-term tenants who rent their flat from the freehold owner of the block and the land it sits on. Their contract with the freeholder (the lease) gives them the right of occupancy for a lengthy period of time, anywhere between 21 and 999 years, after which the flat reverts back to the freeholder. Leaseholders can sell or let their flat at any time during the period of the lease.
- Leaseholders own and are responsible for everything within the four walls of their flat. The freeholder owns the building in which the flats are located and the land it sits on, and is responsible for managing and maintaining the building, including the communal areas, although leaseholders will usually be required to pay those costs.
- To protect the financial interests of the freeholder, leases will contain a number of conditions (restrictive covenants) governing leaseholders' use of their flats. The aim is to prevent any behaviour by leaseholders that could devalue the block or make flats difficult to sell. Breaching these conditions is grounds for forfeiture where the landlord (freehold owner of the block) can seek possession of the flat.
- If leaseholders sell or let their flat, they pass on all the rights, responsibilities and restrictions of use set out in their lease to the new owner or tenant, including any restrictions on pet ownership.

The extent to which pets are banned in leases is unclear. Even where leases are silent on pets, it cannot be assumed they are allowed as they may be refused under a general nuisance clause.<sup>62</sup> However, Brady Solicitors, a leading UK property management law firm, claims that pet ownership is a common restrictive covenant in leases, being either prohibited or requiring the written permission of the landlord (freehold owner of the block).<sup>63</sup>

<sup>61</sup> [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/898194/Leasehold\\_Estimate\\_2018-19.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/898194/Leasehold_Estimate_2018-19.pdf)

<sup>62</sup> <https://www.seraph.pm/latest-news/pets-in-a-leasehold-property/>

<sup>63</sup> <https://www.brady solicitors.com/brady-blog/pets-leasehold-properties/>



I rescue seniors from Battersea and [have] been extremely lucky with landlords. However, one property I rented from, I received written confirmation pets were allowed, my landlord even met my dog on a few occasions. Three months later I was told that the lease didn't allow pets. I never realised this loophole before. I moved ASAP and yes, my dog did come with me.

Tenant talking to Battersea



**Getting consent to keep a pet in these circumstances can be extremely difficult, especially in larger buildings with more homes:<sup>64</sup>**

- Landlords who own the flat on a leasehold basis cannot agree to their tenants keeping a pet unless this has been agreed by the freehold owner of the building.
- For the freeholder, lifting a restrictive covenant such as pet ownership carries risks beyond any individual leaseholder, as this may then apply to all subsequent leaseholders in that property and to all other leaseholders in the building.
- Lifting a restrictive covenant such as pet ownership is a complex and contentious legal process. It requires securing consent from at least the majority of leaseholders in the block, if not all, and any application to lift a covenant must be in respect of at least two leases.
- Freeholders will usually charge a 'permission fee' as a condition of agreeing to allow a pet. Permission fees are charged by freeholders for agreeing on something the leaseholder wants to do. Such fees have come into disrepute as potentially excessive and 'exploitative'.<sup>65</sup>

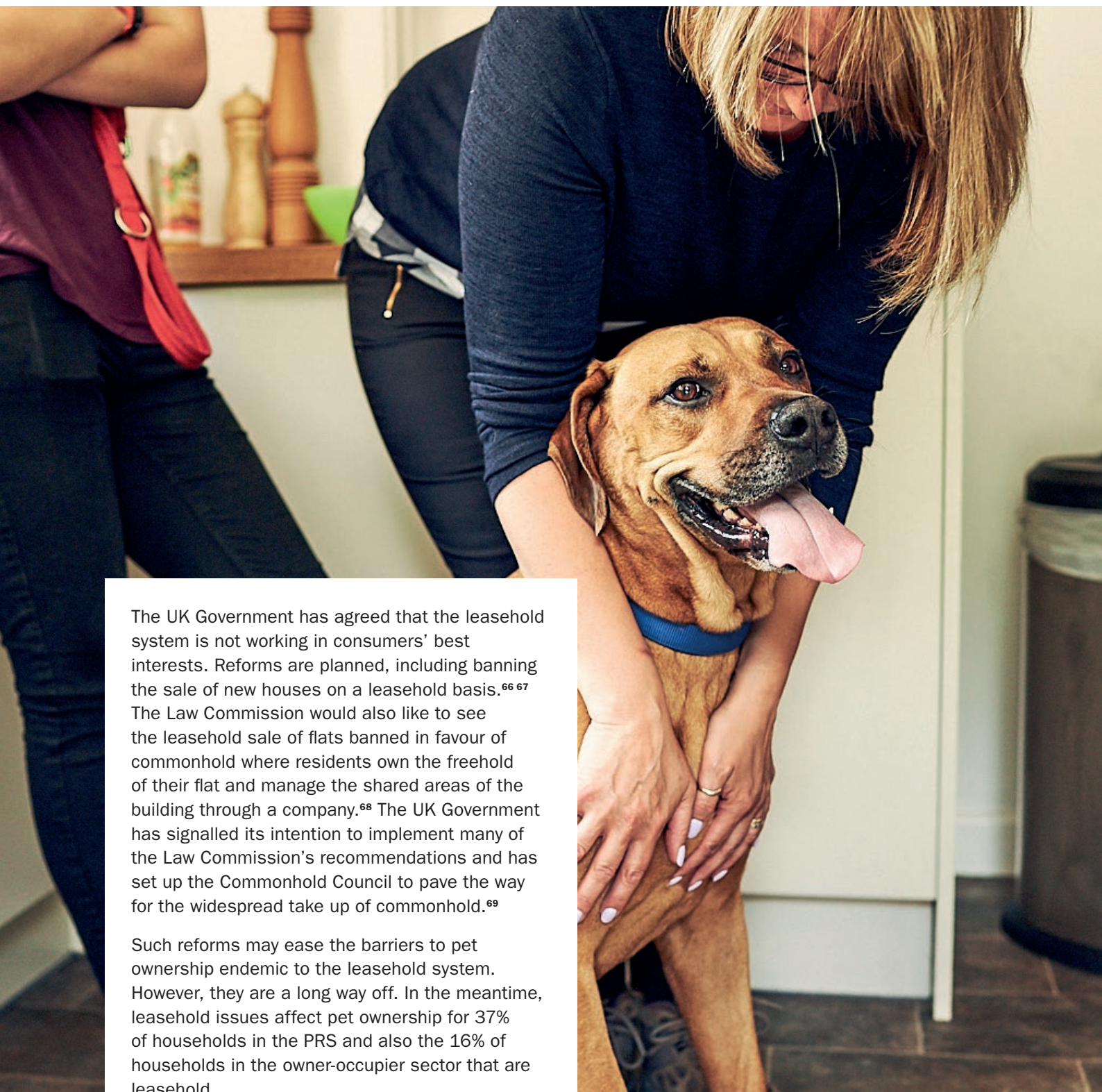


**37% of landlords of all dwellings and 75% of landlords of flats own the property on a leasehold basis.**

<sup>64</sup> [https://www.coles-miller.co.uk/residential-leasehold/restrictive\\_covenants.html](https://www.coles-miller.co.uk/residential-leasehold/restrictive_covenants.html)

<sup>65</sup> <https://publications.parliament.uk/pa/cm201719/cmselect/cmcomloc/1468/report-files/146803.htm>





The UK Government has agreed that the leasehold system is not working in consumers' best interests. Reforms are planned, including banning the sale of new houses on a leasehold basis.<sup>66 67</sup> The Law Commission would also like to see the leasehold sale of flats banned in favour of commonhold where residents own the freehold of their flat and manage the shared areas of the building through a company.<sup>68</sup> The UK Government has signalled its intention to implement many of the Law Commission's recommendations and has set up the Commonhold Council to pave the way for the widespread take up of commonhold.<sup>69</sup>

Such reforms may ease the barriers to pet ownership endemic to the leasehold system. However, they are a long way off. In the meantime, leasehold issues affect pet ownership for 37% of households in the PRS and also the 16% of households in the owner-occupier sector that are leasehold.

<sup>66</sup> <https://s3-eu-west-2.amazonaws.com/lawcom-prod-storage-11jsxou24uy7q/uploads/2020/07/ENF-Report-final.pdf>

<sup>67</sup> [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/812827/190626\\_Consultation\\_Government\\_Response.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/812827/190626_Consultation_Government_Response.pdf)

<sup>68</sup> <https://www.lawcom.gov.uk/project/residential-leasehold-and-commonhold/>

<sup>69</sup> <https://questions-statements.parliament.uk/written-statements/detail/2021-01-11/hcws695>

# LETTING AGENTS – A DOOR TO EVIDENCE-BASED PRACTICE

A third of landlords use a letting agency to help them let and manage their properties.<sup>70</sup> Some of these will use a letting agent to arrange the let only. Others will use an agent to take over complete management of the property and the tenancy, including drawing up tenancy agreements, dealing with deposits and tenancy requests.

As professional experts, letting agents have the potential to offer evidence-based advice and promulgate good practice to help their clients achieve the best financial return on their investment. However, a recent study concluded that the industry had some way to go to realise that potential.<sup>74</sup>

## **In England, this has prompted calls for more regulation of letting agents, to raise professional standards and bring England in line with the rest of the UK:<sup>72</sup>**

- Scotland has a mandatory registration scheme for letting agents
- In Wales, letting agents must be licensed
- In Northern Ireland, the Department for Communities has announced its intention to regulate letting agents.<sup>73</sup>

This leaves England as the only nation in the UK currently with no comprehensive regulation of letting agents.

It is clear that letting agents have a significant role to play in encouraging and supporting pet friendly policies in the PRS.



I rent out my own property through a letting agent as I'm currently living away (with my dog!). I allowed a tenant who had a dog maybe because I have dogs myself and am an animal lover. However, a few letting agents I approached (before choosing the one who manages my property) strongly advised me not to allow any pets. I would be interested to know the likelihood and extent of 'damage' tenants' pets cause and whether this view is justified. I have yet to re-enter my own property since letting, but trust my agent who confirms the property is very clean and well maintained when they have been to inspect it.

