

09

RENTAL INCREASE CONTEST

Residential Tenancies Act 1995 (SA) — Section 55

SA — SACAT

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

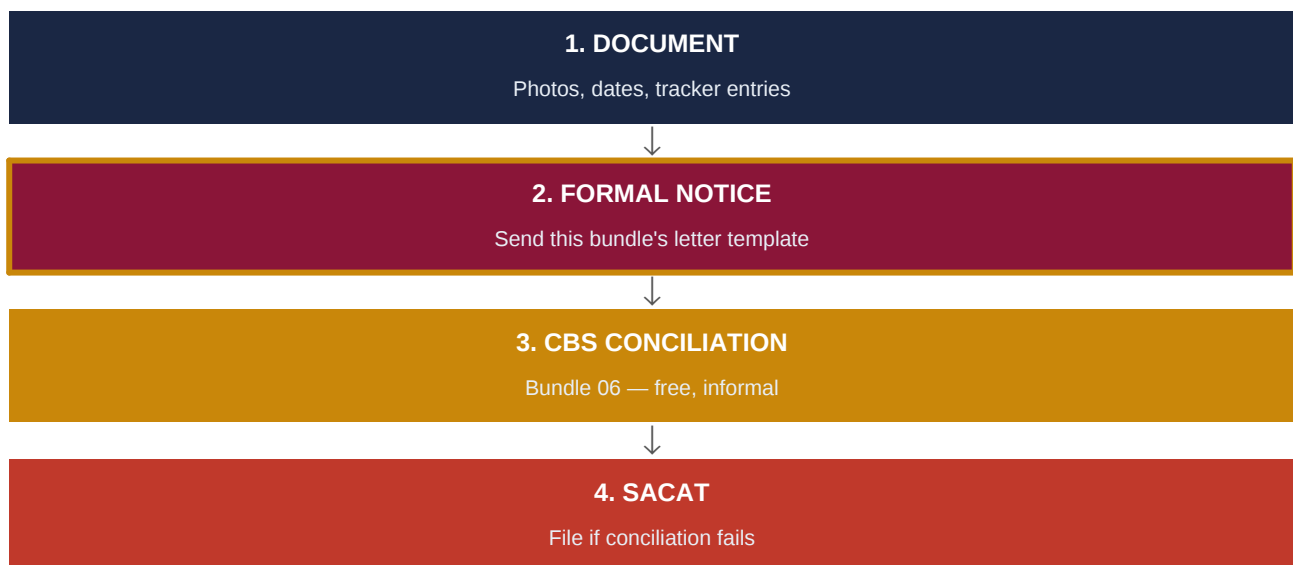
WHEN TO USE THIS BUNDLE

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

KNOW THE LAW — CONTESTING A RENTAL INCREASE (S.55)

Under Section 55 of the Residential Tenancies Act 1995, rent cannot be increased in the first 12 months of a tenancy, and cannot be increased again within 12 months of a previous increase. At least 60 days' written notice is required. If you believe an increase is excessive, you can apply to SACAT for an order — but this application must be made within 90 days of the notice.

HOW THE SYSTEM WORKS — YOUR ESCALATION PATH



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

01 Check the notice's validity first

Is this the first increase in 12 months? Was 60 days' written notice given? 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 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 SACAT within 90 days if the increase is excessive

This deadline is strict — mark it the day the notice arrives, don't wait to see if negotiation works first.

05 Continue paying current rent

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

IF YOU NEED TO ESCALATE — WHAT SACAT CAN ORDER

SACAT can set aside an invalid rent increase notice, or assess an excessive increase against market evidence and determine an appropriate rent — but only if you apply within 90 days of the notice.

★ GOOD TO KNOW — THE 90-DAY SACAT DEADLINE IS STRICT

Unlike an open-ended right to dispute, SA's excessive-rent challenge must be filed with SACAT within 90 days of the increase notice. Calculate this date the day the notice arrives.

■ CRITICAL — AN INVALID NOTICE HAS NO LEGAL EFFECT

If the notice fails the 60-day requirement or comes less than 12 months after the last increase, it does not take effect — check this before anything else.

■ CRITICAL — 90 DAYS TO APPLY TO SACAT — THE CLOCK IS RUNNING

Your right to challenge an excessive increase at SACAT expires 90 days after the notice. Calculate this deadline the day the notice arrives.

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 Section 55 of the Residential Tenancies Act 1995 on the basis that: **[state basis — e.g., notice period is under 60 days / increase is within 12 months of the last increase / 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 SACAT within the prescribed 90-day period.

Yours sincerely,

[Your Full Name]

[Property Address]

[Date]

[Contact Number / Email]