



Attorney General; Minister for Commerce

Our Ref: 67-21041

Mr Neville Pozzi
Chief Executive Officer
Real Estate Institute of Western Australia
By email: neville.pozzi@reiwa.com.au

Dear Mr Pozzi

RESIDENTIAL TENANCIES (COVID-19 RESPONSE) ACT 2020 (WA) - EXTENSION OF THE EMERGENCY PERIOD

I write with regard to the template correspondence that you are encouraging rental property owners to send to the McGowan Government as part of your *Join the campaign: A fair go for landlords during COVID-19* campaign regarding the extension of the emergency period under the *Residential Tenancies (COVID-19 Response) Act 2020 (WA)*.

I want to reassure you that in arriving at the decision to extend the emergency period, the McGowan Government considered advice from a range of sources and was mindful that the existing provisions have produced a period of relative stability in the market. The risk of the coronavirus (COVID-19) pandemic is still real. This, along with the current level of unemployment, diminishing payments for JobKeeper and JobSeeker and low rental vacancy rates, has impacted the McGowan Government's decision.

The Real Estate Institute of Western Australia outlines a range of issues in its template correspondence related to rent reduction and deferral requests and tenancy agreements. In considering requests from tenants for a rent reduction or deferral, it is reasonable for a landlord to request proof of COVID-19-related financial hardship. These issues can be referred to the Residential Tenancies Mandatory Conciliation Service (RTMCS) to assist tenants and landlords to reach agreement. The RTMCS has powers to compel a party to provide evidence of financial hardship if it is considered important to reaching an agreement.

The Residential Rent Relief Grant Scheme provides four weeks' rent payable directly to the landlord for those whose tenants have lost their employment due to COVID-19.

There remains a pathway available for a landlord to end the tenancy and recoup losses, if a tenant is not paying rent and is not impacted by COVID-19-related financial hardship through the Magistrates Court of Western Australia. Further information is available from the Landlord Hotline on 1300 30 40 54.

Further information regarding the above matters, including frequently asked questions about the extension and assistance measures, can be obtained from the Department of Mines, Industry Regulation and Safety – Consumer Protection Division website at:

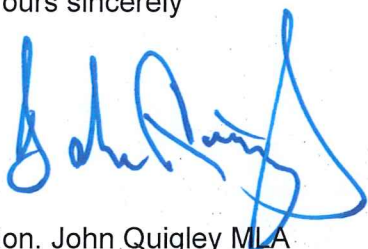
www.dmirs.wa.gov.au/covidrenting.

It would be appreciated if you could arrange for this letter in response to the campaign to be placed on the Real Estate Institute of Western Australia's website.

A copy of this letter will also be included on the Department of Mines, Industry Regulations and Safety's website.

Thank you for raising these matters.

Yours sincerely



Hon. John Quigley MLA
ATTORNEY GENERAL; MINISTER FOR COMMERCE

06 OCT 2020