

Submission
No 9

**INQUIRY INTO RESIDENTIAL TENANCIES
AMENDMENT (PROTECTION OF PERSONAL
INFORMATION) BILL 2025**

Organisation: Cat Protection Society of NSW

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Submission from the Cat Protection Society of NSW

NSW Legislative Council Portfolio Committee No. 8 – Customer Service Inquiry into the Residential Tenancies Amendment (Protection of Personal Information) Bill 2025

The Cat Protection Society of NSW (“Cat Protection”) welcomes the opportunity to comment on the Residential Tenancies Amendment (Protection of Personal Information) Bill 2025.

Our comments focus on the issues that arise for rental applicants and tenants with pets or who wish to have a pet. Further details on the issues highlighted in this submission are available in our previous submissions and consultation participation summaries available on our website here:

[Residential Tenancies Regulation 2019 consultation](#)

[Statutory review of the domestic violence provisions in the Residential Tenancies Act \(2022\)](#)

[Consultation by NSW Fair Trading: Keeping pets in residential tenancies
Amendments to the Residential Tenancies Act – pets in rentals 2024](#)

Cat Protection’s experience of the impact of rental laws on people and cats

Cat Protection has been caring for cats since 1958. Our vision is that every cat has a loving and responsible home. We are an approved rehoming organisation and an authorised registration agent. We work within a One Welfare framework, which recognises that the health and wellbeing of people, animals and the environment are interconnected.

From our Newtown Adoption Centre, we operate a managed-admission no-kill shelter and from our Welfare and Education Centre in Marrickville, we manage programs such as Adopt-a-Stray, discounted desexing and vaccination, and education and information on cat health and welfare. In 2024-25, we dealt with more than 11,000 inquiries; found homes for 2,779 cats and kittens; processed 5,000 lifetime registrations; and, separately from our adoption and DIVA programs, assisted with desexing 2,400 cats and kittens and provided more than 600 F3 vaccinations. Supported by a grant from the NSW Government, our 2023-25 DIVA Cats program (Desexing, Identification & Vaccination Assistance for Cats) achieved a total of 3,675 cats and kittens desexed.

Like all shelters and pounds, we are overwhelmed with requests from people wishing to surrender cats and kittens. As a managed-admission shelter, we can only accept new admissions when space becomes available, that is, when cats are adopted. We’re dependent on bequests and donations to meet operating costs and don’t have the funds

to expand our capacity. While our wonderful volunteer foster carers help us to deal with spikes in population such as kitten season, we can't come close to meeting the demand for admissions. The demand to surrender cats to us has grown considerably over the past few years, with the cost-of-living and housing crises being significant contributing factors. Our waiting lists for surrender have never been longer and currently vary from three months to three years. People facing housing insecurity due to disputes with landlords, pet application refusal, tenancy termination or eviction do not have the luxury of time to wait that long.

In the two years from 1 January 2024 to 31 December 2025, we received 152 enquiries about surrender where the stated reason was pet-unfriendly accommodation and/or homelessness, and we took in 17 surrendered cats where that was the stated reason. *It's important to note that not all people will disclose the reason for surrender due to feelings of guilt and shame.* Nonetheless, the disparity between the number of enquiries and actual intake highlights that demand is far higher than we can manage. If pounds and shelters collected and published this data, it would doubtless show a similar gap.

Over the same two-year period, we also dealt with many other types of enquiries relating to challenges presented by landlords to cat owners, including being told they must keep their cat outside even though the owner had always kept their cat indoors; people saying they would like to take in a stray cat but couldn't because the landlord refused them permission; people seeking guidance on rehoming their cats themselves after being told by the landlord they couldn't keep them; and families in fear of eviction because they had a pet cat. Additionally, we provided support to people seeking to prepare pet resumés so they could try to find accommodation.

