

WA Rent Reforms

Protecting a tenant'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 tenants

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, known as "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 agent asks or encourages a prospective tenant to offer more money, they may be breaking the law and tenants are encouraged to contact Consumer Protection on 1300 30 40 54 to report this conduct.

Relief from retaliatory action to strengthen a tenant's rights.

The tenant may now apply to the Magistrates Court if they believe the landlord or agent is taking action against them for exercising their rental rights with regards to something like asking for repairs and maintenance. The tenant can apply to the Magistrates Court if the landlord or agent retaliated with a breach notice (other than non-payment of rent), a significant rent increase, or non-renewal of an agreement. Only the Magistrates Court can decide if the landlord or agent's action is retaliatory.

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.

Tenants given greater freedom to keep pets.

In most cases pets are allowed, however renters must seek permission by completing an approved form. Tenants will be permitted to keep a pet or pets at a rental premises unless the landlord has reasonable grounds to refuse the request. In some cases, the landlord or agent will need to apply to the Commissioner to show there is justification for refusing permission. The pet bond can be used to fix any damage caused by the pet as well as for fumigation.

Tenants given greater freedom to make minor modifications to the rental premises.

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, with the landlord only able to refuse consent in certain circumstances. The types of modifications that tenants may make 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. Tenants will be required to restore premises or pay reasonable costs of restoration at the end of the tenancy unless otherwise agreed.

Disputes relating to bond release, pets, and minor modifications no longer have to go to court.

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.

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>

Phone: Consumer Protection on 1300 30 40 54

Email: Consumer@dmirs.wa.gov.au

Department of Energy, Mines, Industry Regulation and Safety

www.demirs.wa.gov.au

Regional Offices:

Goldfields/Esperance	(08) 9021 9494
Great Southern	(08) 9842 8366
Kimberley	(08) 9191 8400
Mid West	(08) 9920 9800
North West	(08) 9185 0900
South West	(08) 9722 2888

Consumer Protection Division

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Call: 1300 30 40 54

Email: consumer@demirs.wa.gov.au
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