**Landlord talking to Battersea**



<sup>70</sup> <https://www.mydeposits.co.uk/content-hub/private-rented-sector-sentiment-survey-results/>

<sup>71</sup> <https://nationwidefoundation.org.uk/wp-content/uploads/2018/09/Private-Rented-Sector-report.pdf>

<sup>72</sup> <https://researchbriefings.files.parliament.uk/documents/SN06000/SN06000.pdf>

<sup>73</sup> <https://researchbriefings.files.parliament.uk/documents/SN06000/SN06000.pdf>



# BUILD-TO-RENT

BTR is a new model of housing supply that is significantly changing the profile of the PRS.

The Build-to-Rent Fund was launched by the UK Government in 2012 to encourage large-scale institutional investors into the residential rental market and stimulate a step change in the supply of homes for private rent.<sup>74</sup> It is quickly becoming a mainstream provider – investors are attracted by the high demand and undersupply in the PRS, and the opportunity to innovate.

In 2019, BTR provided just 1% of the housing in the PRS. By 2021, BTR was providing one in five newly completed properties in London<sup>75</sup> and is predicted to supply up to one-third of the entire PRS ‘at full maturity’.<sup>76</sup>

## **BTR is a very different commercial model to the traditional shorthold tenancy:**

- A BTR development is built and managed as a long-term investment, where low turnover and long tenancies are important to the scheme’s financial viability.
- The development is managed as a whole unit, with a single owner and manager dealing with lets and providing communal facilities and social activities for everyone in the development. BTR treats the development as a community.
- While BTR is often marketed as a luxury product, the profile of tenants in BTR is similar to that for the PRS as a whole, with renters on a range of incomes.<sup>77</sup>

The BTR model is leading to a more progressive attitude towards pet ownership, as companies better understand the commercial value of pets in attracting and retaining tenants. Typically, a BTR development may permit pet ownership in up to 50% of its properties and will have a pet policy to which it requires its tenants to sign up.

<sup>74</sup> [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/559586/Build\\_to\\_Rent\\_Fund\\_Prospectus\\_-\\_archived.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/559586/Build_to_Rent_Fund_Prospectus_-_archived.pdf)

<sup>75</sup> <https://www.standard.co.uk/homesandproperty/renting/build-to-rent-homes-london-pros-cons-developments-b941743.html>

<sup>76</sup> <https://pdf.euro.savills.co.uk/uk/residential---other/spotlight---the-uk-private-rented-sector.pdf>

<sup>77</sup> <https://buildtorent.files.wordpress.com/2021/02/who-lives-in-build-to-rent-report.pdf>







## **SIMPLE LIFE HOMES**

Simple Life Homes is a BTR provider with a portfolio of over 4,400 properties across the UK. As standard within the rental market, Simple Life used to take a pet deposit from tenancies with pets. After the Tenant Fees Act 2019\* capped the allowable deposit at five weeks and banned landlords from charging an extra pet deposit, Simple Life Homes, like many other private and BTR landlords, implemented a 'pet rent' to protect their assets from potential damage caused by customers' pets.

However, after some internal research, Simple Life found no correlation between pets, damage and the amount of deposit withheld at the end of the tenancy. As a result, Simple Life stopped charging pet rent as they felt it was unnecessary. Moreover, as their research also showed that pets had a positive impact on their tenants' health and well-being, they increased the maximum pet occupancy in their developments from 20% to 50%, which also better reflected the proportion of UK households with pets. Tenants wishing to keep a dog or cat must ask permission and sign up to a pet policy setting out their responsibilities.

**[simplelifelifehomes.co.uk](https://www.simplelifelifehomes.co.uk)**

\* <https://www.legislation.gov.uk/ukpga/2019/4/contents/enacted>

# POLITICAL INTEREST IN ENCOURAGING MORE PET-FRIENDLY PROPERTIES

Politically, there is strong interest in seeing an end to pet bans in tenancy agreements, as shown through the positive reaction to Andrew Rosindell MP's Dogs and Domestic Animals (Accommodation and Protection) Bill earlier this year.<sup>78</sup>

In London, the Mayor has made pet friendly policies one of the requirements for funding under the Affordable Homes Programme,<sup>79</sup> a development Battersea would encourage across the rest of the country:


'Londoners who live in the homes delivered through this programme are expected to benefit from flexible policies on pet ownership. The Mayor expects investment partners to manage all homes delivered through this programme in line with a presumption in favour of pet ownership for their residents.'<sup>80</sup>

The UK Government's MTA now also stipulates that tenants should be allowed to keep a pet by default.<sup>81</sup> Tenants should ask permission to keep a pet, and consent is deemed to be granted unless landlords object on reasonable grounds and in writing within 28 days. Reasonable grounds for objection include that the tenant is not a responsible owner or that the pet in question is not suitable for the type of accommodation.

The UK Government sets great store on the revised MTA, clearly intending and expecting that it should change landlords' behaviour.

Announcing the new MTA, Housing Minister Rt Hon Christopher Pincher MP said:



Through the changes to the tenancy agreement we are making today, we are bringing an end to the unfair blanket ban on pets introduced by some landlords. This strikes the right balance between helping more people find a home that's right for them and their pet while ensuring landlords' properties are safeguarded against inappropriate or badly behaved pets.<sup>82</sup> 

There is, however, a mismatch between the strength of political desire to see an end to 'no pets' clauses in tenancy agreements and the law.

In 2005, the Office of Fair Trading (OFT) issued guidance that a blanket ban on pets was an unfair contract term in tenancy agreements.<sup>83</sup> However, this was withdrawn by the Competition and Markets Authority (CMA) in 2015, when it issued new guidance under the Consumer Rights Act 2015.<sup>84</sup> There has since been no official guidance on this, the CMA's view being that only the courts can decide whether a contract term is unfair under the Consumer Rights Act,

<sup>78</sup> [https://hansard.parliament.uk/commons/2020-10-14/debates/9A766F0B-0495-4070-9AEB-BC74EFA7BB97/DogsAndDomesticAnimals\(AccommodationAndProtection\)](https://hansard.parliament.uk/commons/2020-10-14/debates/9A766F0B-0495-4070-9AEB-BC74EFA7BB97/DogsAndDomesticAnimals(AccommodationAndProtection))

<sup>79</sup> <https://www.london.gov.uk/what-we-do/housing-and-land/homes-londoners-affordable-homes-programmes>

<sup>80</sup> [https://www.london.gov.uk/sites/default/files/301120\\_homes\\_for\\_londoners\\_-\\_funding\\_guidance-acc1.pdf](https://www.london.gov.uk/sites/default/files/301120_homes_for_londoners_-_funding_guidance-acc1.pdf)

<sup>81</sup> [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/955826/Model\\_agreement\\_for\\_a\\_shorthold\\_assured\\_tenancy\\_and\\_accompanying\\_guidance\\_2021.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/955826/Model_agreement_for_a_shorthold_assured_tenancy_and_accompanying_guidance_2021.pdf)

<sup>82</sup> <https://www.gov.uk/government/news/new-standard-tenancy-agreement-to-help-renters-with-well-behaved-pets>

<sup>83</sup> [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/284440/oft356.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/284440/oft356.pdf)

<sup>84</sup> <https://www.gov.uk/government/publications/unfair-contract-terms-cma37>



and there has been no UK case law yet on this.<sup>85</sup> This confusion is harmful both for tenants and landlords.

The MTA does not, contrary to some headlines in the press,<sup>86</sup> clarify the legal situation. It has no legal standing, being entirely voluntary. In response to an oral question in the House of Lords in June 2021, the Minister of State for Housing, Communities and Local Government stated:



The Model Tenancy Agreement is the Government's suggested contract with which to agree a tenancy and is freely available online. We will continue to work with landlords and other stakeholders to ensure its wider adoption for use in the private rented sector.<sup>87</sup>



As it is voluntary, the MTA has not yet had the effect that ministers intended. The National Residential Landlords Association (NRLA) claims it is not widely used and that landlords in England will not change their behaviour while they are banned under the Tenant Fees Act from negotiating additional security deposits for pets.<sup>88</sup>

Some argue, therefore, that the law needs to be changed to make 'no pets' policies illegal, as many other jurisdictions around the world have done.<sup>89</sup>

## However, attempts to introduce such legislation in the UK have so far failed:

- In Scotland, a petition in 2018 calling on the Scottish Government to legislate for pets in rented accommodation failed as the Government felt that non-legislative measures were more appropriate, although leaving the door open to legislation if that approach failed.<sup>90</sup>
- In the UK Parliament, there was cross-party support for Andrew Rosindell MP's 2020 Bill (Jasmine's Law)<sup>91</sup> to make 'no pets' policies illegal and give tenants the right to keep a pet so long as they could prove they were a responsible owner.<sup>92</sup> However, the Bill was unable to complete its passage before the end of Parliament and so fell.

The misalignment of the strong political desire to see an end to pet bans and the legal position continues to leave landlords and tenants unclear and uncertain about their duties and rights in relation to banning or keeping pets. In this context, the effectiveness of the MTA in achieving behaviour change cannot be assumed and should be monitored. Everyone would welcome clarity.

