

## How does a tenant get approval for a pet?

### Two steps to approval

There are certain steps you must take if you are a tenant and would like to keep a pet on a community titles scheme.

A tenant who wishes to keep a pet needs approval from their landlord, which is provided for under the *Residential Tenancies and Rooming Accommodation Act 2008*. If your landlord says no, and you believe the decision is without grounds you can lodge a dispute application with the Residential Tenancies Authority (RTA).

If you are a tenant (the term “occupier” is commonly used) in a community titles scheme, you will usually **also** need approval from the body corporate, if there is a by-law about keeping animals or pets. Body corporate rights and obligations about keeping animals and pets is provided for under the *Body Corporate and Community Management Act 1997*. If you are not sure if you are in a community titles scheme with a body corporate, ask your landlord.

A tenant can seek approval from the landlord and the body corporate at the same time. However, it is important to remember that the approval processes are separate and different. Getting approval from your landlord does not guarantee you will also get approval from the body corporate, and vice versa. Also, getting approval from a body corporate may take longer than getting approval from a landlord.

### Getting body corporate approval

The first step in seeking body corporate approval for your pet is checking the wording of the body corporate’s by-laws – if you do not have a copy of the by-laws, ask your landlord or the body corporate committee for a copy.

Usually, the by-laws will require a body corporate’s written approval to keep a pet or an animal. In that case, you should ask the committee how to make an application for body corporate approval. If the scheme where you are living has a body corporate manager, you may ask them to pass on your request to the committee. The committee will usually make a decision on your application, but it may instead decide to put the application to a vote of all owners at a “general meeting”. The committee and owners are also allowed to put conditions on the approval, for example that the pet is not allowed to wander on the common property.

If you bring an animal onto a community titles scheme without approval, or if you do not comply with conditions of approval, the body corporate is entitled to require you to remove the animal.

- ⇒ If the committee or the owners vote yes (and if your landlord also agrees) you can bring your animal onto the property.
- ⇒ If the committee or the owners vote no, or give approval but with conditions you think are unreasonable, or if a by-law does not allow them to give approval for pets at all, you can consider lodging a dispute resolution application with the BCCM Office. Depending on the circumstances, the first step in the dispute process is usually to apply for “conciliation”, a process in which a BCCM conciliator helps the parties to come to an agreement to resolve the dispute. If the Commissioner thinks conciliation is not appropriate in your case, or if the conciliation process is unsuccessful, you can make an application for “adjudication”, a



process in which a BCCM adjudicator decides whether to make an order giving you approval.

- ⇒ If the committee does not respond to your approval request within a reasonable time, you should follow this up. If you cannot get any response from the committee to your request, you may consider lodging a dispute resolution application. While the legislation does not provide a specific timeframe for the committee to respond to a tenant's request, tenants may consider using the 6-week decision period the committee has to respond to owner motions as a guideline about what is reasonable.

Once approval has been given by both the landlord and the body corporate you can bring your pet onto the community titles scheme.

## Important Information

The Office of the Commissioner for Body Corporate and Community Management (BCCM) provides information on the *Body Corporate and Community Management Act 1997* (BCCM Act).

More information about this legislation can be found online at [www.qld.gov.au/bodycorporate](http://www.qld.gov.au/bodycorporate) and specific information including [animals in a body corporate](#).

For general body corporate information, contact BCCM on 1800 060 119 or in writing via [www.qld.gov.au/bodycorporatequestion](http://www.qld.gov.au/bodycorporatequestion).

We strongly encourage Queensland tenants and property owners/managers to subscribe to the [BCCM Common Ground e-newsletter](#) to stay up to date on the latest announcements.

You can [watch a webinar](#) presented by the Residential Tenancies Authority and BCCM about negotiating renting with pets in community titles schemes.



# APPROVAL PROCESS FOR A TENANT BRINGING A PET ONTO BODY CORPORATE PROPERTY