Many cats coming to us are much loved family pets or cherished stray cats, surrendered because there is no pet-friendly place to rent. We've had desperate calls from people who are seeking to move due to domestic violence, from people with mental or physical health issues whose cat is vital to their wellbeing, from families whose children are emotionally distraught because they must give up their cats, and from people who are socially isolated and whose cat is their main companion. And, as noted earlier, many people surrendering pets are further burdened with feelings of guilt and shame. Renting should not make people feel ashamed. Renting should not break up families.

The scarcity of pet-friendly accommodation and the anti-pet sentiment of many landlords and real estate agents causes actual harm to people and their pets.

When people are forced to surrender their animals because they can't find somewhere to live together it can be a death sentence for animals if they can't be rehomed, and a lifelong trauma for the people losing their animal companion.

Surrendering a cat causes heartbreak to the people and cats concerned and adds to the population of cats seeking homes. The barriers to pet ownership in rental accommodation also impede the adoption of cats by people who would like a pet cat, but because they rent their home, they aren't confident that they will have housing

security with a pet and so they don't adopt. This means those people are denied the benefits of pet ownership and the number of homeless animals in shelters and pounds continues to grow.

In our work we see how the difficulty in finding pet-friendly accommodation puts people and animals at risk of homelessness, and in cases of domestic and family violence, puts people and animals at risk of further violence and can endanger lives.

Recommended changes to the proposed amendment Bill

Pet ownership or animal companionship is on the rise and is increasingly recognised as being beneficial to human mental and physical wellbeing. NSW needs to do better in recognising and safeguarding the bond between animals and the people who love them. We make the recommendations below for changes to the proposed amendment Bill so that the intention of the Bill to make it easier for people with pets to access rental accommodation can be achieved.

Make rental housing animal-inclusive by default

If a landlord wants to prohibit animals or only permit certain types of animals (in addition to any existing by-laws), the landlord should be required to get permission from NCAT to do so before the property is advertised for rent.

The current framework unduly burdens tenants and increases the risk of housing insecurity and pet surrenders. Under the proposed Bill, a potential tenant only has two options, both presenting high risk:

1. Submit a pet application with a rental application and risk being discriminated against for having a pet and therefore being unable to secure accommodation, or
2. Submit a pet application *after* investing in the cost, time and effort to move into a rental, risking that consent may be refused and therefore urgently needing to find alternative, pet-friendly accommodation, as well as the money, time and effort to move again.

Both options place the burden and cost of breaching the tenancy agreement and/or seeking an NCAT review on the tenant and create a risk of the pet having to be surrendered (and possibly killed due to overpopulation in shelters and pounds). That trauma and cost of the housing insecurity would then be repeated in the application for the next rental if the pet is not surrendered. In Victoria and the ACT¹, the obligation to apply to the tribunal is placed on the landlord, recognising that the tenant is the more vulnerable party, and disincentivising unreasonable conduct of landlords.

However, disputes requiring the tribunal to make an order could be circumvented by making rental accommodation animal-inclusive by default, subject to existing by-laws.

¹ s71D Residential Tenancies Act 1997 (Vic), s71AE and AF Residential Tenancies Act 1997 (ACT)

Special prohibitions and restrictions could be approved or applied by NCAT on application by the landlord.

Laws and rules relevant to pet ownership should be included in the rental advertisement

Making rental accommodation animal-friendly doesn't mean that tenants would be able to keep any animals in any property, for example being animal-friendly doesn't mean a person can keep goats inside a house or 30 cats. There are already laws and rules in force that restrict or apply conditions to keeping animals.

The applicable local council by-laws, strata or community rules that relate to the type and number of animals permitted, enclosures, and nuisance prevention should be disclosed in rental advertising and before rental agreements are executed. This enables tenants to make informed decisions about applying for rentals.

Where a landlord's refusal is deemed to be reasonable by NCAT that relates to a matter not disclosed in the advertisement or tenancy agreement (such as that the landlord lives at the property), the tenant should receive compensation at termination to cover reasonable moving costs. This will encourage accurate disclosure of information relevant to pet ownership in advertisements and prior to the rental agreement being signed.