<sup>85</sup> Personal correspondence

<sup>86</sup> <https://www.mirror.co.uk/money/law-change-means-landlords-can-23407724>

<sup>87</sup> <https://hansard.parliament.uk/lords/2021-06-15/debates/E71D5B7F-43F8-47A2-A273-C1615305BA7E/PrivateLandlordsTenantsWithPets>

<sup>88</sup> <https://www.nrla.org.uk/news/government-revises-model-tenancy-agreement-to-allow-for-pets>

<sup>89</sup> [https://bdch.org.uk/files/Pet friendly-Properties-Report.pdf](https://bdch.org.uk/files/Pet%20friendly-Properties-Report.pdf)

<sup>90</sup> <https://archive2021.parliament.scot/parliamentarybusiness/report.aspx?r=12392&mode=pdf>

<sup>91</sup> <https://publications.parliament.uk/pa/bills/cbill/58-01/0197/200197.pdf>

<sup>92</sup> [https://hansard.parliament.uk/commons/2020-10-14/debates/9A766F0B-0495-4070-9AEB-BC74EFA7BB97/DogsAndDomesticAnimals\(AccommodationAndProtection\)](https://hansard.parliament.uk/commons/2020-10-14/debates/9A766F0B-0495-4070-9AEB-BC74EFA7BB97/DogsAndDomesticAnimals(AccommodationAndProtection))

# THE TENANT EXPERIENCE OF PET OWNERSHIP



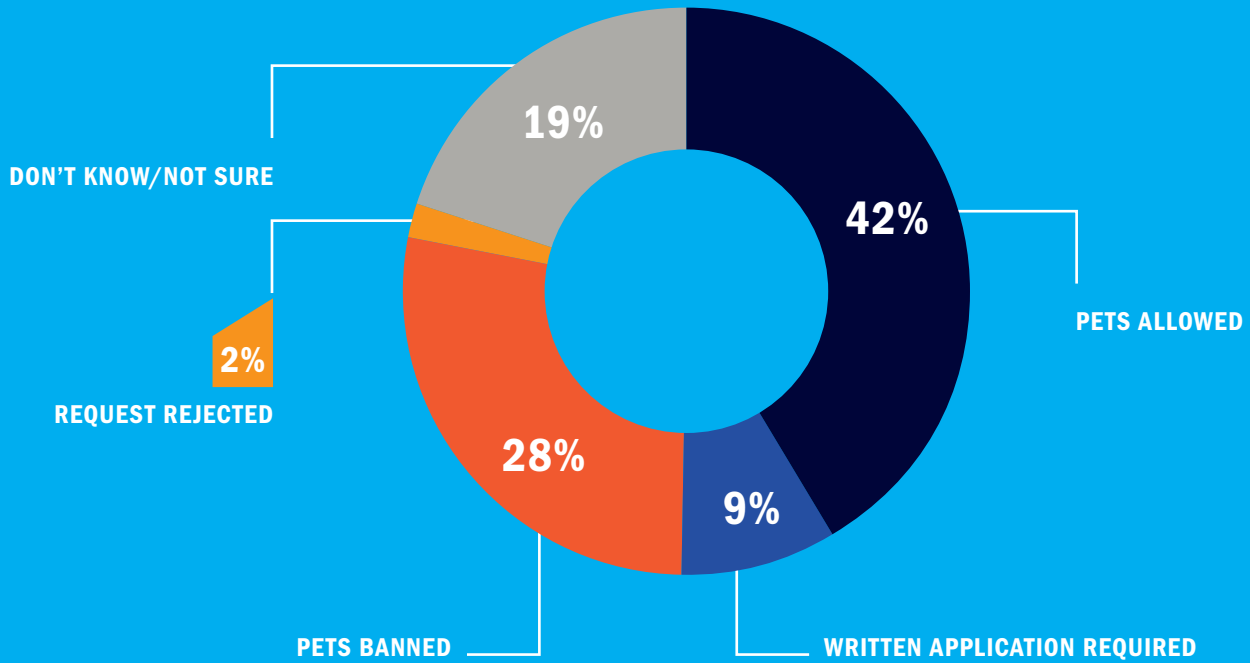


- Variation in pet policies
- The impact of pet policies on pet ownership
- Tenants' views about pet policies
- Impact of pets on damage and complaints



**FIGURE 1**

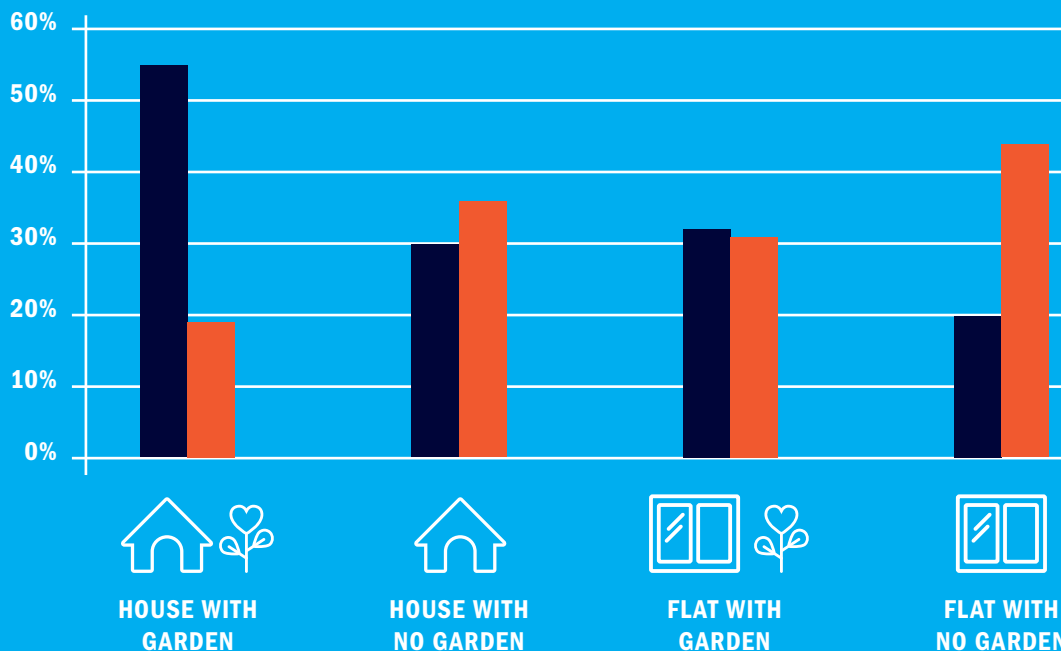
**Proportion of tenants with different pet policies**



**FIGURE 2**

**Proportion of tenants in each type of property with a 'pets allowed' and 'pets banned' policy**

**PETS ALLOWED** **PETS BANNED**





# VARIATION IN PET POLICIES

In April 2021, Battersea commissioned a survey of 2,000 tenants renting in the private sector across the UK to examine their experiences of pet ownership in the PRS.<sup>93</sup>

**Figure 1** shows the different types of pet policy in the sector.

## For these tenants:

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- 28% said they were banned from keeping a pet in their tenancy agreement, although a further 19% did not know
- 42% were allowed to keep a pet, with a further 9% potentially being allowed subject to application.

The pet policy imposed largely depends on the type of property in question, as **figure 2** shows.

## There are two types of property where the dominant pet policy is clear:

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- Houses with gardens – landlords are much more likely to allow pets in this type of accommodation, with 55% of these tenants allowed to keep a pet
- Flats with no garden – landlords of this type of property are the most ‘pet averse’, with 44% of tenants here being banned from owning a pet.

## However, figure 2 also shows evidence of inconsistency in landlords’ behaviour:

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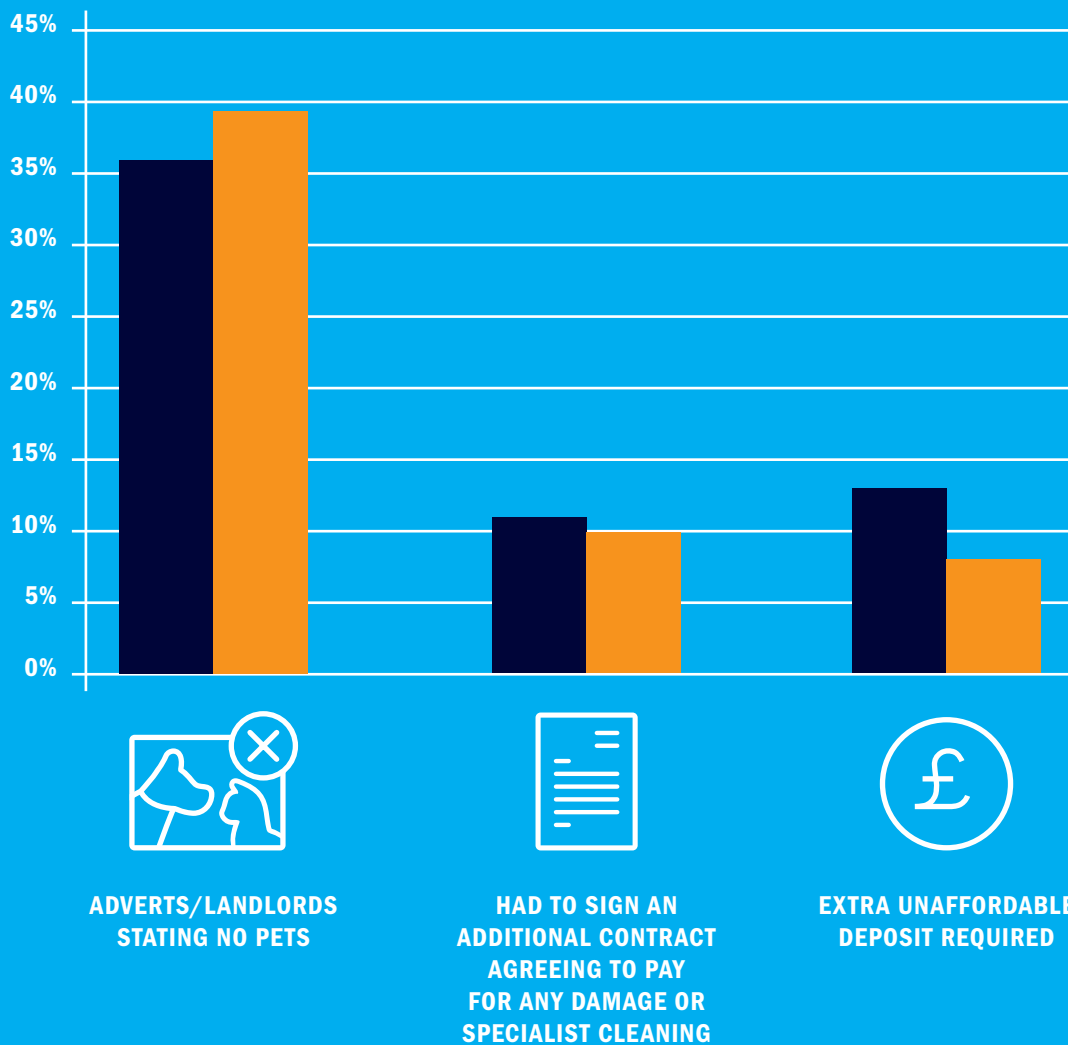
- While most tenants in houses with gardens are allowed to keep a pet, nearly 20% are banned from doing so
- While 44% of tenants in flats with no garden are prohibited from keeping a pet, 20% are allowed, which suggests some landlords are highly pet friendly.

