

Residential Tenancy Amendment Bill 2025

Property Owner Information

The Residential Tenancy Amendment (Pets) Act 2025 updates the Residential Tenancy Act 1997 to create a fair and consistent framework for tenants and owners to seek, grant or refuse permission to keep pets.

Key points

- Tenants have the right to request permission to keep a pet.
- You cannot reject rental applications just because the applicant intends to keep a pet.
- Property owners can only refuse on specific, reasonable grounds, and must apply to the Tasmanian Civil and Administrative Tribunal (TASCAT) within 14 days if they wish to refuse.
- If you do not respond to the tenant's application within 14 days, property owner is taken to have consented to a request.
- You and the tenant can agree to conditions for keeping the pet.
- You cannot increase the rent payable by tenants or require a security deposit before allowing a tenant to keep a pet.

What is a pet?

- A pet is a domesticated animal, or an animal that is dependent on a person for food or shelter.

Is consent required for exempt animals?

- Consent is not required for exempt animals, such as guide dogs and assistance animals.

An assistance animal is a dog or other animal:

- accredited under a law of a State or Territory that provides for the accreditation of animals trained to assist a person with a disability to alleviate the effect of the disability; or
- accredited by an animal training organisation prescribed by the regulations for the purposes of this paragraph; or
- trained:
 - to assist a person with a disability to alleviate the effect of the disability; and
 - to meet standards of hygiene and behaviour that are appropriate for an animal in a public place.

Ineligible animals

- The following animals are not pets and no application can be made to keep them as pets:
 - An unregistered dog over six months,
 - An un-microchipped cat over six months.
 - An owner can refuse consent to a tenant keeping a dangerous dog, within the meaning of the Dog Control Act 2000, without making application to TASCAT.

Can property owners impose conditions on pet ownership?

- Yes, tenants and property owners can agree to reasonable conditions for keeping a pet, if they do not conflict with the Act. TASCAT may also impose conditions when making a decision.
- Some examples of reasonable conditions are:
 - Requirement for flea treatment of pet.
 - Requirement to clean up after pet.
 - The pet is to be kept outside, if the pet is not a type of pet ordinarily kept inside.
 - Council notices or breed classification documents for dangerous dogs.

Do existing laws or by-laws still apply?

Yes. The Bill does not override existing laws, council by-laws, or strata title rules that restrict pet ownership.

Who is responsible for pet-related damage?

Tenants remain responsible for any damage caused by pets that exceeds reasonable wear and tear.

Tenants need to leave the property as nearly as possible in the same condition, apart from reasonable wear and tear, as set out in the condition report (or, if there is no condition report, as at the start of the tenancy). Property owners/agents can claim from the bond or seek compensation if costs exceed the bond.

Can a property owner obtain insurance to compensate for damage caused by a pet?

Property owners can obtain insurance to cover pet-related damage. Some landlord insurance policies offer coverage for damage caused by tenants' pets, often subject to conditions. Because coverage varies between insurers, it is essential to check the

specific terms of your landlord insurance policy or speak directly with your insurer to confirm whether pet damage is included and if optional add-ons are available.

Rent and bond rules

- You cannot increase the rent payable by tenants or require a security deposit before allowing a tenant to keep a pet.
- Pet bonds are not permitted under Tasmanian law.
- Property owners/agents can use the standard rental bond (maximum 4 weeks' rent) to recover costs for pet-related damage beyond normal wear and tear.

What is the role of TASCAT?

- Only the TASCAT can determine whether a pet cannot be kept. Property owners must apply to the Tribunal if they wish to refuse a pet request.

How does a property owner lodge an application to TASCAT?

- A property owner can lodge an application to TASCAT by completing the correct application form provided on the TASCAT website (insert link) within 14 days if they wish to refuse.

What are valid reasons for refusing a pet request?

- TASCAT may consider refusal valid if the pet would cause nuisance, damage beyond reasonable wear and tear, pose safety risks to people or animals, or other reasonable grounds.

What evidence does a property owner need to provide TASCAT to justify their decision to refuse a pet request?

- Evidence should be factual and specific, such as:
 - The specific provision relied on under Part 3C (Pets) of the Residential Tenancy Act 1997.
 - Property condition reports/photographs showing features unsuitable for pets (e.g., lack of fencing).
 - Expert assessments or photos indicating risk of damage.

Further information

If you require further information, you can contact us:

- By phone: 1300 654 499
- By email: cbos.info@justice.tas.gov.au

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