Guidance on what constitutes a reasonable restriction (such as strata by-law restriction) is needed for applicants to be able to challenge advertised restrictions, or restrictions attached to rental agreements. Not all property by-laws are necessarily reasonable, and some purported to be intended to prevent nuisance issues may not necessarily be humane or beneficial to pet wellbeing, or even necessary or effective in preventing nuisance issues.

Landlords and real estate agents should also be required to disclose to tenancy applicants if pet applications have been previously refused in the past 5 years at the premises, and on what grounds.

Transparency through full disclosure is critical to being able to secure the best outcomes for all parties: landlords, tenants, neighbours, and animals.

The standard tenancy application form should not include pet ownership

Despite the majority of Australian households having a pet, landlords and real estate agents continue to discriminate against pet owners, creating the risk of shaping a society where only those fortunate enough to own or mortgage a home can have an animal companion.

A search conducted on 19 February 2026 on realestate.com.au for rental properties in NSW (all types, all areas), with a maximum rent of \$500 p/w and "pets considered",

returned only 128 properties. When the “pets considered” criterion was removed, the search returned 14,372 properties. Widening the search by increasing the rent to \$1000 p/w returned 1,171 properties where pets were considered, and 13,950 properties when the “pets considered” criterion was removed.

A search conducted on 25 February 2026 on domain.com.au for all rental properties at any price in Bankstown and “nearby suburbs” with “pets allowed” returned only 10 properties, and 221 properties when the “pets allowed” criterion was removed. The same search for rental properties in the Coffs Harbour – Greater Area returned 168 properties, but only 9 properties when the “pets allowed” criterion was applied.

Given this evident bias against pet ownership among landlords and real estate agents, if pet ownership is disclosed within a tenancy application there is a high risk that the discrimination against pet owners will continue despite the ban on blanket “no pets allowed” advertisements.

Information about pet ownership that landlords need can be included in the pet application. The pet application also gives tenants an opportunity to propose tenancy agreement conditions to assure landlord of responsible pet ownership (for example, that their pet is desexed and regularly parasite-treated).

The timeframe for a tenant to apply to keep a pet should more than 7 days

The Bill proposes only 7-day timeframe for tenants to apply to keep a pet. We encourage cat owners to prepare a pet resume when submitting a pet application, and attach references from previous real estate agents or landlords, neighbours, and vets, and also to include any training certificates in relation to their pet (eg dog obedience training, kitten kindy) as well as a pet agreement with the owner’s commitments to responsible pet ownership, such as regular parasite control, emergency contacts, hygiene management and issues such as confinement and noise mitigation. Pet owners need more than 7 days to prepare that documentation, which is helpful to demonstrate responsible pet ownership to landlords and real estate agents and to prevent unreasonable application refusals (that then may be challenged in NCAT).

In contrast, the Act gives landlords 21 days to respond to a pet application, which requires the preparation of no documentation other than a letter providing consent or refusal.

In Tasmania, Western Australia, Queensland, South Australia, and Victoria, landlords have 14 days to respond to a request to keep a pet². If NSW adopts 14 days for landlords, applicants should also be provided with 14 days.

² Residential Tenancy Amendment (Pets) Act 2025 (TAS), an Act to amend the Residential Tenancy Act 1997 [Royal Assent 27 November 2025] [View - Tasmanian Legislation Online](#), Residential Tenancies Act 1987 (WA) [Residential Tenancies Act 1987 - \[06-t0-00\].pdf](#), s184D Residential Tenancies and Rooming Accommodation Act

Tenants who challenge a refusal should be able to keep their pets with them while the matter is under consideration by NCAT and then, if the refusal is upheld, for a further reasonable time to either relocate altogether or rehome their pet. Permitting a tenant to keep their pet while they're challenging the landlord's refusal is consistent with the possibility that NCAT may override a landlord's refusal if it is deemed unreasonable.