Landlords seem less certain about what to do about pets in houses with no garden and flats with a garden. Tenants living in these situations have an equal chance of being allowed to keep a pet as not.

<sup>93</sup> Research was carried out by Opinium amongst a sample of 2,001 private renters aged 18+ who live in the UK. Fieldwork was conducted from 7–14 April 2021.

**FIGURE 3**

**Barriers faced by dog and cat owners when trying to find somewhere to live**



# THE IMPACT OF PET POLICIES ON PET OWNERSHIP

43% of tenants owned a pet and a further 33% aspired to own a pet now or in the future, indicating that 76% of tenants are directly affected by their landlord's policy on pets. This indicates that any restrictions on pets could be problematic for 3.6 million households in the UK.

## IMPACT ON PET OWNERS

50% of pet owners said they had experienced difficulties finding somewhere to live because they owned a pet. **Figure 3** shows the barriers they faced.

The main problem for both dog and cat owners was simply the unwillingness of landlords to take pets at all. Where pets were allowed, owners had to agree to pay for any damage or specialist cleaning required or pay an additional deposit which they couldn't afford. Dog owners particularly were asked to pay higher deposits.

In England, under the Tenant Fees Act 2019, deposits are capped and landlords may not charge an additional amount for pets or for professional cleaning services, although tenants must leave the accommodation in the same condition as it was at the start of their tenancy.<sup>94</sup> This survey suggests that some landlords are therefore either charging pet owners higher deposits than other tenants, up to the maximum cap, or they are breaking the law by asking pet owners to pay an additional amount specifically for their pet which may exceed the maximum deposit allowed. If the latter, this indicates that prospective tenants are either unaware of the law or are not protected by it in negotiations.<sup>95</sup>

In the face of such barriers, some tenants keep a pet in circumstances that put their tenancy at risk. 9% of tenants living in accommodation where pets were banned said they kept a pet, explicitly in breach of their contract, exposing them to significant risk for the wish to keep a pet.



When we moved into our rented home we had to sign a pet agreement and pay an extra deposit. We also have to get the house professionally cleaned and fix any damage once we leave.

From tenant chat forum



I would advertise [as a] rent without pets, maybe with words reflecting 'pets considered'. I would ask prospects about their current pets and plans for pets, and advise that rent would be greater with pets, and explain that this is due to the law.

From tenant chat forum

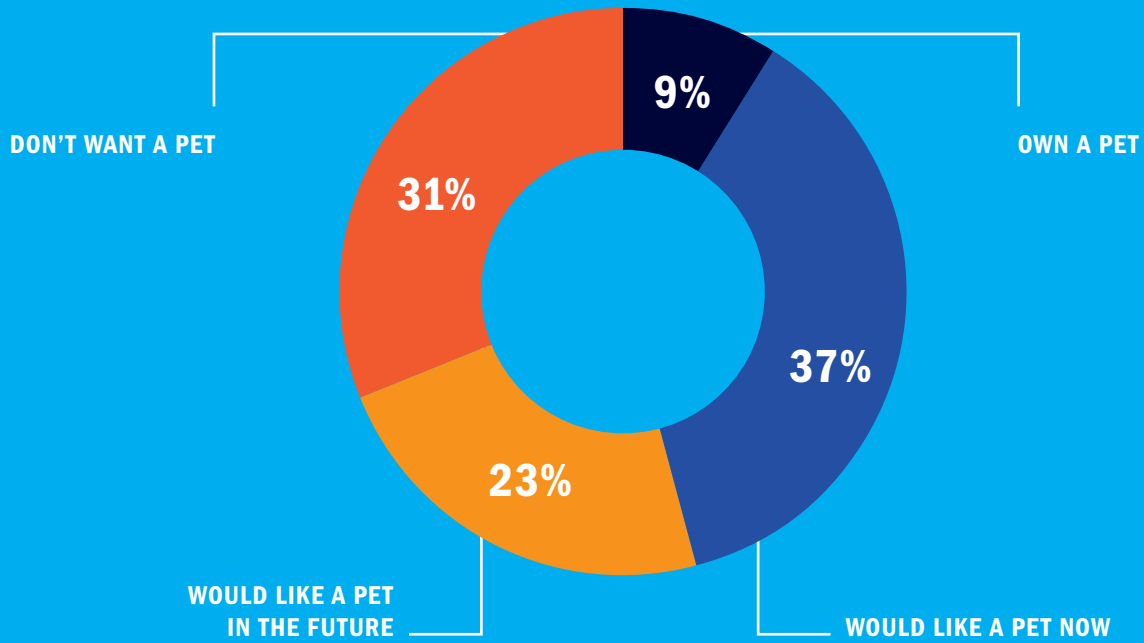


<sup>94</sup> <https://www.propertymark.co.uk/professional-standards/consumer-guides/tenants/renting-with-pets.html>

<sup>95</sup> In Scotland, Wales and Northern Ireland, there is more flexibility in the deposit requirements to allow for pets

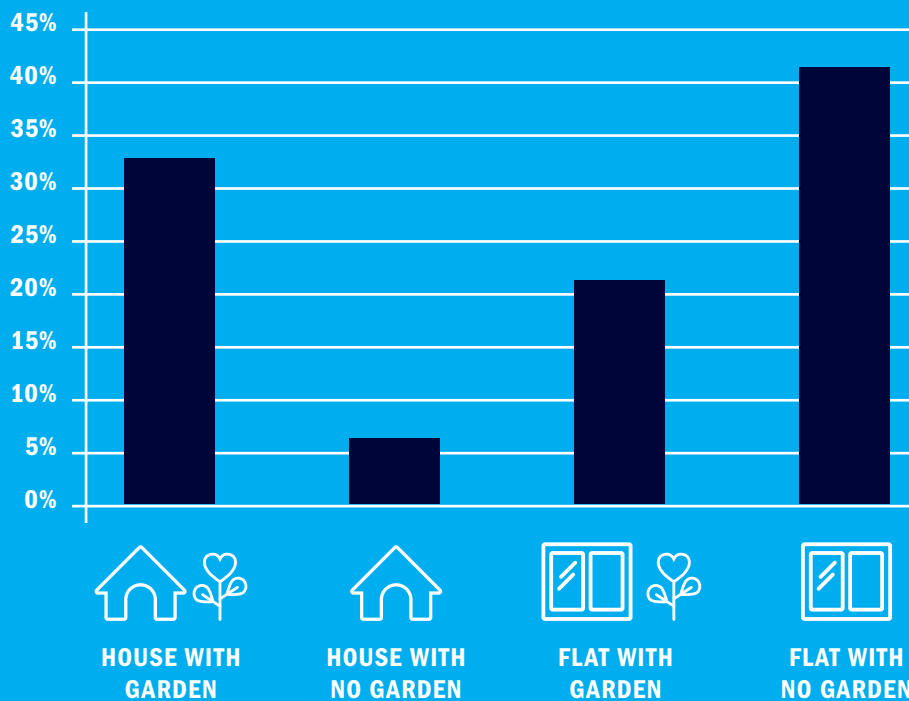
**FIGURE 4**

The pet-owning status of tenants living in accomodation where pets are banned



**FIGURE 5**

Where tenants who 'want a pet now but are banned' live







Every property states no pets allowed. It became apparent to us we would need to ignore that, continue viewing until we found a property and then try to negotiate. It was an awful position to be in. I recall feeling like we would never find anywhere. The one we live in now also advertised as no dogs, the agent showing us around also checked and no dogs were allowed. An email to them pleading and paying double the deposit finally got us in.

