

The Renters And Housing Union (RAHU) is Australia's first and largest member run union of renters and people in precarious housing.

We collectively organise for the right to safe and secure housing through self-advocacy, education, and frontline eviction defence.

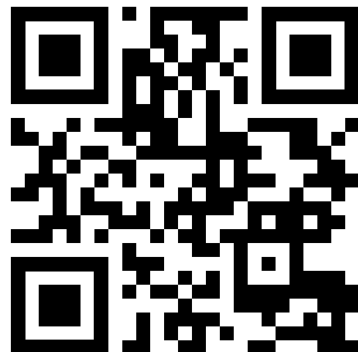
Together we can

- Educate and share information about our renters rights
- Support and defend each other from exploitation and eviction
- Build a powerful community of renters to represent our rights for safe and secure housing for all.



# The RAHU Guide To Rent Increases

[contact@rahu.org.au](mailto:contact@rahu.org.au)  
[www.rahu.org.au/join](http://www.rahu.org.au/join)



RAHU believes our members are stronger when we have access to useful and practical information about our rights. However, this is general information only, not legal advice. If you need legal advice, please contact a community legal centre.

## What are my rights?

- Your landlord must give you 60 days notice of the proposed increase
- The proposed rent increase must be submitted to you via the standard form.
- The form must include the calculation method for the rent increase..
- If you believe the increase to be excessive, you have a right to challenge it
- You must challenge the increase **within 30 days of receiving the form**
- You can find out if the increase is excessive by comparing it to the rental market and Consumer Price Index (CPI)
- You can challenge the rent increase by ticking the box on the rent increase form, adding your contact number, and emailing this to [renting@justice.vic.gov.au](mailto:renting@justice.vic.gov.au).

## What counts as excessive?

As a union we stand against the right for housing to be dictated and dependent on market forces. For us renters stuck in the private market, the legislation defines 'excessive' by the rental market and its supply and demand.

Consumer Affairs Victoria states the measurements used to calculate this are the current Consumer Price Index (CPI) or the Statewide Rent Index (SRI).

Due to the rental market shifting significantly, **if your landlord increases your rent by over 5% from what you're currently paying, you may want to challenge it.**

## How do I tell whether a rental increase notice is valid?

### Is my rent increase notice on the proper form?

Agents and Landlords must use a formal 3 page form titled "Notice of Proposed Rent Increase to Renter of rented premises". If they do not use this form, the notice is not valid. On this new form, there is a section at the end you can tick if you would like to challenge the rent increase.

### How often can my rent be increased?

Your landlord cannot increase your rent more than once in 12 months.

**Fixed term leases:** If your current lease started before 19th June 2019, your rent can only increase once every 6 months

### Have I been provided with enough notice of the proposed rent increase?

The start date of the proposed rent increase on the notice must be at least 61 days after the date the notice is given. For example, the earliest date the rent increase on a notice given on 29 March can take effect is 30 May.

## What can I do if I receive an invalid proposed rent increase notice?

### Can the notice be disregarded?

According to the *Residential Tenancies Act* (RTA), if a notice of proposed rent increase is invalid that means it is void and has no legal effect.

**How can I check if it's valid?** If you are unsure, contact your RAHU branch or our Renters Rights Support Team.

### What if I have complied with an invalid notice?

You may apply to VCAT for an Order under Section 452(1) of the Residential Tenancy Act to be refunded any extra rent you paid in compliance with a rental increase notice that was found to be invalid.

## How can I challenge a rent increase?

If you think the proposed rent increase is excessive, tick the box in the 'Rent increase investigation' section of the form, write your phone number in the space provided and email the notice to [renting@justice.vic.gov.au](mailto:renting@justice.vic.gov.au). You must do this within 30 days after the notice is given

### What happens next?

A Residential Tenancies Inspector from Consumer Affairs Victoria (CAV) will contact you to arrange an inspection of the premises.

They can take into account:

- the current Rent Market Index for your area
- the conditions and standards of the property ie. if there are items in your lease that you've agreed to rent, yet aren't working
- rent payable for similar properties currently in the area

Contact your local RAHU branch for support in your claim

### What happens following the inspection?

The Inspector must provide a written Rent Assessment Report to you and your agent/landlord. This report will take into account the rent payable for similar properties of a similar standard, style and size in the same location; the state of repair and general condition of the property and the number, amount and timing of any rent increases you've already received in the last 24 months. You have 30 days after receiving the inspector's report to apply to VCAT for an order declaring the proposed rent to be excessive.

**What if I couldn't apply to CAV within the 30 day deadline?** If you have reasonable grounds for not requesting CAV investigate the proposed rent increase within 30 days then you may still apply to VCAT for an order declaring the proposed rent to be excessive. Your application must be accompanied by a copy of the notice of rent increase and contain the reason you had not requested an inspection by CAV.

### What can VCAT order?

If VCAT declares the rent or proposed rent excessive then the landlord cannot increase the rent for 12 months and they may also order the landlord to refund you any increased rent you've already paid.

## What else should I know?

Rent cannot be increased during a fixed-term tenancy agreement unless this is specified in writing in the agreement. You can request your landlord or agent remove this term before you sign the rental agreement.

## Don't forget

Renters' rights are only as strong as our willingness to enforce them. Talking to your housemates, neighbours, friends and other comrades about your plans, concerns and successes helps us all grow stronger.

## Join RAHU: [rahu.org.au/join](http://rahu.org.au/join)

We're joining together in Union to make sure we can fight back against excessive increases.

## Contact your RAHU Branch for support:

**North Branch:** Darebin & MerriBek - [north@rahu.org.au](mailto:north@rahu.org.au)

**Inner Melbourne Branch:** Melbourne City & Yarra - [innermelb@rahu.org.au](mailto:innermelb@rahu.org.au)

**West Branch:** Wyndham, Brimbank & Melton - [west@rahu.org.au](mailto:west@rahu.org.au)

**General Membership Branch:** Australia wide - [contact@rahu.org.au](mailto:contact@rahu.org.au)