

09

RENTAL INCREASE CONTEST

Residential Tenancy Act 1997 (Tas) — Sections 20, 23

TAS —
Magistrates
Court

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

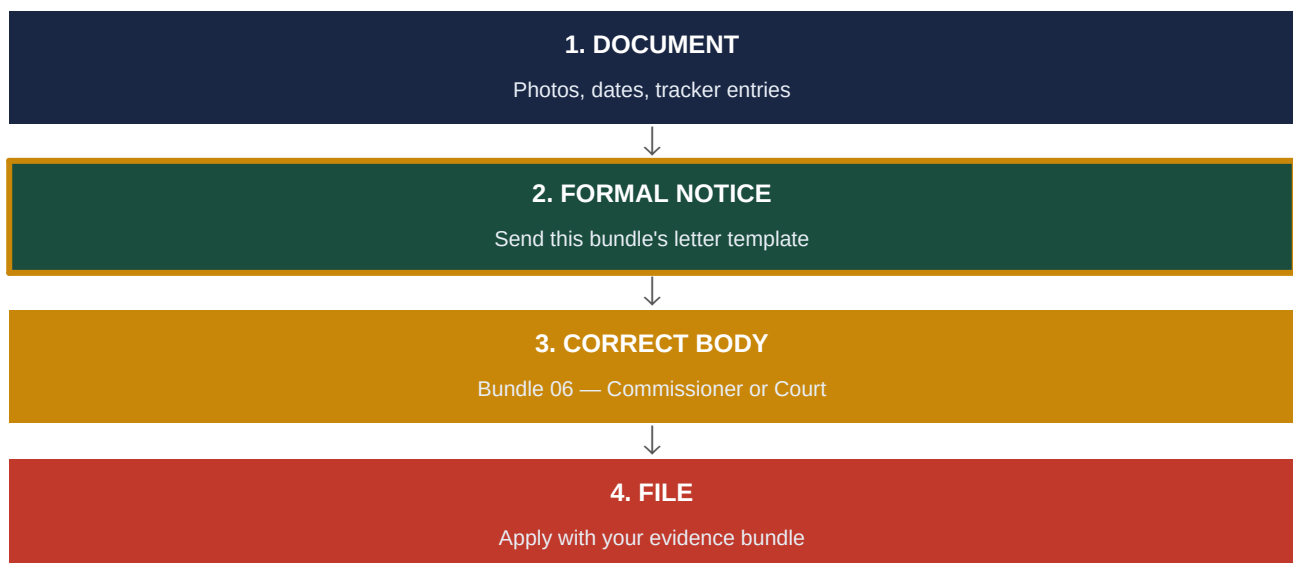
WHEN TO USE THIS BUNDLE

Use this bundle when you receive a rent increase notice that you believe is invalid (insufficient notice) or unreasonable compared to the current market.

KNOW THE LAW — CONTESTING A RENTAL INCREASE (SS.20, 23)

Under s.20, the owner must give you at least 60 days' written notice of a rent increase. If you believe the increase is unreasonable, s.23 lets you apply to the Residential Tenancy Commissioner.

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

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 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 the Residential Tenancy Commissioner under s.23

This is your formal review right for an unreasonable increase.

05 Continue paying current rent

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

IF YOU NEED TO ESCALATE — WHAT MAGISTRATES COURT CAN ORDER

The Residential Tenancy Commissioner can assess an unreasonable increase against market evidence under s.23 and determine an appropriate rent.

★ GOOD TO KNOW — CHECK THE 60-DAY NOTICE REQUIREMENT FIRST

Many rent increase notices are defective on process grounds alone — check the notice period before assembling market evidence for an unreasonableness argument.

■ CRITICAL — AN INVALID NOTICE HAS NO LEGAL EFFECT

If the notice fails the 60-day requirement, it does not take effect — check this before anything else.

■ CRITICAL — SECTION 23 IS YOUR FORMAL REVIEW RIGHT

Use it directly at the Residential Tenancy Commissioner if negotiation doesn't resolve an unreasonable increase.

1. COPY

Copy the letter below into a new email

2. FILLReplace 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 20 and 23 of the Residential Tenancy Act 1997 on the basis that: **[state basis — e.g., notice period is under 60 days / increase is unreasonable 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 the Residential Tenancy Commissioner under section 23.

Yours sincerely,**[Your Full Name]****[Property Address]****[Date]****[Contact Number / Email]**