

08

RENTAL INCREASE CONTEST

Residential Tenancies Act 1997 (Vic) — Section 46(1)

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

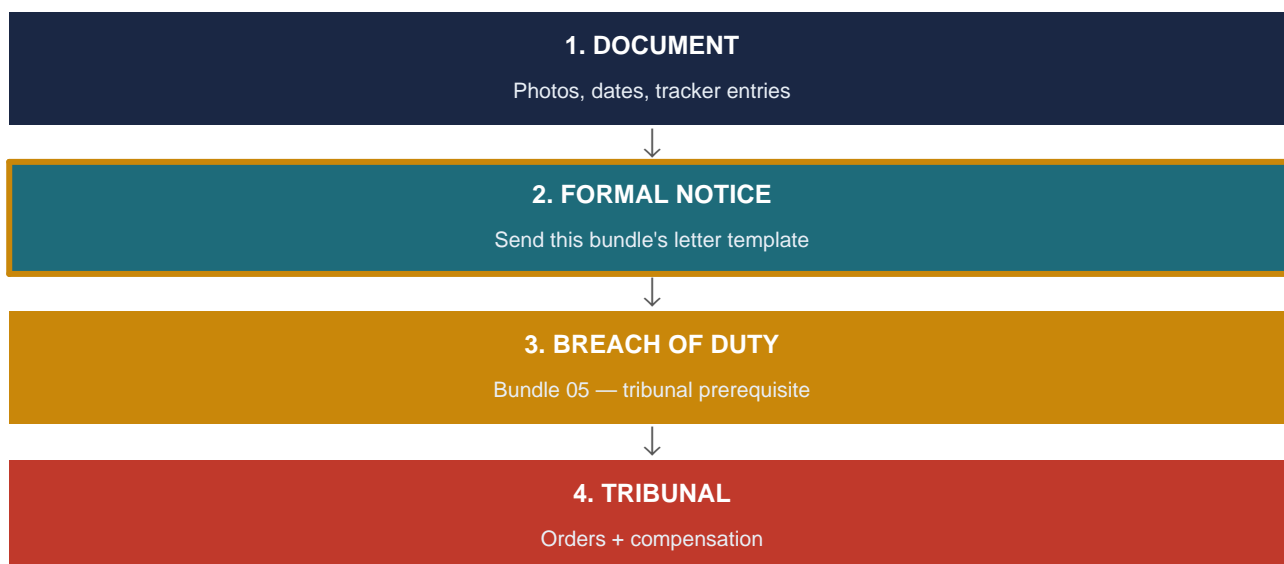
WHEN TO USE THIS BUNDLE

Use this bundle when you receive a rent increase notice that you believe is excessive or inconsistent with the current market. Act promptly — there are timeframes for formally contesting increases.

KNOW THE LAW — CONTESTING A RENTAL INCREASE (S.46(1))

Under Section 46(1) of the Residential Tenancies Act 1997, a rental provider may increase rent no more than once in any 12-month period, and must give at least 60 days written notice. If you believe the increase is excessive — meaning it exceeds market rent — you can formally contest it. The correct path in Victoria is: (1) apply to Consumer Affairs Victoria for a free rent assessment report, then (2) use that CAV report to apply to VCAT under s.46(1).

HOW THE SYSTEM WORKS — YOUR ESCALATION PATH



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

■ CRITICAL — RESPOND TO THE NOTICE — DO NOT IGNORE IT

Ignoring a rent increase notice does not cancel it. Send this formal response immediately to establish a paper trail of your good-faith contest.

08

STEPS TO SUCCESS

Residential Tenancies Act 1997 (Vic) — Section 46(1)

01 Research comparable properties

Gather at least 3 comparable properties currently listed for rent in your area. Screenshot each listing with the address and asking price. Properties should match your property in size, suburb, and condition.

02 Respond in writing immediately

Note the date you received the notice and send a formal written contest as soon as possible. This creates a paper trail of your good-faith challenge.

03 Fill in the template and log in the Evidence Tracker

Complete all [bracketed] fields and send to the agent. Log the notice and your contest in both the Rent Increase Log and the Comparable Properties sheet.

04 Apply to Consumer Affairs Victoria immediately — don't wait for the agent

The CAV rent assessment is free, does not require the agent's agreement, and must be requested within 30 days of receiving the increase notice. Apply the same day you send your contest letter — the report takes weeks, and negotiating first burns your deadline. It is mandatory before VCAT.

05 Continue paying current rent

Pay rent at the current rate until the increase lawfully takes effect or is formally resolved. Do not withhold rent at any stage of this process.

IF YOU NEED TO ESCALATE — WHAT VCAT CAN ORDER

To challenge a rent increase at VCAT, you must first obtain a rent assessment report from Consumer Affairs Victoria. This CAV report is a mandatory prerequisite under s.46(1) — VCAT cannot hear a rent dispute without it. VCAT can disallow the increase or set a market-rate amount.

★ GOOD TO KNOW — CAV ASSESSMENT IS MANDATORY — AND YOU HAVE 30 DAYS

Do not apply to VCAT before obtaining the CAV assessment report, and do not wait for the agent's response before requesting it. The request must be made within 30 days of receiving the increase notice, it costs nothing, and it needs no agreement from the agent. Apply the day you receive the notice.

■ CRITICAL — 30 DAYS TO REQUEST YOUR CAV ASSESSMENT — THE CLOCK IS RUNNING

Your right to a free CAV rent assessment expires 30 days after you receive the increase notice, and VCAT cannot hear the dispute without that report. Request it the day the notice arrives — negotiation can continue while CAV assesses.

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 on the basis that it is excessive and inconsistent with the current market value of comparable properties in this area, pursuant to Section 46(1) of the Residential Tenancies Act 1997.

2. MARKET EVIDENCE

- Based on current rental market research, comparable properties in **[Suburb / Area]** are currently advertised at:
- 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
- This evidence demonstrates the proposed rent does not reflect current market conditions.

3. REQUEST FOR RECONSIDERATION

- I request that you reconsider this increase in light of the above market evidence.
- I have been a reliable tenant, paid rent consistently on time, and wish to continue my tenancy under fair and reasonable terms.
- Please provide a written response by **[Insert Date — e.g., 7 days from notice date]**.

4. ESCALATION PATH

- I have applied to Consumer Affairs Victoria for a formal rent assessment report under Section 46, as is my right and without prejudice to resolving this matter directly with you.
- If the CAV assessment finds the proposed rent excessive and agreement is not reached, I will apply to VCAT under Section 46(1).
- All correspondence and evidence relating to this matter is being maintained in a chronological evidence index.

Yours sincerely,

[Your Full Name]

[Property Address]

[Date]

[Contact Number / Email]