Tenant talking to Battersea



## IMPACT ON PROSPECTIVE PET OWNERS

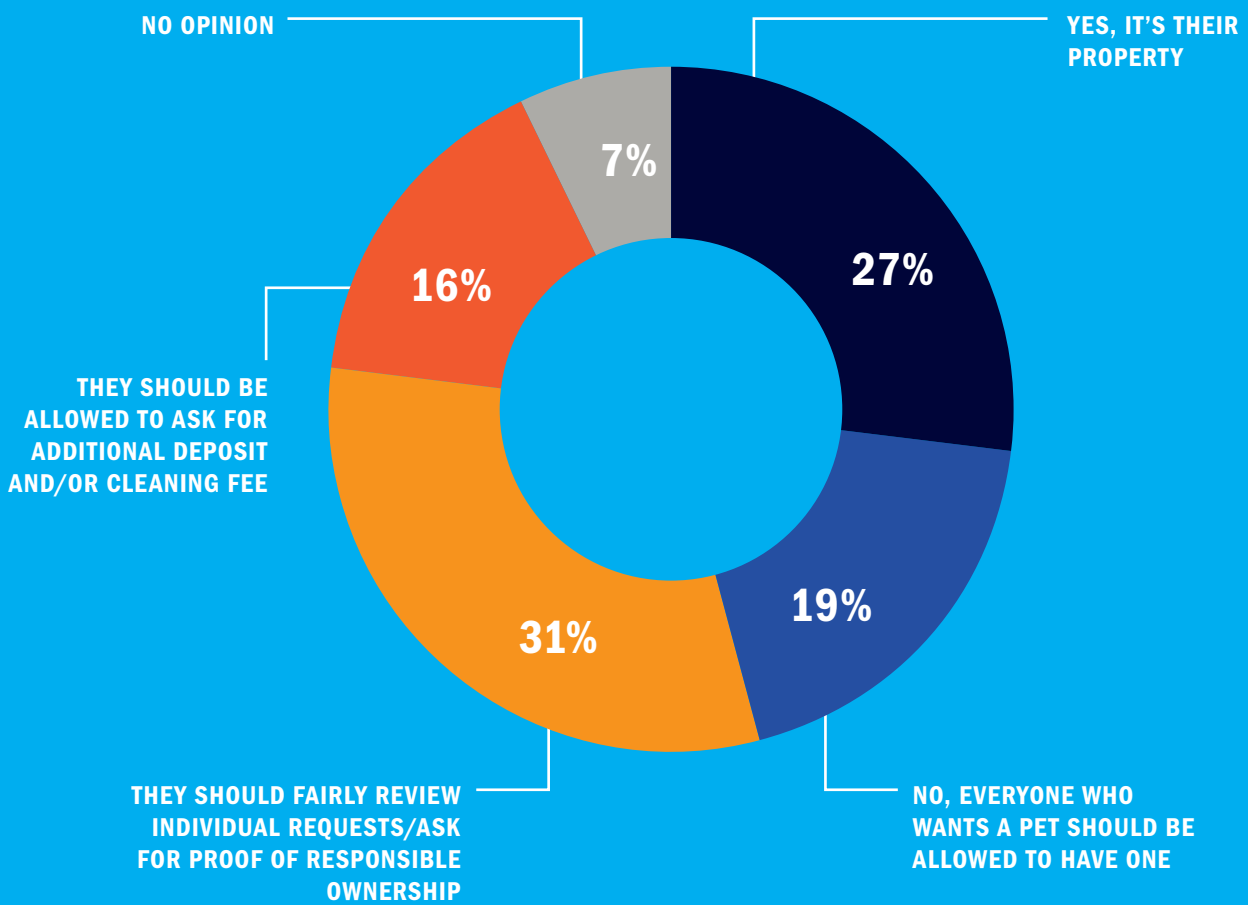
Banning pets in tenancy contracts deprives a significant proportion of tenants who do not yet own a pet of the opportunity to do so.

**Figure 4** shows that 60% of people living in accommodation where pets are banned would like to own a pet, either now or in the future. For some of these tenants, this prohibition seems particularly unjust.

**Figure 5** shows, for those tenants who 'would like a pet now but are banned', the type of property in question. It shows that 33% of tenants who want to own a pet but are banned live in a house with a garden, the type of property where most tenants are allowed to keep a pet. Objections to allowing pet ownership here are even harder to justify. While this group (tenants living in houses with gardens who want a pet but are banned) makes up just 4% of the overall sample, scaled up nationally that means as many as 200,000 tenants in the private rented sector in these circumstances alone could be affected by an unjust ban on pets.

**FIGURE 6**

**Do you believe it is fair for landlords to automatically refuse potential tenants because they have a pet?**



# TENANTS' VIEWS ABOUT PET POLICIES

**Figure 6** shows tenants' views about how landlords should approach pet ownership.

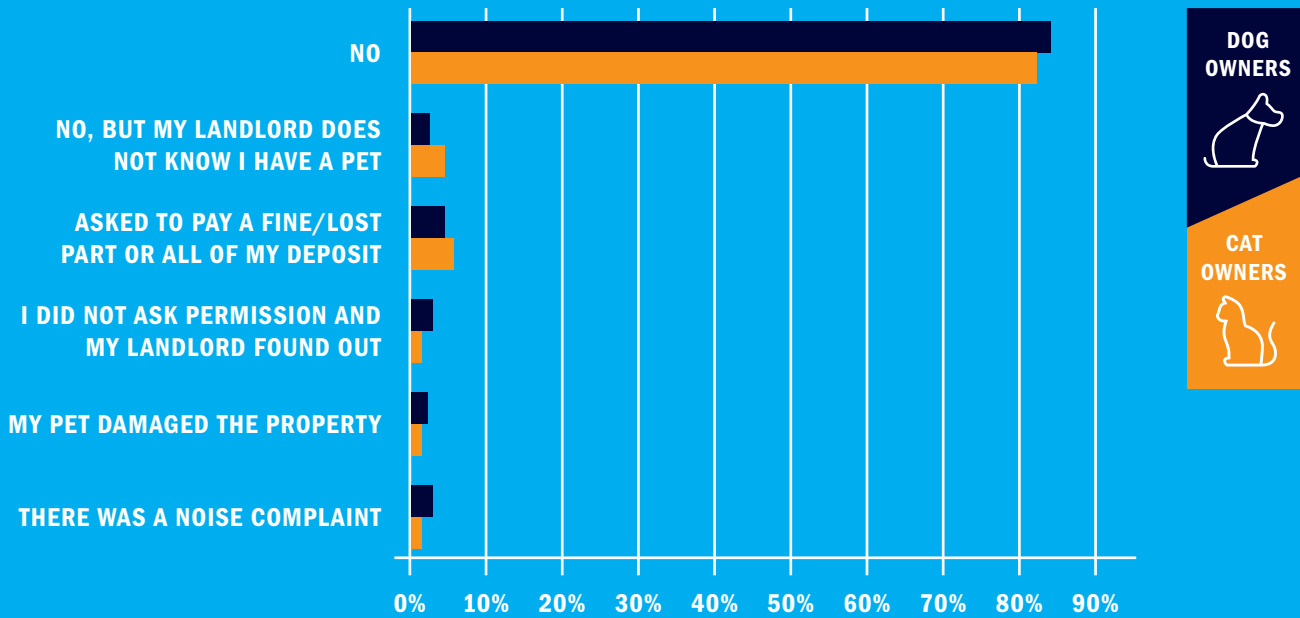
Only 27% of tenants felt that it was fair to refuse tenants because they have a pet. In relation to how landlords should handle pets, 66% agreed that landlords should deal with requests fairly, which could include attaching conditions to that:

- 31% of tenants supported fairly reviewing individual requests to keep a pet, including asking for proof of responsible ownership
- 16% believed landlords should be allowed to ask pet owners for an additional deposit or end of tenancy cleaning fee as part of a condition of allowing a pet.



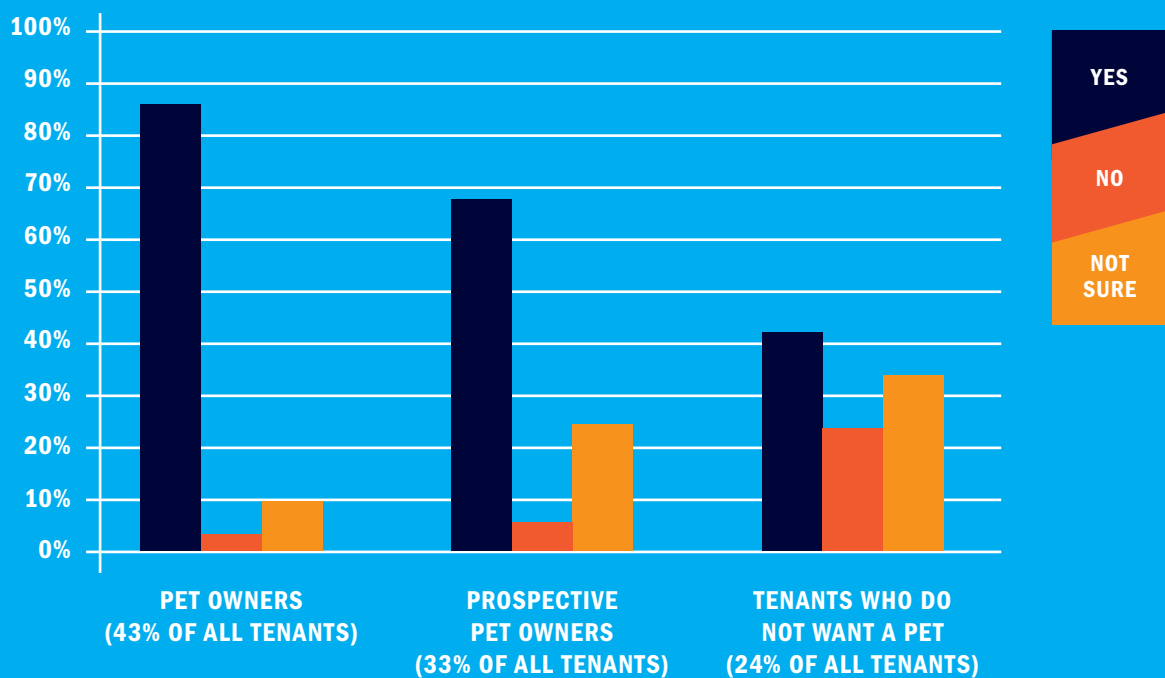
**FIGURE 7**

As a pet owner, have you ever (in either your current or previous tenancies) faced any problem with your tenancy/landlord as a result of this?



**FIGURE 8**

Would you choose to rent a property if you knew the previous tenants had a pet?



# IMPACT OF PETS ON DAMAGE AND COMPLAINTS

**Figure 7** provides some reassurance to landlords concerned about pets damaging their property or causing a nuisance to other tenants. Such complaints are few and far between.

Only 3% of dog owners said their pet had ever been the subject of a noise complaint and only 3% said their dog had ever damaged property.

Landlords also worry that allowing their tenants to keep a pet may make it harder to let the flat to subsequent tenants.

