



August 30, 2018

Honorable Council President Wesson  
and Members of the City Council  
200 N. Spring St., Room 440  
Los Angeles, CA 90012

Via Electronic Communication

***RE: Council File 18-0350 - Pet-Friendly Housing Motion***

Dear Council President Wesson and Members of the City Council:

On behalf of the American Society for the Prevention of Cruelty to Animals (ASPCA), I am writing to express our support for Council File 18-0350 to require that all housing built using taxpayer dollars that pass through the City's housing finance mechanisms allow tenants to have pets (Motion). The Motion would create new pet-friendly housing for households struggling with a choice of keeping a roof over their head and relinquishing their pet to a shelter. We thank you for your leadership in acknowledging the significant role that the City can take in avoiding this grim decision.

Founded in 1866, the ASPCA was the first humane society to be established in North America and is today one of the largest in the world. The ASPCA believes that pets and people belong together; that financial circumstances alone are not reliable indicators of the capacity to love and care for a companion animal, and that strong bonds between people and pets make for stronger communities. Unfortunately, every year tens of thousands of dogs and cats are relinquished to California's animal shelter due to housing-related issues. From our direct care of companion animals, our work with animal welfare agencies, veterinarians, law enforcement and policy makers and our own research, we have learned that there are a variety of challenging circumstances that can cause pets to lose their homes. Poverty, short term emergencies, illness, lack of affordable, accessible vet care, and a shortage of pet-friendly housing can conspire to force even the most devoted pet owner to relinquish a beloved pet to a local shelter or rescue group.

A national study conducted by the ASPCA revealed that those who rent are more likely to need to rehome their pets for housing issues than for any other reason.<sup>1</sup> A primary housing issue cited by families relinquishing is financial eviction from their current housing and a lack of suitable pet-friendly alternatives in the rental market. For example, in Los Angeles, housing was a reason given for roughly 23 percent of dog surrenders and 19 percent of cat surrenders between 2011 and 2015. This equates to approximately 30,000 dogs and cats being surrendered each year in Los Angeles alone. Historically, 50% of these pets will ultimately be euthanized.

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<sup>1</sup> Weiss, E., Gramann, S., Spain, V., & Slater, M. (2015). Goodbye to a good friend: An exploration of the re-homing of cats and dogs in the U.S. *Open Journal of Animal Sciences*. 5: 435- 456.



The Motion would require that housing units financed by the City be pet-friendly. This would result in much-needed pet-friendly housing being added to the market and would build on and complement the strong commitments of both the federal and state governments in supporting pet-friendly housing opportunities. The federal Department of Housing and Urban Development (HUD) has required all of its public housing and all HUD-insured and/or –financed housing for senior or disabled households to be pet-friendly since 2000 and 2008 respectively.<sup>2</sup> In addition, the State of California passed a law in 2017 to require that all housing financed by the Department of Housing and Community Development (HCD) to allow pets.<sup>3</sup> The City’s commitment to pet-friendly housing would maximize the number of pet-friendly option for Los Angeles residents and reduce intake pressure on City animal shelters resulting from housing-related relinquishment.

A primary reason that both the state and federal governments have made significant commitments to pet-friendly housing is an acknowledgement that allowing pets is a significant way to contribute to the overall well-being of the families living in affordable housing. According to the Centers for Disease Control and Prevention, pets have positive impacts at nearly every stage of life.<sup>4</sup> Pets influence social, emotional, and cognitive development in children, promote an active lifestyle, and have been able to detect oncoming epileptic seizures or the presence of certain cancers. Research has shown that cats provide emotional support, improve moods, and contribute to the overall morale of their owners. Cats are also credited with promoting socialization among the elderly and physically or mentally disabled people. Furthermore, people with pets tend to have lower blood pressure, cholesterol and triglyceride levels. These benefits are consistent with goals to holistically address the social, economic, and health outcomes for residents of affordable housing. As such, pet-friendly housing promotes happier and healthier families, better futures for the family pet, and a reduced financial burden to animal shelters and the public.

