

FORM 25

Pet Request Form

Residential Tenancies Act 1987 (WA) Section 50B

How to use this form

During a tenancy, tenants must use this form to ask the landlord (also known as the lessor) for permission to keep a pet at the rental property. Landlords can only refuse or apply conditions if it is reasonable to do so.

1. Tenants complete steps 1, 2, and 3.
2. Landlords complete steps 4 and 5.
3. All parties should read the **Important Information** at the end of this form.

For Tenants

Complete steps **1, 2, and 3** on this form.

Provide enough details about the pet for your landlord to make an informed decision.

Additional forms may be completed if requesting more than one pet.

Give the landlord your completed form (including a copy of the **Important Information**).

Keep a copy of the form and the details of how you gave it to the landlord for your own records.

Read the **Important Information** available at the end of this form.

Step 1: Tenancy Details

Tenant to complete and go to step 2

| | | |
|--|-------------------------------------|----------|
| Rental property address | Address | |
| | Suburb/Town | Postcode |
| Tenant(s) making request to keep a pet | Name Tenant 1 | |
| | Contact details (eg email or phone) | |
| | Name Tenant 2 | |
| | Contact details (eg email or phone) | |
| | Name Tenant 3 | |
| | Contact details (eg email or phone) | |
| Landlord(s) or agent receiving this request | Name Landlord 1 | |
| | Name Landlord 2 | |
| | Name Landlord 3 | |

Step 2 continues next page

Step 2: Tenant's Pet Request Details*Tenant to complete and go to step 3*

| | | | | | |
|---|---|-------------|-------|--------|-------|
| About the pet | Type of Animal | | | | |
| | Breed/Species | | | | |
| | Age | Size | Small | Medium | Large |
| Other information about the suitability of the pet and the rental premises | For example Name, registration/ license number, temperament, training, size of property/outdoor areas, enclosure requirements, if the pet would be kept inside and/or outside | | | | |

Step 3: Tenant's Declaration*Tenant to complete and go to Important Information*

| | | | |
|---|---|--------------------|--------------------|
| Declaration | <p>I am seeking permission to keep the above pet at the rental property.</p> <p>I understand that I am responsible for any nuisance, noise and damage caused by keeping the pet.</p> <p>I accept that I am responsible for rectifying any damage caused to the property including damage caused by the pet.</p> | | |
| Signatures of tenant(s) making request | Signature Tenant 1 | Signature Tenant 2 | Signature Tenant 3 |
| | Name | Name | Name |
| | Date / / | Date / / | Date / / |

Tenants go to Important Information. Landlords continue to next page for step 4

For Landlords

Complete **steps 4 and 5** of this form, advising if you approve, approve with conditions, or refuse the request.

You have 14 days (starting the day after you received the request) to send the completed form back to the tenant.

If you do not respond within 14 days, the pet request is automatically approved by you.

You will also need to apply for Commissioner approval within 14 days if you:

- approved with conditions that need Commissioner approval; or
- refused the pet request for reasons that need Commissioner approval.

If you do not apply for Commissioner approval (where needed) within 14 days, the pet request is automatically approved and conditions requiring Commissioner approval will not apply.

Keep a copy for your records.

Read the **Important Information** available at the end of this form.

Step 4: Landlord's response to the pet request

Landlord to complete and go to step 5

Select decision below:

Approve

Approve with conditions

Select and write the condition(s) below. Go to step 5, then send form to tenant

Conditions where Commissioner approval is not needed

- Number of pets
- Cleaning
- Maintenance
- Fumigation

Conditions where Commissioner approval is needed

If selected, **you must** apply for Commissioner approval within 14 days. The requested conditions **do not** apply unless approved. Where an obligation is already required by another written law (such as the Residential Tenancies Act 1987 or Dog Act 1976), Commissioner approval is not required.

Other reasonable condition(s)

What are the condition(s)?

Specify the condition(s) including what it is, how often it happens, and where or when it occurs

Step 4 continues next page

Step 4: Landlord's response to the pet request - Continued...

