



Gardeen Housing Association Ltd
Building a Better Future

GARDEEN HOUSING ASSOCIATION

PETS POLICY

Policy Implemented From:	2022/23
Next Review:	2025/26 Interim Review 2024/25

1.0 Policy Statement

- The purpose of the Pets Policy is to provide guidance to staff and tenants on the type and breed of animals permitted within Gardeen Housing Association's properties.
- The policy further specifies conditions required to be met in order to obtain permission to keep a pet within the Association's properties.
- Pet ownership is a privilege, not a right, and tenants must comply with our guidelines and ensure their animal's welfare. Failure to do so will result in enforcement action, which might include court action.
- Tenants are responsible for the health and welfare of their pets. This requires proper day-to-day management and care of the pet.

2.0 Legislation

The following relevant legislation has been considered whilst developing the Pets Policy:

- The Dangerous Wild Animals Act 1976
- The Dangerous Dogs Act 1991
- The Litter (Animal Droppings) Order 1991
- The Control Of Dogs Order 1992
- The Dangerous Dogs (Amendment) Act 1997
- Clean Neighbourhoods and Environment Act 2005
- The Animal Health and Welfare (Scotland) Act 2006
- The Equality Act 2010
- The Microchipping of Dogs (Scotland) Regulations 2016

3.0 Animals Not Allowed

- Any mammal, bird or invertebrate that requires a license under the Dangerous Wild Animals Act 1976, the Dangerous Dogs Act 1991 and subsequent amendments of these acts.
- Any hybrid (a hybrid dog is not a breed, it is a mix of more than one pure bred dog) of domestic dog and those identified in the Dangerous Wild Animals Act 1976 that requires licensing.

Further to this, section 1 of the Dangerous Dogs Act 1991 Prohibits five types of dog:

- The Pit Bull Terrier
- The Japanese Tosa
- The Dogo Argentino
- The Fila Brasileiro

- XL Bully

It is a criminal offence for a dog owner to be in possession or custody of any of the listed dogs, unless a certificate of exemption is in force.

- Any hybrid of domestic cat and those identified in the Dangerous Wild Animals Act 1976 that requires licensing;
- Any type of farm animals e.g. chickens, goats, pigs, horses;
- Any type of bird of prey e.g. kestrel, buzzard, owl;
- Primates including all species of monkeys;
- Any animal that requires external kennels, runs, and aviaries, with the exception of guide dogs or assistance dogs.

4.0 Animals Allowed

- Dogs (refer to section 3.0)
- Cats (refer to section 3.0)
- Birds
- Rabbits
- Guinea pigs
- Hamsters
- Fish (provided these are not considered a dangerous species)
- Exotic pets such as snakes or lizards (provided these are not considered a dangerous species)

Registered guide dogs and assistance dogs are protected under the Equality Act 2010 and are allowed into public places. Registered guide dogs or assistance dogs are not pets however the Association may require to limit the overall number of animals kept within a property.

Emotional support animals will be considered as pets until such time as legislation is brought in to amend this position.

The number of animals allowed to be kept in a Gardeen Housing Association property will be considered subject to the type and size of property in question.

a) In flats tenants will be permitted to keep:

- 2 small/medium dogs and 2 cats in a flat, regardless of the size of property. Consideration will be taken in respect of the property size and the dog breeds size/weight e.g. Rottweiler is classed as a large dog breed. Visitors' pets are not included but visiting pets (pets which are looked after by the tenant on behalf of their owner, whilst at work) are included.

- In addition to 2 dogs and 2 cats, 2 small animals e.g. bird, hamster, taking into consideration section 5.12.
 - Hutches will not be permitted in communal gardens.
 - 1 fish tank will be considered subject to the type and size of the property in question.
- b) In houses tenants will be permitted to keep:

- 2 dogs and 2 cats

In addition to 2 dogs and 2 cats, 2 small animals e.g. bird, hamster, taking into consideration section 5.

- Any tenant who exceeds the number of pets permitted which includes 'visiting pets' will have enforcement action taken against them

5.0 Conditions of Permission

- Tenants are required to receive written consent from Gardeen Housing Association, prior to taking ownership of any animal. As part of the Tenancy Agreement, tenants agree to make good any damage caused to the property by their pets;
- Tenants are required to complete an application form requesting permission to keep a pet (including service dogs);
- Prior to permission being granted and prior to the tenant taking ownership of any animal; tenants are required to sign a Pet Ownership Agreement or a Service Dog Registration;
- Tenants are required to comply with the conditions of the litter (Animal Droppings) order 1991, the Control of Dogs order 1992, the Clean Neighbourhoods and Environment Act 2005, and the Animal Health and Welfare (Scotland) Act 2006;
- Breeding of animals will not be permitted;
- To comply with current legislation dogs must also wear a collar and identification a tag including the owner's up to date contact details. Cats must be neutered. No pet flaps will be permitted;
- The control of pets and any visiting pets are the tenant's responsibility. If cats are allowed free access outside then the tenant must take steps to ensure that they do not cause a nuisance to their neighbour(s). Dogs must always be kept under control and on a lead when in public areas. Dogs must never be allowed outside the property on their own, this includes communal areas. Faeces must always be removed immediately;

- Registered guide dogs or assistance dogs are service dogs not pets, therefore tenants will be asked to respect this and not allow their dogs to encroach the service dog's space.
- No pet should be left in the property when the tenant is away for more than 24 hours. In general this will require the pet to be boarded elsewhere.

6.0 Complaints and removal of pets

- Where the association is in receipt of complaints regarding the keeping and or supervision of animals, the tenant may be required to re-home their pet if the complaints are consistent or justifiable.
- Where the Association is in receipt of complaints, tenants will be given the opportunity to rectify the problem, prior to any decision being taken to re-home the animal(s) concerned.
- Where the animal, or the keeping of the animal, is causing a deterioration of the property, tenants will be required to take appropriate action to rectify the damage, and take appropriate steps to prevent further deterioration to the property e.g. pet behaviour classes at the tenant's expense.

7.0 Appeals Procedure

- Any appeal on a decision where consent had been refused should be made initially to the Depute Director/Housing Manager. Where the Depute Director/Housing Manager upholds the original decision, the tenant can pursue any further grievance through the Association's Complaints Policy. This does not prejudice the tenant's right to raise a court action under schedule 5 part 2 of the housing (Scotland) Act 2001.

8.0 Policy Monitoring, Review and period

- This policy will be reviewed at least every 3 years by the Management Committee. The Depute Director/Housing Manager is responsible for ensuring that it meets legal and good practice requirements.