According to the HCD, California’s ongoing housing crisis “is worse than ever.”<sup>5</sup> HCD’s recent report, *“California’s Housing Future: Challenges and Opportunities California”*, states that housing production has averaged less than 80,000 new homes annually over the last 10 years, and ongoing production continues to fall far below the projected need of 180,000 new homes annually. Furthermore, home ownership is at its lowest level since the 1940s.

The lack of supply of new housing has resulted in historically low vacancies and high rents in the rental market. While renters may have difficulty finding suitable housing options in the market, those households with pets are confronted with an even greater challenge. The tight rental market means landlords can be more discerning in the types of households they rent to and often exclude potential tenants with pets.

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<sup>2</sup> Pet Ownership in Public Housing, 24 CFR 960, <https://www.law.cornell.edu/cfr/text/24/part-960/subpart-G> (March 29, 2000); Pet Ownership for the Elderly and Persons With Disabilities, 24 CFR Part 5, Subpart C, <https://www.law.cornell.edu/cfr/text/24/part-5/subpart-C> (Nov. 26, 2008).

<sup>3</sup> AB 1137 (Maienschein), [http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill\\_id=201720180AB1137](http://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201720180AB1137).

<sup>4</sup> Healthy Pets Healthy People, Centers for Disease Control and Prevention <https://www.cdc.gov/healthypets/health-benefits/index.html> (April 30, 2014).

<sup>5</sup> Liam Dillon, The Los Angeles Times, <http://www.latimes.com/politics/essential/la-pol-ca-essential-politics-updates-california-housing-affordability-1483490282-htlmstory.html> (Jan. 3, 2017).



One reason for this may be that many landlords have an unsubstantiated belief that households with pets will become a financial or social burden for their communities. In fact, a recent study found that there is little if any difference in damage between tenants with and without pets and, in fact, there are a number of benefits that both landlords and the community realize when pets are allowed.<sup>6</sup> While some issues can arise within a community with pets, many can be addressed through property design and the tenant intake process. In fact, with some forethought, the presence of pets can become a means for building community within a development. The ASPCA stands prepared to assist the City as it considers and adopts best practices for developments being financed and constructed under the proposed pet-friendly policy. And, in fact, we have developed a document to guide the City in evaluating policy considerations in the implementation of the Motion (see attached).

The City has at its discretion the ability to open up much-needed pet-friendly housing opportunities, strengthen communities and families, and improve public health outcomes for those households affected. We thank you for your leadership in bringing this Motion forward so that fewer households are faced with the difficult decision of giving up their pet and keeping a roof over their head.

Sincerely,

A handwritten signature in black ink, appearing to read 'Susan Riggs', is positioned above the typed name.

Susan Lea Riggs  
Senior Legislative Director, Western Region

Attachment: Pet-Friendly Housing Policy Requirements and Consideration

cc: Adam Lid, Office of the Los Angeles City Clerk

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<sup>6</sup> *Companion Animal Renters Study: The Market for Rental Housing for People with Pets*, The Pet Savers Foundation, <https://www.petfinder.com/dogs/living-with-your-dog/pet-friendly-housing-study/> (2004).



