

# 08

## RENTAL INCREASE CONTEST

Residential Tenancies Act 1987 (WA) — Section 30

WA —  
Magistrates  
Court

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

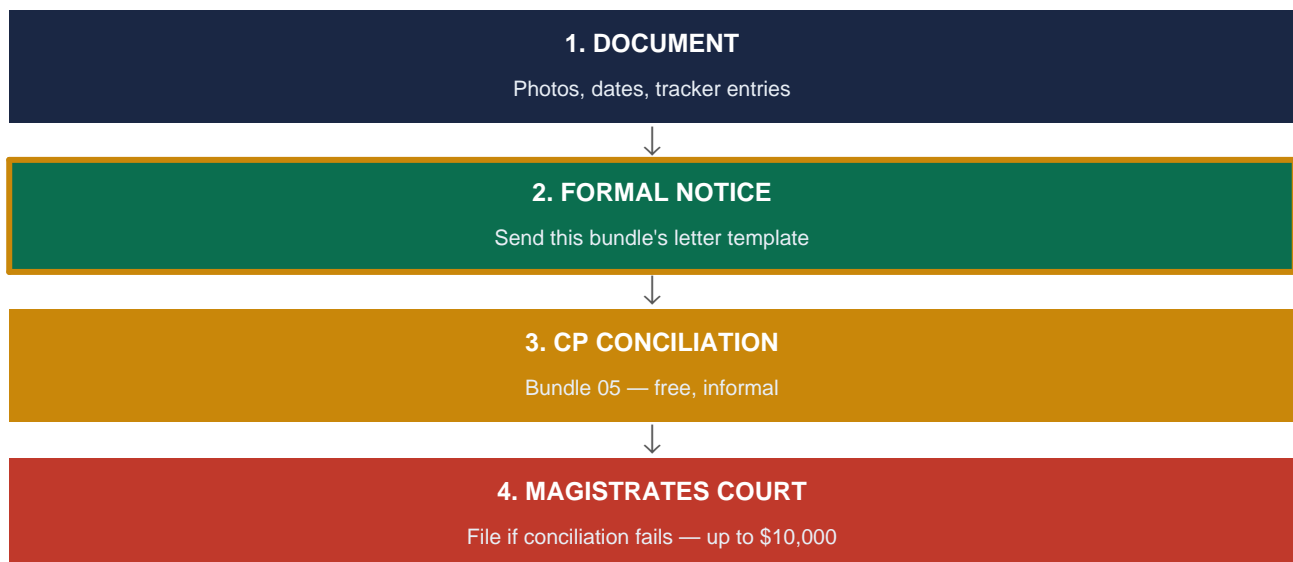
### WHEN TO USE THIS BUNDLE

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.30)

Under Section 30 of the Residential Tenancies Act 1987, rent can be increased no more than once in any 12-month period, and only with at least 60 days' written notice. For fixed-term agreements, any increase must already be pre-set in the agreement. There is no separate tribunal path for excessive rent in WA — a genuinely excessive increase is disputed directly at the Magistrates Court, after Consumer Protection WA conciliation.

### 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 Contact Consumer Protection WA**

Free conciliation can assist before considering the Magistrates Court.

**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 Magistrates Court can set aside an invalid rent increase notice, or assess an excessive increase against market evidence and determine an appropriate rent.

**★ GOOD TO KNOW — CHECK VALIDITY BEFORE CHALLENGING THE AMOUNT**

Many increase notices are defective on process grounds alone — wrong notice period, or given less than 12 months after the last increase. Check this first; it may resolve the dispute without needing market evidence at all.

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

Ignoring a rent increase notice does not cancel it. Send this formal response immediately.

**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 30 of the Residential Tenancies Act 1987 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**

- I have contacted Consumer Protection WA for conciliation assistance in relation to this matter.
- If this matter is not resolved, I will apply to the Magistrates Court of WA.

Yours sincerely,

**[Your Full Name]**

**[Property Address]**

**[Date]**

**[Contact Number / Email]**