**Figure 8** strongly suggests this is not something about which they need to worry.

Overall, 70% of tenants said they would be happy to rent a property that had been occupied previously by tenants with pets, although non-pet owners were more cautious than pet owners. Only 9% of tenants said they would not choose to rent such a property. However, most tenants said they would want a guarantee that the property had been thoroughly cleaned and no visible damage to the property or its furnishings, which is typically the case whenever letting a property to new tenants anyway, irrespective of whether or not pets are a concern.



We rent out several properties, also holiday lets. More than happy to take pets, in some of the garden or first-floor flats/studios. We have found that the animals give companionship, comfort and diversion to our tenants or holidaymakers. Especially true during the pandemic, when some of the dogs and cats were lifesavers to those people who were alone or who had lost their jobs. I have found that most people are responsible, caring, good owners, who keep their accommodation well. For the few who have left their flats in a bad state, they would have done so without a pet.

Landlord talking to Battersea



# LANDLORDS AND PETS





- The view of landlord organisations
- Landlord survey findings









# THE VIEW OF LANDLORD ORGANISATIONS

Discussions with landlord organisations revealed a generally positive attitude towards pets, suggesting that any blanket characterisation of landlords as ‘anti-pet’ is unfair or misleading. Their view was that their members should allow their tenants to keep a pet unless there were reasonable grounds for refusing such requests.

## Key obstacles to encouraging pet friendly properties were:

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- Concern by landlords that pets would cause damage, and substantial cleaning and repair costs which may be difficult to recoup from the tenant
- Lack of practical guidance on how to approach the consideration of pets
- Uncertainty about how to manage tenancies with pets and mitigate risks
- Limited options to provide security for the landlord, for example insisting on insurance that drives a more risk-averse attitude.

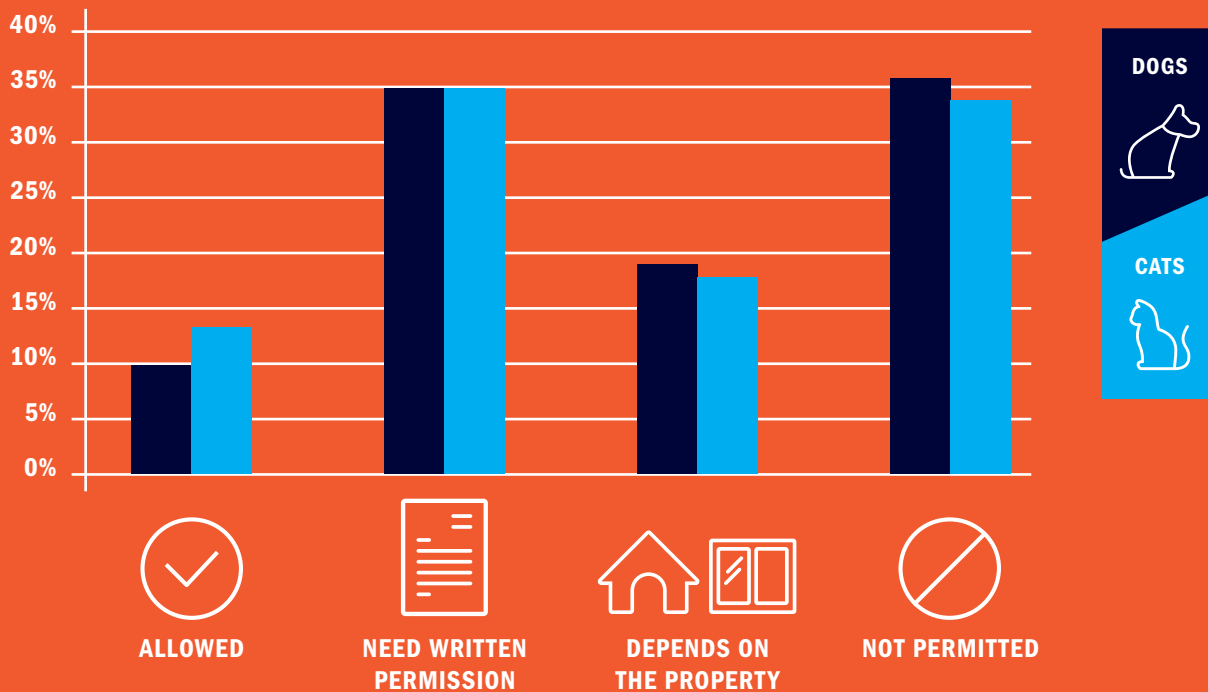
The view of these organisations largely reflects the approach that the UK Government advocates in its MTA, that tenants should not have an unfettered right to keep a pet but that landlords should not unreasonably withhold permission to keep a pet. The Government’s MTA was not, however, thought to be widely used because it was too large and complicated a document, so was not seen as particularly helpful in encouraging landlords to implement flexible pet policies.





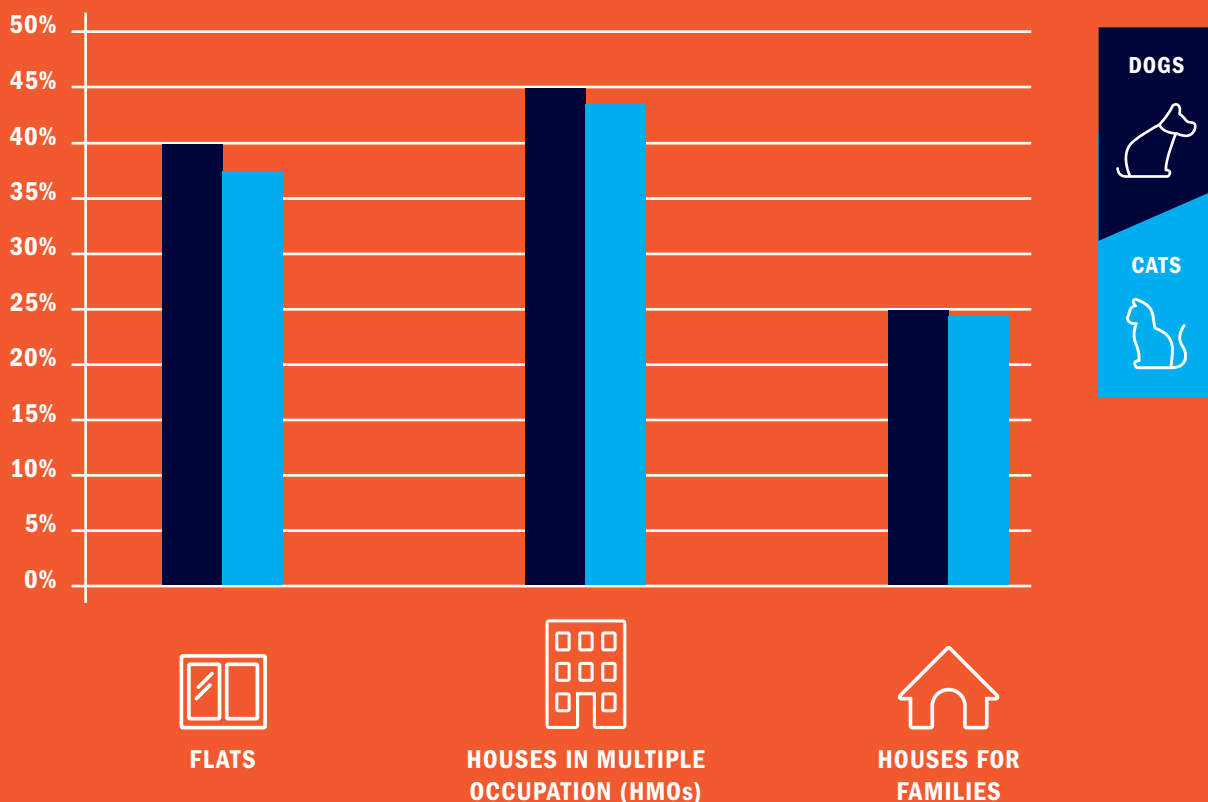
**FIGURE 9**

**Landlord pet policies**



**FIGURE 10**

**Proportion of property types where pets are not permitted**



In June 2021, the NRLA conducted a survey of its members on behalf of Battersea to assess how landlords approached the consideration of pets in their tenancies. 958 landlords responded.

## LANDLORD SURVEY FINDINGS

**Figure 9** shows the varied policies being implemented.

These landlords took a very similar approach to both dogs and cats, although cats are dealt with slightly more sympathetically:

- 35% of landlords said they did not allow their tenants to keep either a dog or cat.
- 10% said that they allowed dogs, 13% allowed cats.
- 54% said they might allow a dog, 53% a cat, depending on the circumstances. Greater reassurance for this group in particular may bring greater options for the pet-owning tenant.

These figures suggest there has been some movement towards more flexible pet policies in recent years. The National Landlords Association (NLA) survey in 2017 found that 55% of landlords did not allow pets, compared with 35% in this 2021 NRLA survey.<sup>96 97</sup>

Pet policies depend a good deal on the type of property in question. **Figure 10** shows the proportion of property types where pets are not permitted.

Allowing pets in flats and houses in multiple occupation (HMOs)<sup>98</sup> is particularly problematic for landlords:

- Dogs are not permitted in 40% of flats and 45% of HMOs
- Pet policies are more flexible in family houses where only 25% are not permitted to keep a dog
- Cats are less likely to be banned in all property types.

Access to a garden or open space is one of the main aspects of the property that affects pet policies. While 10% of all properties in this survey did not have access to such open spaces, 25% of properties where pets were not permitted had no access to an outside space that pets could use.



Some tenants confuse being tenants with being home owners. If you never want to move, want to decorate, own pets, live in squalor etc. etc. – buy your own home!

From landlord chat forum



I think a house is not a home without a cat, dog, rabbit or guinea pig. I also think there are so few landlords that allow pets that it might increase the demand for your property. I've always put in my adverts that pets can be discussed, and within reason would never refuse one.

