

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, while 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.

What the WA rent reforms mean for landlords and their agents

As of May 2024:

Rent bidding is prohibited.

Landlords and agents will be prohibited from asking or pressuring prospective tenants to pay more than the advertised rent to secure the tenancy (known as rent bidding). They must advertise or list the rental property for a rent at a fixed amount and not in a range or "from" a particular amount. Landlords or agents may accept above the advertised rate if freely offered by the prospective tenant.

Retaliatory action.

If a tenant believes their landlord or agent is taking action against them for exercising their rental rights, they can challenge that action in the Magistrate's Court. For example, the tenant can apply to the Magistrates Court, if they think the landlord or agent issued a breach notice, deliberately increased their rent, or did not renew their agreement because the tenant asked for some basic maintenance or made a complaint. 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. A series of shorter fixed term agreements will not be able to be used to increase 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 tenant's must seek permission from their landlord or agent. Landlords or agents can refuse the tenant's request 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 or agent 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 (minor modifications) will be allowed in most cases, however tenants 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, vegetable garden, flyscreens on doors and windows. Landlords or agents can refuse if a law or by-law specifically prevents a change, the property is heritage listed, the modification would disturb asbestos, or the refusal is approved by the Commissioner for Consumer Protection. A landlord or agent may be able to place reasonable conditions on minor changes. Tenants will be required to restore the property 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 tenants' 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. Tenants, 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 bond release process will be simpler and prevent disputes from going to court. Either party may apply to the Bond Administrator for release of the bond, who will notify all other parties 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 make a decision on how the bond should be disposed.

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

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Kimberley	(08) 9191 8400
Mid West	(08) 9920 9800
North West	(08) 9185 0900
South West	(08) 9722 2888

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