

# 11

## TERMINATION NOTICE CHALLENGE

Residential Tenancies Act 1987 (WA) — general termination provisions

WA —  
Magistrates  
Court

*Your rights when you receive a termination notice — test its validity before doing anything*

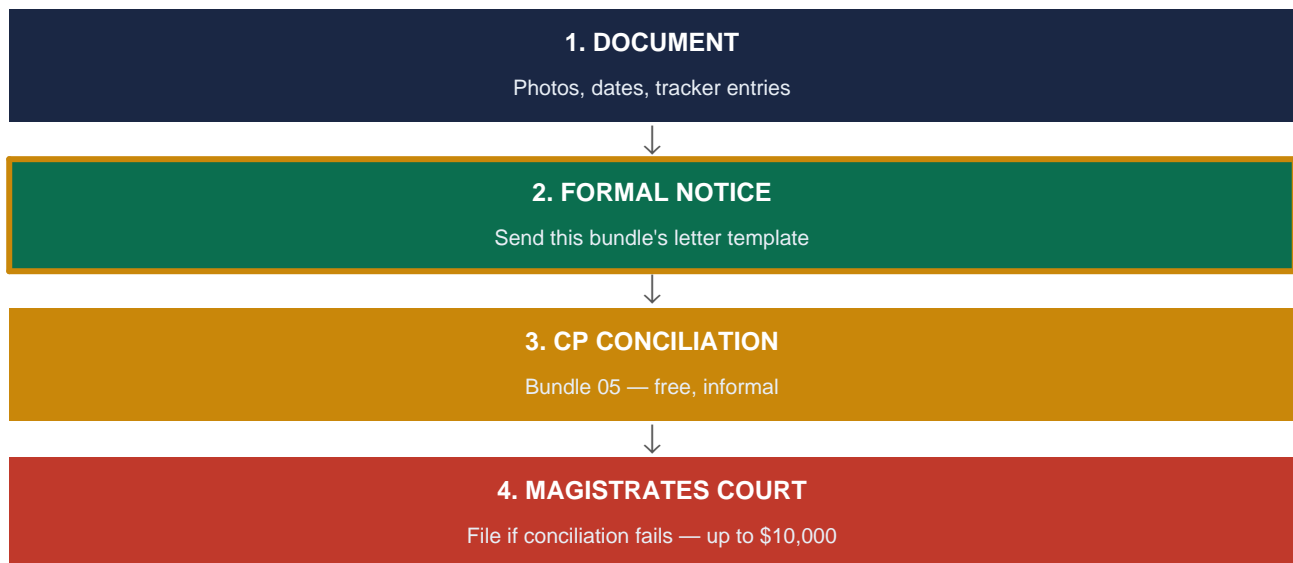
### WHEN TO USE THIS BUNDLE

Use this bundle whenever you receive any termination notice, before taking any action.

### KNOW THE LAW — CHECKING A TERMINATION NOTICE

A termination notice must meet the Act's requirements for form and notice period to be valid. As of 2026, WA landlords can still end a periodic tenancy without giving a reason, provided at least 60 days' notice is given — WA has not banned no-grounds terminations (removal has only been proposed, not yet law). Whatever the stated ground, the notice must still use the correct form and meet the minimum notice period.

### HOW THE SYSTEM WORKS — YOUR ESCALATION PATH



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

- 01 Do not panic — a notice is not an eviction**  
Only the Magistrates Court can make an order for possession. A notice alone does not require you to leave immediately.
- 02 Check the ground stated**  
No grounds (periodic tenancy, 60 days), rent arrears, end of fixed term, sale, owner moving in, or alleged breach each have different requirements.
- 03 Check the notice period and form**  
Confirm against the current Act — an incorrect notice period or missing official form may make the notice invalid.
- 04 Seek advice early**  
Circle Green Community Legal and Legal Aid WA offer free tenancy advice.
- 05 Log everything**  
Record the notice, your checks, and any challenge action in the tracker.

## IF YOU NEED TO ESCALATE — WHAT MAGISTRATES COURT CAN ORDER

Only the Magistrates Court can order possession. A defective notice, or one that hasn't been followed by a Court order, does not require you to vacate.

### ★ GOOD TO KNOW — NO-GROUNDS TERMINATIONS REMAIN LEGAL IN WA

Unlike NSW (which banned no-grounds terminations in 2025), WA landlords can still end a periodic tenancy without a reason, with at least 60 days' notice. Removal of this right has only been proposed — check current requirements, as this area of law may change.

### ■ CRITICAL — ONLY THE MAGISTRATES COURT CAN ORDER POSSESSION

A termination notice by itself never legally requires you to vacate — verify it first.

# TEMPLATE — REQUEST FOR CLARIFICATION OF TERMINATION NOTICE

Residential Tenancies Act 1987 (WA) — general termination provisions

## 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:

**REQUEST FOR CLARIFICATION — TERMINATION NOTICE: [Insert Property Address]**

I am writing in response to the termination notice dated **[Insert Notice Date]** received in relation to the above-referenced property.

## 1. NOTICE DETAILS

- Ground stated: **[Insert ground, if any]**
- Notice period given: **[Insert number of days]**

## 2. REQUEST FOR CONFIRMATION

- Please confirm the specific form and legal basis relied upon for this notice, and the exact minimum notice period required under the Residential Tenancies Act 1987 for this type of termination.
- I am seeking independent advice on the validity of this notice and reserve all rights in relation to it.

Yours sincerely,

**[Your Full Name]**

**[Property Address]**

**[Date]**

**[Contact Number / Email]**