From landlord chat forum



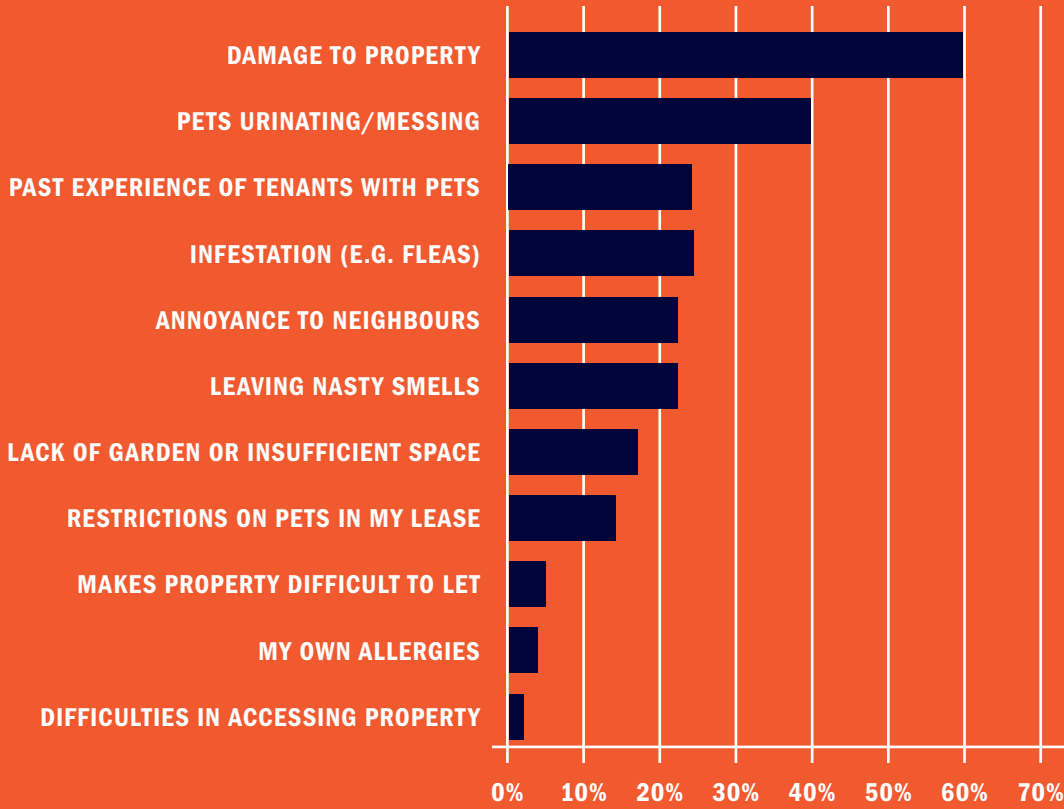
<sup>96</sup> In 2019, the National Landlords Association (NLA) and the Residential Landlords Association (RLA) merged to become the National Residential Landlords Association (NRLA)

<sup>97</sup> National Landlords Association (September 2018), Quarterly Research Panel Report 'Tenancy Deposit Cap: restricting PRS access'

<sup>98</sup> A house in multiple occupation (HMO) is a property rented out by at least three people who are not from one 'household' (for example a family) but share facilities like the bathroom and kitchen. It's sometimes called a 'house share'

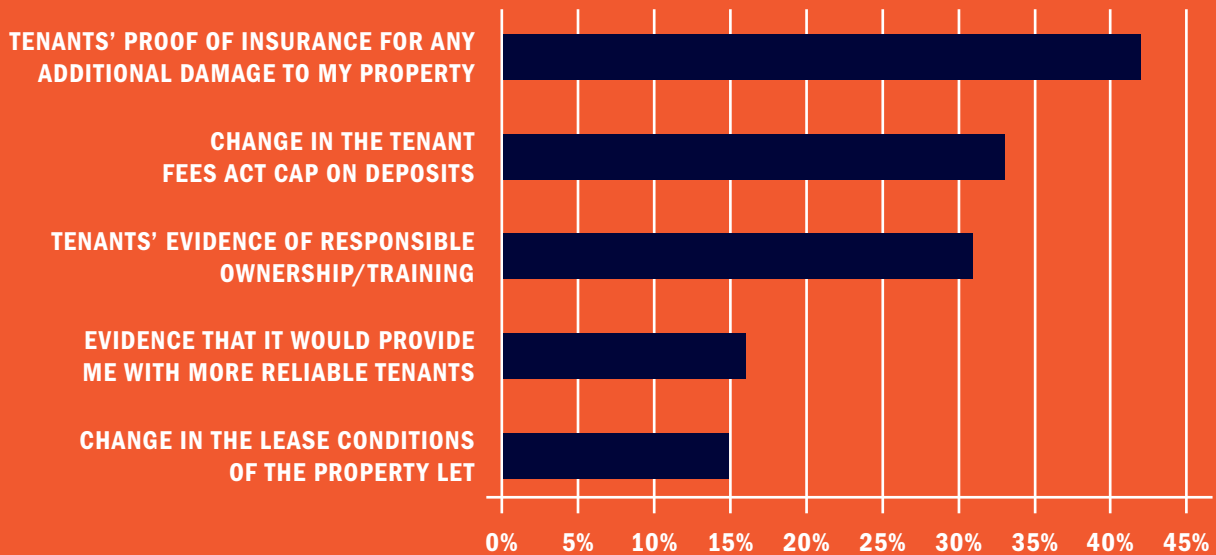
**FIGURE 11**

Landlord concerns about allowing tenants to keep a dog or cat<sup>99</sup>



**FIGURE 12**

Which initiatives would be most likely to change your mind about allowing tenants to keep cats and dogs?





**Figure 11** shows the other barriers to more pet friendly policies.

Fear that a pet would cause damage and mess is the most significant issue for landlords, with 60% saying that this made them hesitant about allowing pets. 14% also said that restrictions in the lease prohibited them from allowing pets, although this is likely to be higher for landlords letting flats where leasehold is the most common form of tenure.

Some of these concerns are within the gift of landlords and tenants to solve, and it is in the interest of both parties to do so.

**Figure 12** shows what landlords said would encourage them to be more pet friendly.

In line with their concern about damage, the main initiatives that landlords wanted to see were those that protected them against repair and cleaning costs:

- 42% of landlords said that pet insurance would help them accept pets
- 33% said that changing the Tenant Fees Act to allow them to impose a higher security deposit for pets would help
- 31% wanted to see evidence of responsible ownership or training.

Pet insurance is an issue on which there seems to be some agreement amongst both landlords and tenants, offering a positive way forward. Research by AdvoCATS found that 57% of dog owners and 55% of cat owners said they would be willing to take out pet insurance if required by landlords. Currently the Tenant Fees Act does not allow landlords to require tenants to take out pet insurance, although the legislation could be amended to permit this.<sup>100</sup>

15% of landlords said that the conditions in their lease would need to change to allow pets. This is likely to be much more an issue for the 50% of landlords in this survey whose portfolio includes a flat. This is also an area where there is wide agreement on the need for action. Accepting that the leasehold system is no longer working for consumers, the UK Government has embarked on a programme of change.<sup>101</sup> It has announced a ban on leasehold for new houses and has established the Commonhold Council to encourage the take up of commonhold as the main form of tenure for flats. The Law Commission believes the UK Government should consider making commonhold compulsory, effectively banning the leasehold sale of flats as it has for houses.<sup>102</sup>

The evidence on the impact of the MTA is less positive. When asked about the revised pets clause in the MTA, only 9.5% of landlords said that they had changed their approach as a result. Most landlords said that it had made little difference to their current policies on pets. 62% of tenants were not aware of the MTA and had never heard of it.



The Government model (tenancy agreement) is far too long and now that it gives tenants more rights regarding pets, it's wholly unsuitable in my view.

From landlord chat forum



<sup>99</sup> Landlords could tick more than one issue

<sup>100</sup> <https://www.advocatseastmids.org.uk/wp-content/uploads/2021/09/Heads-for-Tails-September-2021.pdf>

<sup>101</sup> [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/812827/190626\\_Consultation\\_Government\\_Response.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/812827/190626_Consultation_Government_Response.pdf)

<sup>102</sup> <https://s3-eu-west-2.amazonaws.com/lawcom-prod-storage-11jsxou24uy7q/uploads/2020/07/Summary-The-Future-of-Home-Ownership-final-N2.pdf>

# CONCLUSIONS AND RECOMMENDATIONS







# CONCLUSIONS



Every flat we tried to rent was a 'strictly no pets' accommodation and we moved into a two-bedroom maisonette with the same rules. We don't have children and so wanted a cat but we'd given up on the idea. Luckily our landlord was good enough to listen to us and agreed that if the cat lived indoors only and didn't bring fleas indoors, he wouldn't mind us having one. He had a new clause put into our contract stating that any damage by our pet would have to be paid for by us and we agreed to this. Two years on and everything is fine and we now have two very happy cats! We were lucky to have an understanding landlord who is also a cat lover!

Tenant talking to Battersea



## The PRS is approaching a tipping point in relation to pet friendliness:

- The major national landlord organisations, the UK Government and Mayor of London (22% of the entire PRS is in London) are aligned in their desire to see landlords taking a considered and flexible approach to pets in tenancies
- The growing role of the PRS as a mainstream provider of long-term family housing, together with the surge in pet ownership during the COVID-19 pandemic, has led to increased demand for pet friendly accommodation in the sector
- The growth of the BTR market is opening the door to more progressive pet policies in the sector, as the commercial opportunities become more apparent
- Landlords are moving in the direction of more flexible pet policies, with 35% banning pets in 2021 compared to 55% in 2017
- UK Government reforms may ease some of the intractable barriers to pet ownership associated with leasehold tenures.

