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The Rt. Hon. Michael Gove M.P.

Secretary of State for Levelling Up, Housing & Communities
2 Marsham Street
LONDON
SW1P 4DF

Tuesday 19th October 2021

Dear Secretary of State

Open letter on changing the Tenant Fees Act (2019)

We are writing to you regarding the Tenant Fees Act (2019) and the detrimental impact this legislation has had on pet ownership in rented accommodation.

As you might be aware, we wrote to your predecessor on 1st September to bring to his attention a new report by the charity AdvoCATS, which is due to be published tomorrow.

This report finds serious problems with the Tenant Fees Act, because the list of permitted payments does not include pet deposits, while sections 1 and 2 of the Bill also prohibit landlords from requiring a contract of pet damage insurance as part of a tenancy agreement.

The report finds that landlords have responded to these changes either with a blanket no pets clause, or by increasing rents for pet owners. One in five landlords who previously allowed pets no longer do since the passing of the Act.

In the case of landlords who have increased rent, this is clearly a suboptimal solution. It punishes responsible pet owners, unlike pet deposits which would be returned to responsible pet owners and pet insurance which can be used to build up a no claims history, and it reduces transparency of payments, a key aim of the Bill.

The report therefore recommends that secondary legislation be used to add pet deposits to the list of permitted payments and that the issue concerning pet damage insurance be investigated to see whether secondary legislation would be sufficient to make the necessary change, or if primary legislation would be needed to amend sections 1 and 2.

Public polling finds that over half of pet-owners would be willing to take out pet insurance if required by a landlord, although 40% of respondents said they would prefer a pet deposit, to 22% who said pet damage insurance, if given a choice between the two. This clearly demonstrates the need for choice.

Finally the report finds, from multiple conversations with insurance companies, that pet damage insurance is seen as unviable by many companies and that the Tenant Fees Act is a key factor because it limits the number of potential customers. It is likely that, if the Act were reformed and as more customers became available, premiums would fall, further cementing public support. Given 75% of landlords support pet damage insurance, this would likely garner significant overall support.

The Government has made clear its support for responsible pet-owners in rented accommodation through the Model Tenancy Agreement published in January. However, due to the unintended consequences of an otherwise praiseworthy piece of legislation, there are significant and unnecessary obstacles to bringing a pet into rented accommodation.



We are confident this proposal would garner widespread support across the House and we therefore urge you to read the attached report and its recommendations closely.

We look forward to your response.

Signed:

MPs and Peers

Andrew Rosindell

Adam Afriyie
Sir David Amess
Chris Bryant
Lisa Cameron, Chair of APDAWG
Daisy Cooper
Rosie Cooper
Sir Ed Davey
Tim Farron
Sarah Green
Andrew Griffith
Andrew Gwynne, Co-chair of APGOCATs
Robert Halfon
Dame Meg Hillier
Wera Hobhouse
Dr Neil Hudson
Sir Greg Knight
Sir Tony Lloyd
Caroline Lucas
Andrew Mitchell
Anne-Marie Morris
Layla Moran
Jill Mortimer
Sheryll Murray, Chair of APGOCATs
Sarah Olney
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Lord Bowness
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Lord Marlesford
Baroness Nicholson
Lord Oates
Lord Ranger
Lord Risby
Lord Storey
Lord Trees
Lord Truscott
Lord Walney

Organisations

AdvoCATS

Alan Boswell Group
A-Law
#CatsMatter
Dog Champion Scheme
EMPO
Hamilton Fraser
Inventory Base
Landlord Zone
Dr Marc Abraham
Mars Petcare
mydeposits
NOAH
NRLA
One Broker Insurance
PAAW House
Pets Lets
PetsScore
Portsmouth and District Private Landlords
Association
Property Mark
Property Tribes
Property Redress Scheme
Renting Evidence
Society for Companion Animal Studies
Stolen and Missing Pets Alliance
Street Paws
Street Vet
The Dispute Service
The FOAL Group
Your Cat Magazine
Your Dog Magazine
Vets Get Scanning