



# WA Rent Reforms

## Protecting a landlord's right to a fair deal

### What you need to know

The WA Rent Reforms provide the freedom for tenants to make a rental feel like home, whilst offering landlords the ability to control their property. The individual reforms will come into effect in stages between May 2024 and early to mid-2025-2025.

### What the WA rent reforms mean for landlords and their agents

#### As of 16 May 2024:

#### **Rent bidding is prohibited.**

Landlords and their agents will be prohibited from asking or pressuring prospective tenants to pay more than the advertised rental amount to secure the tenancy (rent bidding). They must advertise or list the rental premises for a rent at a fixed amount and not in a range or "from" a particular amount. Landlords or their agents may accept above the advertised rate if freely offered by the prospective tenant. If a landlord or their agent asks or encourages a prospective tenant to offer more money, you may be breaking the law. Failure to comply with these laws may attract penalties of up to \$10,000 or \$50,000 for a corporation.

#### **Retaliatory action.**

If a renter believes they have been unfairly treated by their landlord or agent for exercising their rental rights, they can challenge that action in the Magistrate's Court. For example, if the tenant thinks the landlord or agent took retaliatory action such as a breach notice, rent was significantly increased, or their tenancy agreement was not renewed because they asked for some basic maintenance or made a complaint, they may now apply to the Magistrates Court for relief.

#### As of July 2024:

#### **Rent increases to be limited to a minimum of once per 12 months.**

The minimum period between rent increases will be 12 months. Landlords and agents will not be able to use a series of shorter fixed term agreements to increase the rent more frequently because two or more fixed term tenancy agreements for the same parties and the same property will be treated as one continuous agreement.

## **Pets are allowed however permission must be sought.**

In most cases pets are allowed, however renters must seek permission from their landlord or agent. Landlords or agents can refuse if a written law, local law or strata by-law specifically prevents pets, or they can prove a 'good reason' to the Consumer Protection Commissioner – for example the property is not suitable for a dog because it is not fully fenced. A landlord can place 'reasonable conditions' on having a pet – for example a bird must remain in a cage, or the carpets must be professionally cleaned at the end of the tenancy. A landlord or agent can use the pet bond to clean mess and fix damage a pet has caused.

## **Tenants can seek permission to undertake minor modifications.**

To help make a rental feel like a home, small, personalised changes (known as minor modifications) will be allowed in most cases, however renters must seek permission. The types of modifications have not yet been settled but are likely to include things like picture hooks, LED light bulbs that do not need new fittings, curtains, blind cord anchors, adhesive child safety locks, painting of a room in the premises, vegetable garden, flyscreens on doors and windows. Landlords or agents can refuse if a by-law specifically prevents a change; and a landlord or agent may be able to place reasonable conditions on minor changes. Tenants will be required to restore premises or pay reasonable costs of restoration at the end of the tenancy unless otherwise agreed.

## **The Commissioner for Consumer Protection will determine disputes relating to bond release, pets, and minor modifications.**

Disputes over renters' rights to have a pet, make minor changes to a property, and bond release payments will no longer have to go to court. The Commissioner will make a written determination based on evidence supplied by the parties. Parties will be provided with written reasons for the decision. Parties will have a right of appeal to the Magistrates Court if they are not happy with the Commissioner's decision. Renters, landlords and agents can make their case online.

## **As of January – June 2025**

### **Bond release applications can be made to the Commissioner for Consumer Protection.**

A new streamlined bond disposal process will be much simpler and prevent disputes from going to court. Either party may apply to the Bond Administrator for release of the security bond, who will notify the other party about the application. If the parties agree, the Bond Administrator will release the bond. If there is a dispute or one party does not respond, the Bond Administrator will refer the dispute to the Commissioner for Consumer Protection to determine.

## **For more information**

Web: <https://www.demirs.wa.gov.au/warentreforms>

### **Department of Energy, Mines, Industry Regulation and Safety**

[www.demirs.wa.gov.au](http://www.demirs.wa.gov.au)

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