

# THE ANIMAL COUNCIL

P.O. Box 168, Millbrae CA 94030

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April 26, 2012

Via Facsimile 916-445-8390

The Honorable Noreen Evans, Chair and The Honorable Tom Harman, Vice-Chair  
Senate Committee on Judiciary - Attention: Bill Consultant  
State Capitol, Room 2187  
Sacramento CA 95814

Re: SB 1229, as amended March 29, 2012, Real Property Rentals, Animals- OPPOSE

Dear Ms. Evans, Mr. Harman and Members:

Please register our opposition to the above-captioned bill and include our organization on your Committee's Bill Analysis opposition list with our apology for the late date of this letter. We had opposed the 2010 version of SB 1229, AB 2743, which was vetoed by Governor Schwarzenegger, and we must again oppose this bill.

These bills pose non-existent issues to de-legitimize, surreptitiously, elective veterinary procedure unrelated to any tenancies. In plain English – “declawing” cats and “debarking” dogs, that are otherwise lawful veterinary practice in California as determined through the veterinarian-client relationship in regard to an individual animal patient of the owner-client. The widely expanded wording of procedures beyond the usual species by using non-specific “animal” would be comical if not signaling future intent of others to seek outright prohibition. Otherwise, there is no reason to codify unrealistic terminology. As typically and selectively performed only selectively with small numbers of patients in limited circumstances, only de-barking of dogs would be a realistic occurrence in rental occupancies. Unlike cats that would only damage the premises for which the tenant would be liable for repairs, other tenants and outside neighbors hear dogs’ noise and may be greatly disturbed. Such barking may or may not reach the threshold for legal action under local animal, noise or nuisance ordinance. Landlords have some legal liabilities in nuisances on their owned premises, so the prospect of legal enforcement arising from mention of de-barking creates a disincentive to offer or negotiate pet tenancies, particularly if tenants will not mitigate barking or dispose of the animal. We respectfully oppose this disingenuous bill as harmful to both pets, and tenants and as an initial step to eliminate these options for any pet owners to keep their pets anywhere.

THE ANIMAL COUNCIL (TAC) is a California nonprofit, public benefit corporation founded in 1991 to seek positive, humane solutions to the challenges of detrimental animal public policies, legislation and regulation through study, analysis and application of animal husbandry, statistics and law, and at the same time preserve human benefit from all species, breeds and registries.

Very truly yours,



SHARON A. COLEMAN

President, The Animal Council

Cc: Authors, Members

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