The Bill does not set a timeframe for when the animal must be out of the premises if the landlord refuses consent and/or where the refusal is upheld by NCAT. A timeframe of at least one month is critical for tenants to be able to secure other accommodation or, sadly, rehome their pet. In the current rental market, one month is a bare minimum. Insufficient timeframes will create human and animal welfare risks. The existing protections for landlords under the Act would be in place should there be any damage to the property from the pet during this time.

If the landlord's refusal is upheld by NCAT, and NCAT makes an order for the pet to remain on the premises for longer than a month, then tenants should be able to keep the animal until the date ordered by NCAT. Tenants should also be able to terminate the tenancy without penalty and keep the pet up until the termination date. Without this legislative safeguard, tenants whose applications have been refused would be required to surrender their animals or be in breach of the tenancy agreement.

During this time, as with any member of the community, a landlord with any animal welfare or amenity concerns about the tenant keeping the pet at the premises can report the concerns to the appropriate authority, such as the local council, Animal Welfare League, RSPCA or the local police.

Data transparency and guidance for tenants, landlords, real estate agents and providers of landlord insurance

Guidance on pet rental laws should be freely available, in community languages.

The guidance should be informed by NCAT cases, insurance claim data and the End of Tenancy survey (Rental Bonds online) data so that disputes and unlawful actions can be avoided.

For example, landlords – either due to misinformation, lack of understanding or a bias against pets – may choose to rely on the potential damage to the property being more than the bond as a reason to refuse a pet application. Guidance about how reasonableness is determined by NCAT in this context will help landlords and real estate agents to apply the law correctly in advertising and in responding to pet applications, and support tenants in making decisions about whether to challenge landlord refusals. The aim of good guidance and education is to ensure that the

2008 (QLD), s66C Residential Tenancies Act 1995 (SA), s71A Residential Tenancies Act 1997 (Vic)

safeguard of the NCAT review is the last resort, not a necessary process to get a fair outcome for people and their animals, or for landlords.

Similar data collection and transparency is needed with providers of landlord insurance and landlords, so that insurance providers don't unfairly exclude or charge unnecessary fees for the inclusion of pets within insurance terms from an inaccurate determination of risk of property damage from pets, when the risk is in fact low. Data on landlord insurance claims relating to pets of tenants should be collected and reported publicly. Likewise, the outcome of pet applications lodged during the tenancy agreement should be disclosed during the mandatory End of Tenancy survey through the Rental Bonds online portal, and the aggregated data be publicly available.

Why safeguards for tenants and their pets are necessary and fair

Safeguarding responsible pet ownership in rental tenancies will allow a greater number of individuals, families and communities to enjoy the benefits of animal companionship (and help combat the loneliness epidemic); reduce the number of owned pets surrendered to pounds and shelters; and remove barriers to adoption for the huge number of animals in shelters and pounds, thus reducing euthanasia rates and the moral injury it inflicts on animal care teams.

We need to consider pets and housing in a One Welfare context: good animal welfare is also good human welfare. When an animal's welfare needs are met, when they have a good and healthy life, they're also less likely to have a negative impact on anyone else (the happy dog won't be howling due to separation anxiety; the desexed cat won't be yowling due to being on heat). Legal protections supporting responsible pet ownership enable renters to enjoy the human physical and mental health benefits that come with pet ownership, as well as reducing the disbenefits that attend housing insecurity.

There are already numerous protections for landlords (such as bond and landlord's insurance), and few protections for applicants and tenants, and even fewer for animals. Just like people who have mortgages, renters pay to live in their homes. Banks don't deny people with mortgages from keeping pets and landlords shouldn't deny people paying rent from keeping pets. Everyone, people and animals, should be able to enjoy a safe and happy home.

Cat Protection thanks the Committee for its consideration.

Kristina Vesk OAM
Chief Executive Officer
Cat Protection Society of NSW
103 Enmore Road Newtown NSW 2042
www.catprotection.org.au
www.catcare.org.au

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