Refuse

Select reason(s) and explain why it applies below. Go to step 5 and send form to tenant

Reasons where Commissioner approval is not needed

Keeping the pet is not allowed under a written law (eg. biosecurity laws do not allow a fox as a pet)

Keeping the pet is not allowed under a local law (eg. a local council law does not allow roosters)

Keeping the pet is not allowed under a community title or strata law (eg. a by-law does not allow pets)

Reasons where Commissioner approval is needed

If selected, **you must** apply for Commissioner approval within 14 days

The premises are unsuitable for keeping the pet

Keeping the pet would exceed a reasonable number of pets being kept at the premises

Keeping the pet at the premises is likely to cause damage to the premises that could not be repaired for less than the amount of the security bond

Keeping the pet at the premises would pose an unacceptable risk to the health and safety of a person

Keeping the pet at the premises is likely to cause the landlord undue hardship

The pet is a 'dangerous dog' as defined in the *Dog Act 1976* (WA)

Keeping the pet at the premises is likely to cause undue hardship to a tenant who lives at the same premises and has not made the request to keep the pet.

Explain why the reason(s) apply:

Step 5: Landlord's Declaration and Signature

Landlord to complete and send form to tenant

| | | | |
|---|---|----------------------|----------------------|
| Declaration | I understand the tenant(s) named on this form are requesting my permission to have a pet, and I must respond to this request in writing within 14 days. If I do not respond to the tenant and apply for Commissioner approval (where needed) within 14 days, the request is automatically approved and conditions requiring Commissioner approval will not apply. | | |
| Signatures of Landlord(s) or Agent | Signature Landlord 1 | Signature Landlord 2 | Signature Landlord 3 |
| | Name | Name | Name |
| | Date / / | Date / / | Date / / |

Important Information for Tenants and Landlords

1. What is a pet?

A pet means any animal except an assistance animal, such as a dog trained to perform tasks to support a person with a disability. A tenant may keep an assistance animal at the premises without needing the landlord's permission.

2. Responding to a pet request

The landlord must respond to the tenant within 14 days of the request (starting the day after they receive the form). Where required, they must also apply for Commissioner approval within the 14-day timeframe.

3. What happens if the landlord does not respond within 14 days?

If the landlord does not respond to the request within 14 days, and where necessary also does not apply for Commissioner approval within the 14-day timeframe, the pet request is automatically approved and conditions that required Commissioner approval will not apply.

4. How are the 14 days counted?

A landlord has 14 days to respond, starting the day after they receive the request. If the tenant's request or the landlord's response is posted, the tenant must allow extra days for the form to be delivered. These extra days are not part of the 14 days the landlord has to respond. Further information about counting days when serving a notice can be found online at www.consumerprotection.wa.gov.au/counting-days.

5. Challenging a decision

Where the landlord does not need to apply for Commissioner approval, the tenant may challenge the landlord's response if they believe that the decision and/or the conditions set by the landlord are unreasonable, or not permitted or applicable. The tenant applies to Consumer Protection to review the decision.

6. Applying for Commissioner approval

If a landlord decides to set a condition or refuse for a reason that requires Commissioner approval, the landlord must apply to Consumer Protection for Commissioner approval within the 14-day response period.

7. How to apply to the Commissioner

Applications to the Commissioner can be made online at www.consumerprotection.wa.gov.au/CDApply or call 1300 30 40 54 for further information.

8. What happens after an application is made to the Commissioner?

When an application is made, the Commissioner will notify all parties. The Commissioner will invite parties to respond. Parties will be asked if they agree or disagree with the application and to provide relevant information or evidence. The Commissioner may also request additional information or evidence if needed.

9. How does the Commissioner make a decision?

The application will be decided based on the information and evidence provided by the parties. Written reasons for the decision will be given. In some cases, the Commissioner may decline to decide the application and direct the parties to apply to the Magistrates Court. For more information on how decisions are made, see the [Commissioner's Guidelines – Pet Requests in a rental](#).

10. What are the options if the parties are not satisfied with the Commissioner's decision?

If parties are not satisfied with the Commissioner's decision, they can appeal to the Magistrates Court within seven days of receiving the notice of the decision.

11. Where can I find more information?

Visit the Consumer Protection website for more details on the rights and responsibilities about renting with a pet at www.consumerprotection.wa.gov.au/renting/pets.