

MAKE RENTING FAIR

Comparison of Australian tenancy law: Without Grounds evictions								
	Northern Territory	Western Australia	South Australia	NSW	ACT	Tasmania	Queensland	Victoria
Legislation	<u>Residential Tenancies Act 1999</u>	<u>Residential Tenancies Act 1987</u>	<u>Residential Tenancies Act 1995</u>	<u>Residential Tenancies Act 2010</u>	<u>Residential Tenancies Act 1997</u>	<u>Residential Tenancy Act 1997</u>	<u>Residential Tenancies and Rooming Accommodation Act 2008</u>	<u>Residential Tenancies Act 1997</u>
Termination without grounds during periodic lease	The lessor may give the tenant 42 days notice to vacate: s 89.	The lessor may give the tenant 60 days notice to vacate: s 64.	The lessor may give the tenant 90 days notice to vacate: s 83.	The lessor may give the tenant 90 days notice to vacate: s 85.	The lessor may give the tenant 26 weeks notice to vacate: sch 1 cl 94	The lessor cannot give notice of termination without grounds.	The lessor may give the tenant 2 months notice to leave: s 329(2)(j). However , from 1 October 2022, the lessor may no longer give notice to leave without grounds: <i>Housing Legislation Amendment Act 2021 s 59.</i>	The lessor cannot give notice of termination without grounds.
Termination without grounds at	The lessor may give the tenant 14 days	The lessor may give the tenant 30 days notice to	The lessor may give the tenant 28 days notice to	The lessor may give the tenant 30 days notice to	The lessor may give the tenant 26 weeks	The lessor may give the tenant 42 days notice to	The lessor may give the tenant 2 months notice to leave: s 329(2)(k),	The lessor can only give notice to vacate at the end of a

The table reads from left to right, those States with the least protections for tenants, to the States with the most.

The green line in the table represents where WA would fall if the proposed reforms to the *Residential Tenancies Act WA* were to be implemented in full.

Current to 30 August 2022

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<p>end of fixed term</p>	<p>notice to vacate: s 90.</p>	<p>vacate: s 70A.</p>	<p>vacate: s 83A.</p>	<p>vacate: s 84.</p>	<p>notice to vacate: sch 1 cl 94.</p>	<p>vacate: ss 43(1)(c), (3C).</p>	<p><i>Housing Legislation Amendment Act 2021</i> s 88.</p>	<p>fixed term during the first fixed term agreement.</p> <p>If the first fixed term is 6 months or more, the lessor may give the tenant 90 days notice to vacate at the end of the fixed term: s 91ZZD(3)(a).</p> <p>If the first fixed term is less than 6 months, the lessor may give the tenant 60 days notice to vacate at the end of the fixed term: s 91ZZD(3)(b).</p>
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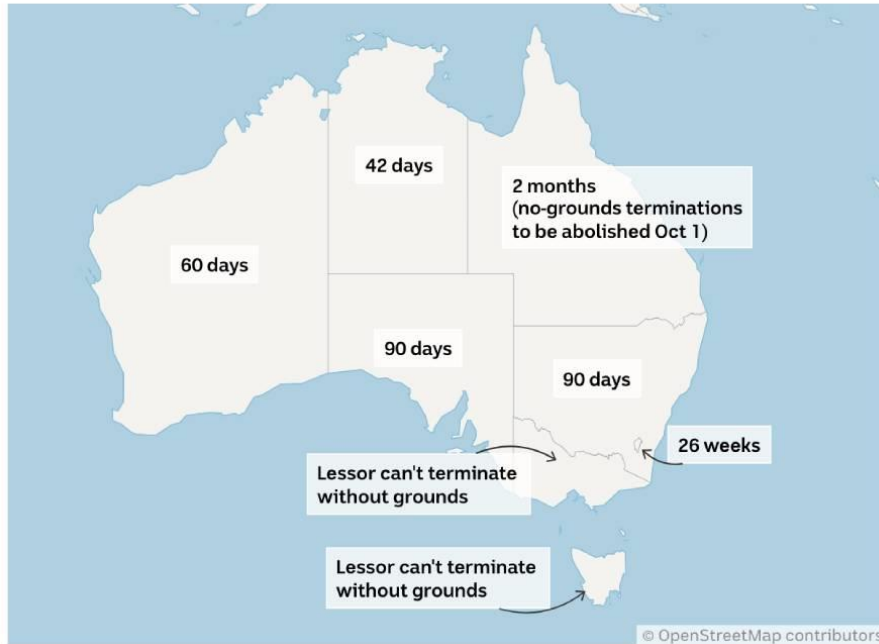
Comparison of Australian tenancy law: Rent Increases								
	Northern Territory	Western Australia	Queensland	South Australia	NSW	ACT	Tasmania	Victoria
Legislation	<u>Residential Tenancies Act 1999</u>	<u>Residential Tenancies Act 1987</u>	<u>Residential Tenancies and Rooming Accommodation Act 2008</u>	<u>Residential Tenancies Act 1995</u>	<u>Residential Tenancies Act 2010</u>	<u>Residential Tenancies Act 1997</u>	<u>Residential Tenancy Act 1997</u>	<u>Residential Tenancies Act 1997</u>
Rent Increases - Notice for rent increase	The lessor must give not less than 30 days notice to increase the rent: s 41	The lessor must give not less than 60 days notice to increase the rent: s 30.	The lessor must give not less than 2 months notice to increase the rent: s 91.	The lessor must give not less than 60 days notice to increase the rent: s 55.	The lessor must give not less than 60 days notice to increase the rent: s 40.	The lessor must give not less than 8 weeks notice to increase the rent: s 64B	The lessor must give not less than 60 days notice to increase the rent: s 20.	The lessor must give not less than 60 days notice to increase the rent: s 44.
Rent Increases - Period between increases	Not less than 6 months from date of last increase or start of agreement: s 41.	Not less than 6 months from date of last increase or start of agreement: s 30.	Not less than 6 months since the date the existing rent became payable: s 93.	Not less than 12 months from date of last increase or start of agreement: s 55	Cannot be increased more than once in any 12 month period: s 40.	If rent has increase, any further increase for a period of 12 months after increase took effect is void: s 70.	Not less than 12 months after agreement was commenced or renewed, or from last increase s 20.	Must not increase rent payable at intervals of less than 12 months : s 44.

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Notice period to end a periodic lease without grounds



Notice period to end a fixed-term lease without grounds



Source: <https://www.abc.net.au/news/2022-08-19/proposed-changes-to-rental-laws-wa-explained/101342482>

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