

# Assembly Bill 2743 (Pedro Nava) Animal Restrictions on Renters

## Reason AB 2743 is Necessary

Eight local governments in California have recently banned the practice of cat declawing, recognizing the practice as inhumane. A search of rental listings throughout California, however, shows a number of properties with landlords and managers requiring that potential owners will be considered only with declawed cats. Declawing can often have unintended consequences for property managers, physical complications for animals, and emotional and financial consequences for pet owners.

### Existing Law

According to the federal **Housing and Urban Development Department (HUD)** policy on Pets in General Occupancy Developments, **24 CFR 960.707 (c)**, public housing authorities are prohibited from requiring that pet owners remove their pet's vocal chords; and

Representatives Marcy Kaptur (D-Ohio) and John Olver (D-Massachusetts), Chairman of the House Budget Subcommittee that oversees HUD's budget, authored the following language approved for inclusion in the **2007 House Appropriations Bill**:

#### **Appropriations Bill:**

"The Committee is concerned about reports that some Public Housing Authorities are requiring residents to declaw their pet cats, although HUD regulations do not contain such a requirement. Declawing is a painful procedure for pets which is almost never medically or behaviorally necessary. The Committee urges HUD to notify all PHAs that declawing is not required in public housing under HUD policy. The Committee further encourages HUD to consider adding an additional clause at the end of Section 960.707(c) of agency regulations which would prohibit PHAs from requiring declawing."

### This Bill

AB 2743 (Nava):

- Makes it illegal for a landlord to require declawing or devocalization as a condition of tenancy.

- Assesses a civil fine of \$2,500 for each instance of declawing or devocalization as a result of a landlord-tenant agreement.

### Facts

- "Devocalization" (also known as debarking, bark softening, ventriculocordectomy and vocal cordectomy) is a surgical procedure applied to dogs and cats, where tissue is removed from the animal's vocal cords in order to permanently reduce the volume of their vocalizations.
- Devocalization is outlawed as a form of mutilation in the United Kingdom
- "Declawing" or onychectomy, is an operation to surgically remove an animal's claws by means of amputating of all or part of the distal phalanx, or end bones, of the animal's toes.
- Declawing is uncommon outside North America, and laws governing its practice vary. Many European countries prohibit or significantly restrict the practice, as do Australia, New Zealand, and Turkey.

### Facts (continued)

- A 2001 report in the *Journal of the American Veterinary Medical Association (JAVMA)* by Yeon, et al., states that 33% of cats suffer at least one behavioral problem after declaw or tendonectomy surgery. The study also concluded that 17.9% had an increase in biting frequency or intensity and that 15.4% would not use a litter box.

- A 1998 report in *JAVMA* by Jankowski, concludes that acute complications “develop in up to a half of onychectomized cats. Long term complications of the procedure [are] reported for about a fifth of onychectomized cats.”
- Litter box avoidance in cats can lead to urine smelling and soaked carpets, floors, and baseboards. Declawing can, in some cases, also lead to increased biting by cats.
- Eight local governments in California have recently banned the practice of cat declawing (Berkeley, Beverly Hills, Burbank, Culver City, Los Angeles, San Francisco, Santa Monica, West Hollywood), recognizing the practice as inhumane.

## **Comments**

There are a number of humane alternatives to cat declawing including:

- Nail trimming
- Scratch posts
- Cardboard scratch pads
- Sticky Paws (double-sided sticky tape)
- Soft Paws

Landlords may also:

- Include language in contracts making tenants liable for pet-related damage;
- Require that tenants supply their cats with scratching posts;
- Require an additional refundable security deposit or “pet deposit;”
- Provide scratching posts to tenants with cats;
- For furnished apartments, select fabrics that are less likely to appeal to cats.

## **Support**

Paw Project (Sponsor)

## **Opposition**

## **Votes**

## **For More Information**

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