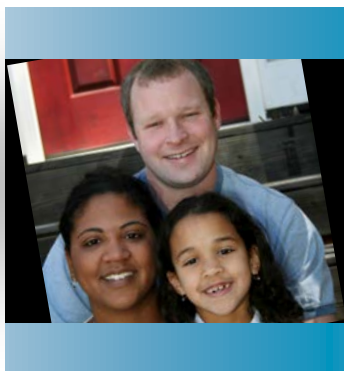


Accommodating everyone



Looking to rent property? Know your rights as an applicant and tenant

It is unlawful under *the Equal Opportunity Act 1984* for an owner or agent to discriminate against someone who is seeking to rent a house/unit because of their:

- Race
- Religious or political conviction
- Impairment
- Age
- Sex
- Pregnancy
- Breastfeeding
- Marital status
- Gender history
- Publication of details on the Fines Enforcement Registrar's website
- Sexual orientation

It is unlawful for an owner or agent to sexually or racially harass someone seeking or renting private rental accommodation.

It is also unlawful under the *Residential Tenancies Act 1987* to refuse to let a property to person/s because they have a child or children who will live at the property.

As an applicant, or tenant, in the private rental market you have a range of rights in terms of your application for a property and the terms which you can rent the property.

An owner or agent is unable to discriminate against you on any of the listed grounds in any of the following ways:

- by refusing your application for accommodation
- in the terms or conditions on which accommodation is offered to you (e.g. charging a higher rent)

- by deferring your application for accommodation or according to you a lower order of precedence in any list of applicants for that accommodation
- by denying your access, or limiting your access, to any benefit associated with the accommodation (e.g. not allowing you to use the pool)
- by evicting you from the accommodation you rent just because of your race, impairment, etc; or
- by subjecting you to any other detriment in relation to accommodation
- recent amendments to the Residential Tenancy Act make it lawful for 16-18 year olds to enter into rental agreements

Case examples

A woman alleged that when her real estate company was informed her family included a disabled child, she was no longer acceptable as a potential tenant of a rental property. The company denied this allegation stating there were many variables taken into account when offering tenancy and the fact the family had a disabled child was not one of them.

The company then listed a recent history of dispute with the family. Following a conciliation conference, the woman accepted the company's explanation and the matter was resolved.

oOo

An Aboriginal woman believed her family was evicted because her landlord treated her differently to a non-Aboriginal family. She felt the eviction was caused by her deceased husband's past anti-social conduct, and current complaints about her son. She felt a non-Aboriginal family would not have been treated so harshly.

Following a conciliation conference at the Commission with the landlord, accommodation was provided to the woman and her family.

oOo

**For more information contact
TenancyWA**

<http://www.tenancywa.org.au/>

Phone (08) 9221 0088

The Commissioner for Equal Opportunity provides information about the Act, investigates and conciliates complaints, conducts community education and training and develops programs to promote equal opportunity.

Contact

Equal Opportunity Commission

By telephone

General enquiries	08 9216 3900
Training courses	08 9216 3927
Facsimile	08 9216 3960
Country callers	1800 198 149
TTY	08 9216 3936

Email eoc@eoc.wa.gov.au

Website www.eoc.wa.gov.au

By visiting our office

Level 2, Westralia Square
141 St Georges Terrace
Perth WA 6000

Department of Commerce

By telephone

Consumer Protection	1300 30 40 54
National Relay Service (for the hearing impaired)	13 36 77

Email:
consumer@commerce.wa.gov.au

Website:
www.commerce.wa.gov.au/who-we-assist/tenant



An Interpreter can be arranged on request.

Disclaimer

The material in this brochure is not intended to be legal advice. The Commissioner expressly disclaims any liability in respect to anything done or not done to any person in reliance upon any of the contents of this publication.

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