

# Pets in strata complex

## Overview

If you are going to rent or purchase in a strata titled complex and you have a pet or would like to get one, you must have the permission from the body corporate prior to keeping any animal.

Being told by the real estate agent that the building is pet-friendly is not enough.

## What are the standards / legislation?

The Body Corporate and Community management Act states the following:

### Keeping of animals

- (1) The occupier of a lot must not, without the body corporate's written approval—
  - (a) bring or keep an animal on the lot or the common property; or
  - (b) permit an invitee to bring or keep an animal on the lot or the common property.
- (2) The occupier must obtain the body corporate's written approval before bringing, or permitting an invitee to bring, an animal onto the lot or the common property.

### Guide, hearing and assistance dogs

- (1) A person with a disability under the *Guide, Hearing and Assistance Dogs Act 2009* who relies on a guide, hearing or assistance dog and who has the right to be on a lot included in a community titles scheme, or on the common property, has the right to be accompanied by a guide, hearing or assistance dog while on the lot or common property.
- (2) A person mentioned in subsection (1) who is the owner or occupier of a lot included in a community titles scheme has the right to keep a guide, hearing or assistance dog on the lot.
- (3) A by-law can not exclude or restrict a right given by this section.

The committee is empowered to act for the body corporate in regards to pet approvals and must put in place the lawful decisions of the body corporate unless pet approvals have been made a restricted issue for the committee, then it would have to go to a vote of all owners .

## What steps do we take?

Prior to purchasing a pet or bringing it into the complex you need to send a written request to the body corporate seeking permission. To ensure your body corporate can make an informed decision by ensuring all relevant details are provided, we have prepared an '**Pet Application**' form that you can complete and send to your body corporate .

The application requires the following information:

- Describe your pet, including his or her size, age, and appearance & breed
- Give details of your pet's disposition – if your pet is docile or friendly
- If your pet has undergone obedience or other behavioural training
- show that you are a responsible pet owner by having proof of registration/micro chipping, desexing and all necessary vaccinations
- if you have kept your pet in a strata scheme or other residence previously, include references from your former landlords or neighbours that specifically mention the behaviour of your pet
- If you are in a rental property your application should be submitted to the body corporate by the owner of the lot.

## FAQ

### Q. How long does it take for the body corporate to make their decision?

**A.** The Body Corporate committee must act reasonably & generally makes a prompt decision within a reasonable time frame. If the committee cannot or does not make a decision on the lot owner's request, the lot owner can present their proposal as a motion for the body corporate to vote on at a general meeting.

### Q. What if consent is refused?

**A.** If you believe that a body corporate has unreasonably withheld consent to the keeping of your pet, you may wish to pursue it via the BCCM dispute resolution service. The BCCM Act states that the Commissioner's office must provide a dispute resolution service. The dispute resolution service: Encourages parties to resolve disputes themselves through self resolution.

Encourages parties to engage in conciliation in an attempt to settle the dispute.

Resolves disputes through adjudication, in the event that the matter cannot be settled.

## Contact – Body Corporate Services



## Benefits of meeting your strata obligations

It is important to investigate the bylaws of any complex you are interested in living in before you commit to live there.

Maximise enjoyment and minimise problems by ensuring you have body corporate approval prior to bringing a pet into your home.

By ensuring you have permission will also ensure you are fully aware of restrictions and conditions relating to the approval.

A landlord may be happy for you to keep a pet but the body corporate may refuse the request.

If you are purchasing a unit ensure your contract of sale is subject to the body corporate approving the keeping of your pet.

## Body corporate and community management Commissioners office Information Service

**Address:** Level 4, Brisbane

Magistrate's Court

363 George Street

Brisbane QLD 4000

**Free call Phone: 1800 060 119**



# Request to keep a pet

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Applicant name \_\_\_\_\_

CTS no. / Property Name \_\_\_\_\_

Lot Number / Address \_\_\_\_\_

\_\_\_\_\_

Phone no. / Email address \_\_\_\_\_

Your status (please tick)    Owner     Tenant     Agent     Other \_\_\_\_\_

*\* Tenants\_ please attach to this application, written permission from the unit owner and/or their agent for you to keep a pet in the unit. Application will not be considered without this written permission*

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Pet details	Description/size/age/appearance/type
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

Pet's disposition/behaviour/habits

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\* Please attach a colour picture of the pet

*\* Please note typical conditions imposed by body corporate committees as follows:*

- the approval is given for the specific animal only. A new approval would be required for any additional and or replacement animal.
- the occupier must ensure that the animal is kept within the lot and not allowed to roam, dig, soil or otherwise damage common property or another lot except that the animal may be transported across common property to provide access to and from the lot.
- the animal must be kept in compliance with all statutory and or governmental regulations in respect with the care, keeping and control of such animals.
- the animal must be vaccinated if/as recommended by a practising Veterinary Surgeon and evidence of compliance must be supplied to the Body Corporate within seven days of request.
- the occupier of the lot in which the animal is being kept shall indemnify and keep indemnified the Body Corporate and or the owner or occupant of any other lot within the scheme against any injury, damage, loss or expense, legal or otherwise, incurred or suffered as a result of the animal being on scheme land.
- if the animal:
  - causes damage to, roams, or soils the common property or any other lot and/or
  - causes injury or death to any other animal (including any wildlife) on the common property or any other lot; and/or
  - causes noise or nuisance to any other lot occupier or person lawfully using the common property.

The Body Corporate reserves the right to withdraw the approval and require that the animal be removed from scheme land. What constitutes damage, noise or nuisance shall be decided by the Body Corporate in its sole discretion acting reasonably.

**Galleon Park Waters Body Corporate require that all dogs and cats are microchipped and registered with the Gold Coast City Council (GCCC) prior to bringing the pet into Galleon Park Waters.**

*Please tick to indicate below as applicable.*

Microchipped  Yes (Evidence attached) OR  Will be upon approval of this application\*

Registered  Yes (Evidence attached) OR  Will be upon approval of this application\*

*\*Evidence is to be provided to the Body Corporate upon approval of this application and prior to the pet being brought into Galleon Park Waters.*

Signed..... Date.....

*\* Please ensure this application form is signed and dated prior to submitting to your BCS office*