### **Pet-Friendly Housing Policy Requirements and Consideration**

1. Purpose of Pet Policies - Pet Policies are intended to address the respective needs of management, pet-owning tenants, and non-pet owning tenants, as well as the needs of the pets themselves. The construction and implementation of a policy should create a harmonious co-existence of everyone living and working at the property by fostering respect, cooperation, and consideration. A policy should clearly lay out the expectations and agreements made.
2. Landlord Authorization – Consider a lease addendum or pet agreement, request photo and other identifying information about the pet(s).
3. Exemptions for Assistive Animals – Federal Fair Housing laws (42 U.S.C. 3601 et seq.) prohibit discrimination in the sale or rental of a dwelling to a buyer or renter because of a handicap. Discrimination includes, under 42 U.S.C. 3604(f)(3)(B), “a refusal to make reasonable accommodations in rules, policies, practices, or services, when such accommodations may be necessary to afford such person equal opportunity to use and enjoy a dwelling.” For purposes of the Act, an assistive animal is not a pet and are not subject to pet prohibitions or regulations. On August 17, 2018, the California Fair Employment and Housing Council adopted regulations pertaining to the reasonable accommodations in housing for assistive animals. The regulations are under review by the Office of Administrative Law and expected to be placed in effect by January 2019. <https://www.dfeh.ca.gov/wp-content/uploads/sites/32/2018/08/AttachE-UnmodifiedTextOfFairHousingRegulations.pdf>
4. Visitor’s Pets – Does landlord allow tenants to have visiting pets? What period of time? Registration or other permission required?
5. Ensure Compliance with Local Laws – Consider requiring proof of licensing and vaccination on an annual basis. Pet owners must maintain pets responsibly, in accordance with applicable state and local public health, animal control, and animal cruelty laws and regulations.
6. No Breed Restrictions – Breed restrictions are prohibited by state law (HSC §§ 122330-122331).
7. Number, size, and types of pets - Pet ownership may be limited to common household pets, which should be defined. Typically, these policies define “household pets” to include only dogs, cats, birds commonly kept as pets, tropical fish, frogs, iguanas and turtles kept in aquariums and no other species of animal. The size of a dog is not directly related to its desirability as a resident. Larger dogs are often more docile, quieter and more affectionate than smaller dogs. An older dog will probably be quieter than a younger dog no matter what its size. We recommend that the size of pets not be specifically limited. However, pet owners should be able to maintain control over their pets at all times.
8. Pet Deposits – Security deposits are limited under California law to two months’ rent, in the case of unfurnished residential property, and three months’ rent, in the case of furnished residential property (Civil Code §1950.5). A landlord can require a pet deposit, but the sum of the two must not exceed the maximum allowed by law. In addition, the use of the security deposit is strictly limited to unpaid rent and specific damages under the law. If an additional deposit is charged by the landlord for a pet, it should be reasonable and refundable. The landlord can require the payment in one sum at the beginning of the lease term; however, a gradual payment over the term of the lease is preferred in order to accommodate the financial constraints of low income



households. Arrangements may be made to allow the tenant to pay the deposit over a period of time.

9. Liability - Pet owners should be notified that they will be liable for damage caused by their pets on the property. While it is strongly suggested that pet owners obtain liability insurance, it is recognized that this is not possible for many tenants. The landlord may wish to augment their insurance policy to ensure that damage to person or property on their property is covered.
10. Pet Rules – A landlord should be clear about their expectations for pet owners. They should designate at least one common area for pets to relieve themselves. They should require pet waste to be appropriately removed by the pet owner and may consider a small fine for those violating the requirement. Pet waste bags should be provided by the landlord. Pets should be restrained (cats and dogs must be leashed) when on development property outside the owner’s apartment. If the housing manager designates a specific fenced pet walking area, pets could be unrestrained in those areas.
11. Emergencies – Landlords should be provided the name and contact information for a pet caretaker who will assume responsibility for the care of their pet(s) should the owner become unable to care for the pet. This information should be updated annually.
12. Best Practice - Each housing development may consider establishing a “Pet Committee” made up of interested residents in the project. The Pet Committee could visit with each new pet owner to explain specific procedures in the project and distribute helpful materials, such as documents listing telephone numbers of community resource groups that can assist pet owners. The committee could assist the landlord in addressing any written complaints against pet owners and work with the pet owner to resolve the complaints. The committee could also suggest policies appropriate to their pets particular building and might compile a list of non-pet owners willing to exercise or care for pets in an emergency for a reasonable fee.