

PURPOSE

This document defines Evolve Housing Vic Limited's (EHVL) and the entities described in clause 3 of this policy (collectively referred to as "the Company's") policy regarding the conditions for allowing pets to be kept in Company property.

POLICY REFERENCE	VHS008
POLICY OWNER	Group General Manager Resident Services
APPROVED BY	Group Executive Team
APPROVAL DATE	September 2025
REVIEW DATE	September 2028

1. SCOPE

This policy applies to all Tenants of the Company

2. POLICY STATEMENT

The Company is committed to ensuring tenancies follow the *Residential Tenancies Act 1997 (Vic)*.

This policy outlines the circumstances under which Tenants are allowed to keep pets on Company property, which must be in accordance with the requirements of the *Domestic Animals Act 1994* (referred to as 'the Act' in this policy).

2.1 Approval to have a pet

A Tenant who lives in a Property that is owned or managed by the Company may be allowed to keep a pet under the following circumstances:

- The Tenant has written permission including details such as type, breed, and number of animals. from the Company to keep a pet on the Property; and
- The Property is suitable for the animal; and
- The pet does not interfere with the reasonable peace, comfort and privacy of neighbours; and
- The pet complies with the requirements of the Act i.e. the Tenant is responsible for ensuring the animal does not harm or threaten any other person or animal or cause a nuisance; and
- The pet complies with any relevant council requirements; and
- The owner ensures their animal does not cause a nuisance by persistently making a noise, straying or interfering with other people's property, and
- If the pet is a dog, the owner ensures the dog is properly contained on the property.

- ☐ Once a Tenant seeks written permission from the Company, the Company has 14 days after receiving the request to make a decision. If the Company consents to the Tenant keeping the pet, this consent is to be given in writing. If the Company does not consent to the Tenant keeping the pet, the Company will apply to the Victorian Civil and Administrative Tribunal (VCAT) and notify the Tenant that the Company has lodged an application with VCAT to have the pet request refused. Consent is automatically granted if no VCAT application is made within the 14-day period.

2.2 Restrictions on having a pet

A landlord cannot unreasonably refuse a request from a tenant to keep a pet unless approval is obtained from VCAT. Pets can potentially be prohibited by private property owners, strata by-laws and local councils if they are deemed incompatible with the property, cause damage or pose a health risk.. . All applications will be assessed on a case-by-case basis.

2.3 Restricted or dangerous dogs

Restricted Dogs are not permitted on Company property. The Domestic Animal Act 1994, defines 'Restricted Dogs' as including:

- Pit Bull Terriers;
- Perro de Presa Canario (or Presa Canario) otherwise known as Brazilian fighting dogs;
- Argentinian fighting dogs (dogo Argentino);
- Japanese Tosa;
- Fila Brasileiro; or
- any dog declared by the local Council, under the Domestic Animals Act 1994 (Vic), or identified by the Regulations or by Australian Customs and Border Protection, to be restricted

Restricted Dogs may also include other dogs such as guard dogs used by security personnel.

For the purposes of this policy, Restricted Dogs also include dangerous dogs which are described by the Act as those that have been declared dangerous by a local council or local court. The Tenant must comply with court or council orders regarding action to be taken in relation to a dangerous dog.

2.4 Pet owner responsibilities

Pet owners have a number of obligations and responsibilities towards other members of the community as well as their pet.

- Keep animals under effective control at all times.
- Prevent animals from creating a nuisance or safety risk (e.g. persistent barking, aggressive behaviour, property damage).
- Ensure the animal is not left to roam and is securely housed.
- Cover the cost of any damage caused by the animal
- Comply with all council requirements, including registration, microchipping, and desexing.

If an animal damages the Property or creates a nuisance for the neighbours, the Tenant may be requested to remove the animal. Failure to do so may result in the Company taking action at VCAT for an order requiring the Tenant to comply with the request.

2.5 Emotional Support and Assistance Animals.

Guide Dogs Emotional Support Animals - Emotional Support Animals (ESAs) are not legally recognized as assistance animals. They are considered pets that provide comfort and companionship but do not have the same rights as Assistance Dogs. They are considered standard pets.

Assistance Animals - Assistance Dogs are recognized under the Disability Discrimination Act 1992. The Equal Opportunity Act 2010 (the Act) protects people with disabilities from discrimination. This includes protection from discrimination because a person has an assistance dog. The Act specifically says that it is unlawful to refuse to provide accommodation to a person with a disability because they have an assistance dog. No consent is required from the landlord or property manager to keep a legally defined assistance animal. Verification may include documentation showing the animal is: Trained to assist a person with a disability, and Meets standards of hygiene and behaviour appropriate for an animal in a public space.

- ☐ Guide Dogs - The rights of guide dog users are covered under the Domestic Animals Act 1994 and the Disability Discrimination Act 1992 — both of which override the Health Act, which prohibits dogs from entering food premises. No consent is required from the landlord or property manager to keep a legally defined Guide Dog. The tenant is required to supply reasonable evidence of disability and evidence of the animal's role and training. Such as:
 - ☐ A letter or medical certificate from a registered health practitioner (e.g. GP, psychologist, psychiatrist) confirming the person has a disability as defined under the Disability Discrimination Act 1992 (Cth).
 - ☐ Evidence of the animal's role and training. Documentation showing the animal has been trained to assist the person with their disability, including:
 - A certificate from a recognised training organisation (e.g., Guide Dogs Victoria, Assistance Dogs Australia).
 - A letter from a qualified trainer or organisation confirming the animal:
 - Has been trained to assist the person in managing their disability, and
 - Meets standards of hygiene and behaviour appropriate for access to public places.
 - ☐ Guide Dogs – Specific Documentation
 - Identification from a recognised body such as Guide Dogs Victoria, which may include:
 - A branded harness or identification badge.
 - Registration or handler ID card issued by a guide dog association.
 - ☐ Local Council Registration (if applicable). While not legally required for verification, proof that the animal is registered as an assistance animal with the local council may support the claim.

3. APPLICABILITY

This policy applies to:

Company
Evolve Housing Vic Limited
EchoRealty Vic Limited
Evolve Playford Limited
Evolve Rosanna Limited
Evolve Sunshine Limited

4. DEFINITIONS

- Property – the property or residential premises as described in the Residential Tenancy Agreement between EHVL and the Tenant
- Resident – a person who resides on a permanent basis in a property which is owned or managed by EHVL under a Residential Tenancy Agreement (includes a Tenant)
- Residential Tenancy Agreement (or Tenancy Agreement) – a written agreement between EHVL (as Landlord) and a Tenant, which governs the terms on which that Tenant occupies the property described in the Agreement.
- Tenant – a person who signs the Residential Tenancy Agreement with EHVL and who has certain rights and obligations under that Agreement
- VCAT – The Victorian Civil & Administrative Tribunal is an independent Victorian statutory body which resolves a wide range of disputes including tenancy and other residential property issues. VCAT decisions must be followed and are enforceable.

5. RELATED RESOURCES

- Domestic Animals Act 1994 (Vic) along with their associated Regulations and Codes of Practice
- Residential Tenancies Act 1997 (Vic)
- Residential Tenancies Amendment Act 2018 (Vic) along with their associated Regulations and Codes of Practice
- Prevention of Cruelty to Animals Act 1986 (Vic) along with their associated Regulations and Codes of Practice
- EHVL Neighbour Disputes Policy
- EHVL Zero Tolerance to Violence Policy

6. VERSION CONTROL

Date Approved	Policy Reviewer	Key Changes
1/03/2022	GAL	Policy adopted
21/05/2025	Micheal Jackson	Legislative update and expansion of support animals