

09

RENTAL INCREASE CONTEST

Residential Tenancies Act 1997 (ACT) — Sections 64AAA–64C

Your rights when you receive a rent increase notice you believe is invalid or excessive

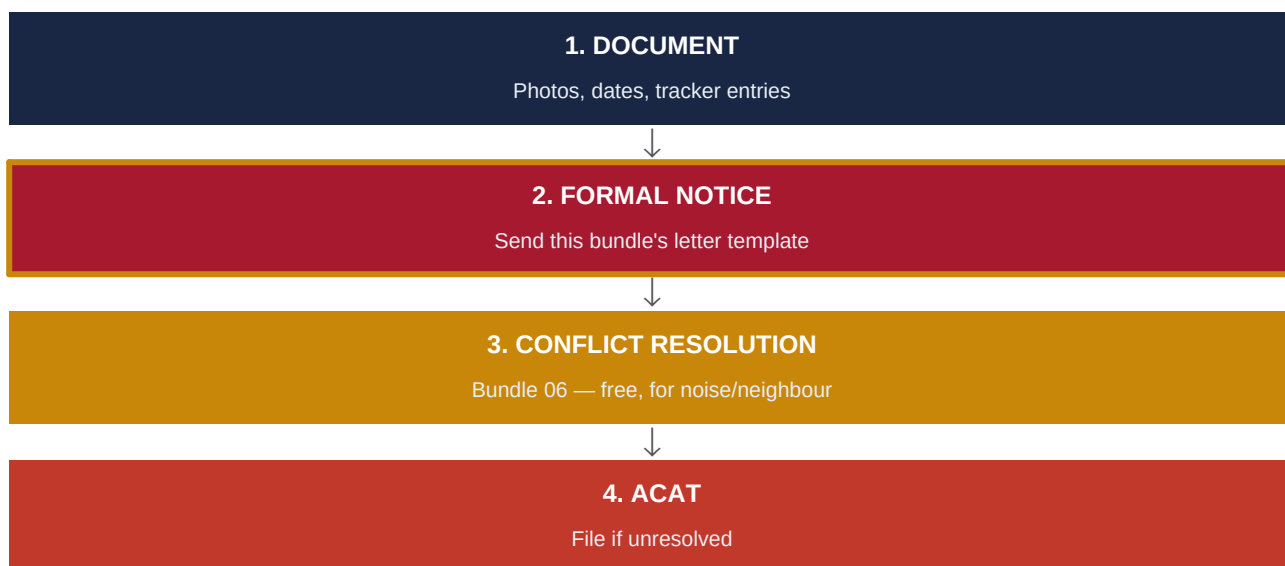
WHEN TO USE THIS BUNDLE

Use this bundle when you receive a rent increase notice that you believe is invalid (too soon after the last increase, or exceeding the regulation cap) or inconsistent with the current market.

KNOW THE LAW — CONTESTING A RENTAL INCREASE (SS.64AAA–64C)

Under s.64AAA, rent cannot be increased within 12 months of the start of the tenancy (first increase) or of the last increase (subsequent increases). Section 64B caps the amount of any increase by regulation. If you believe an increase is invalid or excessive, s.64C lets you apply to ACAT for a review.

HOW THE SYSTEM WORKS — YOUR ESCALATION PATH



The highlighted box shows where this bundle fits in the journey.

09

STEPS TO SUCCESS

Residential Tenancies Act 1997 (ACT) — Sections 64AAA–64C

01 Check the notice's validity first

Is this within 12 months of the last increase? Does it exceed the regulation-prescribed cap? An invalid notice has no legal effect.

02 Research comparable properties

Gather at least 3 comparable properties currently listed for rent in your area as supporting market evidence.

03 Respond in writing immediately

Note the date you received the notice and send a formal written contest as soon as possible.

04 Apply to ACAT under s.64C if the increase is excessive or non-compliant

This is your formal review right — use it if direct negotiation doesn't resolve the matter.

05 Continue paying current rent

Pay rent at the current rate until any valid increase lawfully takes effect.

IF YOU NEED TO ESCALATE — WHAT ACAT CAN ORDER

ACAT can set aside an invalid rent increase notice, or assess an excessive increase under s.64C and determine an appropriate rent.

★ GOOD TO KNOW — CHECK THE 12-MONTH RULE AND THE REGULATION CAP FIRST

Many rent increase notices are defective on process grounds alone — check the timing against s.64AAA and the amount against the s.64B regulation cap before assembling market evidence.

■ CRITICAL — AN INVALID NOTICE HAS NO LEGAL EFFECT

If the notice comes less than 12 months after the last increase, or exceeds the regulation-prescribed cap, it does not take effect — check this before anything else.

■ CRITICAL — SECTION 64C IS YOUR FORMAL REVIEW RIGHT

Use it directly if negotiation doesn't resolve an invalid or excessive increase.

1. COPY

Copy the letter below into a new email

2. FILL

Replace every **[bracketed]** field with your details

3. SEND

Email it — request a read receipt, save a copy

Fill in every **[bracketed]** field, then send via email — request a read receipt.

SUBJECT:

FORMAL CONTEST OF PROPOSED RENTAL INCREASE: **[Insert Property Address]**

1. NOTICE OF CONTEST

- I acknowledge receipt of your notice dated **[Insert Date of Notice]** proposing a rent increase from **[\$[Current Amount]]** to **[\$[Proposed Amount]]** per week, effective **[Proposed Date]**.
- I formally contest this increase pursuant to sections 64AAA–64C of the Residential Tenancies Act 1997 on the basis that: **[state basis — e.g., increase is within 12 months of the last increase / increase exceeds the regulation cap / increase is excessive compared to the current market]**.

2. MARKET EVIDENCE (IF APPLICABLE)

- Property 1: **[Address or listing link]** — **[\$[Amount]]** per week
- Property 2: **[Address or listing link]** — **[\$[Amount]]** per week
- Property 3: **[Address or listing link]** — **[\$[Amount]]** per week

3. ESCALATION PATH

- If this matter is not resolved directly, I will apply to ACAT under section 64C for a review.

Yours sincerely,

[Your Full Name]

[Property Address]

[Date]

[Contact Number / Email]