

Petition P-06-1272 – Ban the use of ‘no pet clauses’ in tenancy agreements in Wales

Response from petitioner, Sam Swash, to Minister for Climate Change’s letter to Jack Sargeant MS, Chair of the Petitions Committee

Dear Petitions Committee,

Thank you for giving me the opportunity to respond to the letter from Julie James MS, Minister for Climate Change.

Summary

The response from the Minister completely fails to engage with the substantive demand of the petition, which is to **ban** the use of no pet clauses in Welsh tenancy agreements.

Instead, the letter concentrates almost entirely on comparing the Welsh position on no pet clauses to that of the UK. The position of the UK Government on no pet clauses is itself incredibly weak and open to abuse by private landlords. The petitioner used such a comparison in order to demonstrate the inherent lack of progressive intent from the Welsh Government on this issue in that they currently offer fewer protections to tenants with pets than the government of Boris Johnson does. The vast majority of the letter from the Minister is simply a comparison exercise – the petitioner would argue that comparing yourself to a reactionary Tory government on tenants’ rights is to hold yourselves to incredibly low standards.

The reluctance of the Minister to take even the smallest further step towards addressing this problem is incomprehensible. The petition is not proposing some kind of Maoist reform of the private rented sector, it merely asks for what is, in the scale of things, a miniscule reform of regulations that could be effected by the Minister through secondary legislation in an instant.

It is incredibly disappointing to receive such a dismissive response which reflects a reluctance on the behalf of the Welsh Government to stand up for the people of Wales against the private landlord class.

Complacency about the need to respond substantively to the people of Wales where the interests of landlords are at stake runs deep within the Welsh Government, but Welsh Labour would do well to look at their colleagues in Scotland to glimpse how that ends. A comparison would be the complacency of mine owners who thought that workers would simply accept atrocious pay, dreadful working conditions and frequent injury or death, without fight. The workers organised, and neither the police nor Churchill’s troops could stem the tide of worker’s rights.

Tenants across Wales and the UK are beginning to organise. The Welsh Government has a choice. It can continue to protect the vested interests of private landlords. Or, it can represent the interests of the vast majority of the Welsh public who are not private landlords; many of whom suffer on a daily basis in the face of unscrupulous behaviour from those aforementioned landlords.

Perhaps the Minister could take some guidance from Welshman Lloyd George on this after he had to push through the Rent Act 1915 following Mary Barbour’s Govan rent strike and threatening a stoppage of war work.

These examples are not merely one-offs from the past – there is only so long that the Welsh Government can hide behind the veneer of progressive politics whilst manning the barricades of massive wealth and housing inequality.

According to Shelter Cymru, 34% of private rented accommodation in Wales fails to meet standards on ‘decent living conditions’. Given that more than a third of private landlords don’t even keep the homes they rent out to acceptable living standards, defending landlords on the basis of *potential* damage to the property is obtuse.

Very few private tenants who own pets cause damage to rented properties. At the same time, the single biggest reason for dogs being handed into rehoming centres is because of a change of circumstances, such as being unable to live in a rented property with a pet.

Huge numbers of tenants and pets suffer because of these clauses every day and yet the priority of the Welsh Government appears to be to protect the small number of people who are coining it in by hoarding property.

Failure to take the actual contents of this petition seriously and change legislation accordingly will simply reiterate to the Welsh public that they have a government which is completely in thrall to private landlords.

As the party of working people with a history closely linked to tenants’ struggles, it should be the bare minimum to expect the Labour Party to defend the rights of tenants against sustained attacks from private landlords.

Further Details

- Although the Consumer Act 2015 is supposed to prevent landlords from unreasonably refusing tenants’ requests to keep pets, there are no guarantees that this is enforced correctly, which is clear to see from the low number of pet-friendly properties that are available in Wales versus the high number of adverts for rental properties that clearly state ‘no pets’. Neither can the average tenant be expected to know the terms of the Consumer Act 2015, which means that they may not be aware of how it applies to their situation. According to RSPCA research, a lack of readily available support and guidance for renters with pets means that many tenants are not aware of their rights. More support is needed in this respect.
- Whilst the Renting Homes (Wales) Act 2016 states that an ‘additional term’ can be included in tenancy agreements, allowing tenants and landlords to negotiate whether it is reasonable for the tenant to keep a pet at the property, we are unsure whether the Act will contain any guidance as to what would be deemed ‘reasonable’ or whether it refers to any form of dispute resolution if the landlord and tenant cannot or do not agree. We’re also unsure how the Renting Homes Act addresses the fact that many adverts for rental properties explicitly state ‘no pets’, before any conversations as to whether a prospective tenant having a pet would be ‘reasonable’ can take place.