



New South Wales

Residential Tenancies Amendment (Animals in Residential Premises) Bill 2024

Explanatory note

This explanatory note relates to this Bill as introduced into Parliament.

Overview of Bill

The object of this Bill is to amend the *Residential Tenancies Act 2010* to prevent landlords unreasonably refusing permission for tenants to keep animals on residential premises.

Outline of provisions

Clause 1 sets out the name, also called the short title, of the proposed Act.

Clause 2 provides for the commencement of the proposed Act on the date of assent to the proposed Act.

Schedule 1 Amendment of Residential Tenancies Act 2010 No 42

Schedule 1[1] inserts proposed Division 3A (proposed sections 54B–54G) into the *Residential Tenancies Act 2010*.

Proposed section 54B makes it clear that the proposed division does not operate to affect the right of a person who has a disability to keep an assistance animal on residential premises. Proposed section 54C deals with tenants keeping animals on residential premises with the landlords' consent or a Civil and Administrative Tribunal (the *Tribunal*) order. Proposed section 54D deals with tenants' requests for consent to keep animals on residential premises. Proposed section 54E provides that a landlord must not unreasonably refuse consent for a tenant to keep an animal on the residential premises. It also provides that a landlord is taken to have consented to the keeping of the animal on the residential premises unless, within 14 days after receiving the request, the

landlord applies to the Tribunal to refuse consent to keep an animal on the residential premises. Proposed section 54F deals with applications by landlords to refuse consent to keep animals on residential premises. Proposed section 54G deals with the orders the Tribunal may make on application under proposed section 54F and the matters the Tribunal may have regard to in dealing with the applications.

Schedule 1[2] inserts a savings and transitional provision into the *Residential Tenancies Act 2010*, Schedule 2 to provide that proposed Division 3A extends to a residential tenancy agreement in force before the commencement of the proposed Act.