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**The time is right to engage with the PRS, to support and enable it to become more pet friendly and operate effectively and competitively in this changing environment. Such engagement needs to address the key issues emerging from this research:**

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- **The belief that pets cause damage and mess, and incur costs that cannot be recouped from tenants is a major and recurring theme amongst landlords.** However, research suggests it may be largely unfounded. Only 3% of dog owners said their pet had ever damaged property in any of their tenancies. Nevertheless, there is a perception that pets are a financial risk, most likely amongst smaller landlords letting just one or two properties which may include a much-loved family home, who will be more risk-averse as they feel the consequences of a bad decision more acutely than larger organisations.
- **Most tenants believe that landlords should deal fairly with requests to keep a pet,** but that this could include attaching conditions such as asking for proof of responsible ownership and insurance against damage. Most are also happy to rent a property occupied previously by tenants with pets if it has been properly cleaned, as should normally be the case anyway. There is clearly some common ground here on which to build.
- **There is evidence of inconsistency in pet policies,** for example while most landlords allow pets in family houses with gardens, 25% do not. Inconsistency is unfair to tenants and needs to be minimised as far as possible.
- **Equally, there is evidence that a minority of landlords are particularly progressive in their pet policies,** for example allowing pets in flats where many landlords do not. Such landlords potentially provide a model of good practice for the sector.
- **The lack of pet friendly properties is most acute in flats.** 64% of dwellings in the PRS are flats and pets are not permitted in around 40% of these. Since 75% of flats in the PRS are rented from leaseholders, any restrictive covenant on pets in leases adds an additional barrier to pet ownership in flats. This is likely to be a source of conflict between tenants and landlords as many tenants who aspire to own a pet live in flats.
- **A minority of tenants (9%) keep a pet in breach of their tenancy agreement,** putting themselves at risk of eviction.
- **The revised pets clause in the Government's MTA has made little impact on landlords or tenants.** Most tenants were unaware of it and only 9% of landlords said they had changed their behaviour as a result.
- **Landlords are uncertain about their legal duties** in dealing with pets.

# RECOMMENDATIONS

The following set of recommendations includes short-term and long-term actions designed to help move the sector towards being more pet friendly.

1

## Review the impact of the revised pets clause in the UK Government's Model Tenancy Agreement



Until case law builds, the CMA indicates its view on whether a 'no pets' clause is an unfair contract term, or 'no pets' policies are banned in law, landlords and tenants will remain unclear and uncertain about the legal standing of 'no pets' policies in tenancy agreements. This is an unsatisfactory situation. It is important that citizens, whether tenants or landlords, understand their legal rights and duties.

While the law is silent on the status of 'no pets' clauses, politically there is a strong desire to see an end to blanket bans on pets. However, UK governments have so far preferred to take a non-legislative approach. This needs to be reviewed as the evidence so far from this research, in relation to the MTA, is that this is not proving effective at changing behaviour and indeed, may have served to confuse landlords and tenants even further. Both the Scottish Parliament<sup>103</sup> and the UK Government<sup>104</sup> have left the door open to further action, which should include legislation, if nothing is found to have changed.

2

## Incentivise insurance against pet damage



There is some positive common ground between landlords and tenants on the issue of insurance. 42% of landlords said they would change their mind about taking pets if tenants could prove they had insurance against damage caused by their animals. 57% of dog owners and 55% of cat owners say they would be willing to pay for specialised pet insurance if reasonably priced and required by their landlord.<sup>105</sup>

3

## Ensure public funds lever pet friendly properties



Wherever public funds are used to support and stimulate new homebuilding intended for rent, pet friendly policies should be made a condition of funding. The Mayor of London has made flexible pet friendly policies a condition of funding under the capital's Affordable Homes Programme. In the US, a similar approach was taken where recipients of federal funds

<sup>103</sup> <https://archive2021.parliament.scot/parliamentarybusiness/report.aspx?r=12392&mode=pdf>

<sup>104</sup> <https://www.gov.uk/government/news/jenrick-overhauls-tenancy-agreement-to-help-end-pet-bans>

<sup>105</sup> <https://www.advocatseastmids.org.uk/wp-content/uploads/2021/05/Heads-for-Tails-report.pdf>

<sup>106</sup> <https://www.letswithpets.org.uk/>

<sup>107</sup> <https://www.gov.uk/government/groups/commonhold-council>

for housing programmes were banned from imposing blanket bans on pets. Homes England, in delivering the Government's Affordable Homes Programme outside of London, should also ensure that flexible pet policies are a funding criterion.

However, currently the market provides only a limited number of suitable products and landlords cannot legally require tenants to take out such policies. Changing the law to allow landlords to insist that tenants take out a pet damage policy would provide landlords with the support and confidence they need to take pets. This has both political and public support, would stimulate the market to develop and offer more competitive products, and could be achieved relatively easily by amending the list of permitted payments under the Tenant Fees Act 2019.

4

### Develop practical guidance on pets in flats



There exists already some very helpful guidance for landlords, letting agents and tenants on how to deal with requests to keep a pet, which could be promoted through landlord organisations and letting agencies.<sup>106</sup> However, this needs to be supplemented with advice focused specifically on dogs and cats in flats, as this is where landlords experience the most difficult decision-making. The advice, which is best developed by those organisations promoting pet friendly properties in partnership with landlord organisations, should focus on what kinds of animals could be considered suitable in this particular environment, and how to make such an assessment. Such guidance should draw on the practical experience of those landlords who permit pets in their flats, including in the BTR sector.

5

### Ensure pet ownership is addressed in the work of the Commonhold Council



Many tenants, particularly those living in flats, are affected by restrictive covenants on pets in leases. Such covenants can be difficult to change. The UK Government has accepted that the leasehold system generally is an unsatisfactory form of home ownership. Commonhold is seen as the future form of tenure for flats. This removes the need for a third-party landlord whose interests are not always aligned with those of leaseholders, and gives more power and

control to residents over the management of their block.

However, commonhold is not intrinsically a more pet friendly form of tenure. Blocks of flats have shared communal areas and land, and therefore still need a set of rules and regulations governing the behaviour, rights and responsibilities of residents for the common good. These may include restrictions on pet ownership which would require the agreement of all commonhold owners to change. Moreover, as commonhold residents would have the same financial stake in their property as freehold landlords currently do, there is no reason to assume they would behave very differently in relation to allowing pets.

The UK Government has set up the Commonhold Council to encourage and support the widespread take up of commonhold for flats. The Council's terms of reference include:

'Supporting consumers to understand their needs and raise awareness and promote commonhold (as well as safeguarding the interests of existing leaseholders), and to develop the tools, rules and capacity to enable greater home owner-led management'.<sup>107</sup>

In view of consumers' strong and growing demand for pets, the Council should ensure pet ownership is addressed in its work. This would include, for example, advising on how to deal with pets in the Commonhold Community Statement, the document that sets out the rights and responsibilities of all owners in the building, and the process for handling requests to keep a pet. The animal welfare sector should be able and prepared to advise the Council on this.

6

### Continue to build the economic case for pet friendly properties



Most landlords see their properties as a financial investment, so decisions on tenants and pets are made largely on commercial grounds. The weight of evidence so far is that pets are not a burden in terms of damage or complaints, and that tenants with pets stay longer in their tenancies. However, much of this is case study-based at best with little attention given to the full management costs over time of accepting tenants with pets. A rigorous cost-benefit analysis, focusing particularly on the more risk-averse small landlord market, should be conducted to fill this important evidence gap. Battersea is planning to undertake such research.

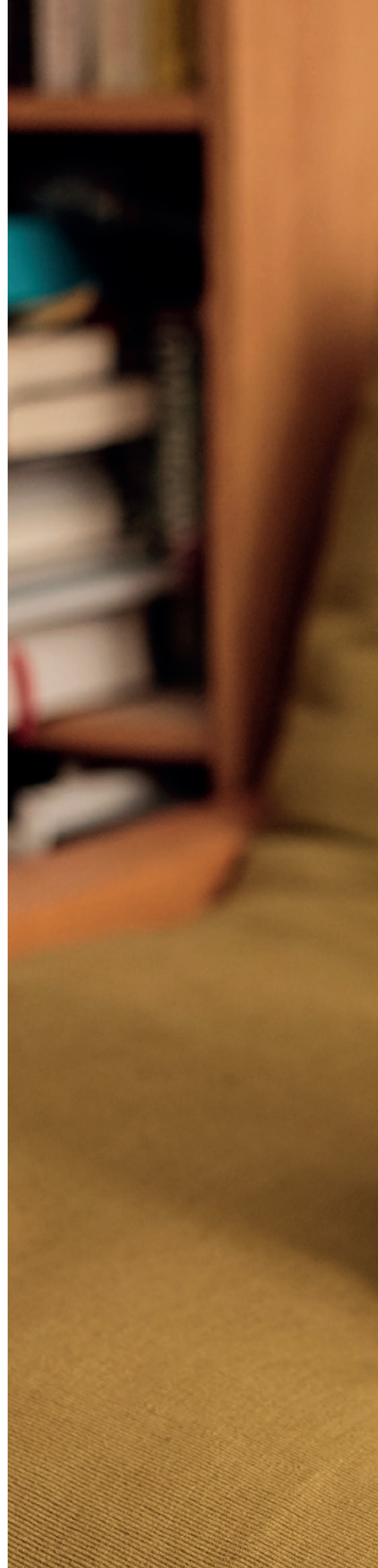


Battersea's Pet Friendly Properties campaign is promoting open and constructive dialogue between landlords and tenants to support responsible pet ownership in rented accommodation – for the benefit of pets, tenants and landlords.

Visit our campaign website to learn how we want to achieve long-lasting change, so everyone can experience the joy of pet ownership – whatever their housing situation.



Scan this code to visit our campaign website  
**[BATTERSEA.ORG.UK/PET-FRIENDLY-PROPERTIES](https://BATTERSEA.ORG.UK/PET-FRIENDLY-PROPERTIES)**





**FURTHER INFORMATION**

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Scan this code to visit our  
campaign website

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President HRH Prince Michael of Kent, GCVO

Battersea Dogs & Cats Home is a registered charity no. 206394