

Julie James AS/MS
Y Gweinidog Newid Hinsawdd
Minister for Climate Change



Llywodraeth Cymru
Welsh Government

Eich cyf/Your ref
Ein cyf/Our ref JJ/02439/22

Jack Sargeant MS
Chair - Petitions committee
Senedd Cymru
Cardiff Bay
Cardiff
CF99 1SN

18 November 2022

Dear Jack,

Thank you for your further letter of 27 October in respect of Petition P-06-1272 - Ban the use of 'no pet clauses' in tenancy agreements in Wales.

I note your concerns around those tenants who do not currently have a tenancy agreement. If a tenant does not have a physical tenancy agreement, but the tenancy satisfies the criteria to be an Assured Shorthold Tenancy (AST), then they have an AST, although implied. In terms of pets, this does mean that these tenants will have no clause which specifically prevents them from keeping pets.

From 1 December, the Renting Homes (Wales) Act 2016 will require landlords to issue existing tenants with a written Occupation Contract. This will apply regardless of whether or not they currently have a written tenancy agreement. Therefore, Landlords would need to explicitly seek to include a clause that would ban pets in the contract, which under the Consumer Rights Act 2015, could be challenged if it was unreasonable to have done so.

I note your petitioner's response about finding it challenging to even get an opportunity to secure a property in the first place due to disclosing that they have a pet. RSPCA Cymru have highlighted that in such circumstances prospective tenants may benefit from providing references from previous landlords to help demonstrate that there have been no issues, as this may help to appease concerns regarding perceived risk of damage or negative behaviour.

I have read your petitioner's response to my suggestion of centralising guidance, which was specifically in response to their comment that tenants find it hard to access information which better explains their rights. Therefore, I think their commentary around my suggestion that we would make guidance clearer has been taken out of context. I was simply addressing that point by providing a centralised source of information, as it should help tenants.

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Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

I cannot support a blanket ban on landlords preventing pets in private rental properties. Some properties are often not suitable for larger pets, such as houses in multiple occupation, supported accommodation or purpose-built student accommodation. Even if a property may seem suitable for pets, there may be very good reason why a tenant cannot keep a pet; for example, a restrictive covenant, or the welfare and safety of other tenants/neighbours.

It is not quite the case that homeowners have carte blanche in whether they can own a pet. Many people who own and live in leasehold properties may find restrictions on pet ownership. People who live on regulated mobile home sites often have contract clauses which restrict pet ownership. In some cases, people who own the freehold of their property may also be restricted by covenants on the use of their building or land, which could preclude the keeping of certain pets.

The restrictions above would also apply to landlords who let property affected by these rules. If we had a blanket ban on “No Pet” clauses, then they may be in breach of their lease or covenant, putting them in a precarious legal position and perversely, potentially putting the tenancy at risk.

We are keen to continue working with the sector to influence behaviour change around pets being accepted in private rental property where it is appropriate.

Yours sincerely,



Julie James AS/MS

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