



Requesting cancellation or suspension of a STRA Registration

Section 29 certificate

Section 29 of the *Short-Term Rental Accommodation Act 2024* (the STRA Act) provides an avenue for a designated officer to present a case to the Commissioner for Consumer Protection (the Commissioner) for consideration.

A local government, planning authority or public sector body can request the cancellation or suspension of a STRA registration for a variety of reasons which are laid out in section 29 of the STRA Act. These reasons include:

- operating without appropriate development approval;
- operating in a zone that doesn't permit STRA;
- breaching conditions of the premises development approval;
- contravening a prescribed Act, local law or regulation regardless of whether the accommodation provider is prosecuted for the contravention; and/or
- failure to meet specified building standards applicable to the premises.

The decision whether to request suspension or cancellation of registration rests with the designated officer, however, consideration should be given to procedural fairness in decision making. Any decision by the Commissioner to cancel or suspend registration would be reviewable by the State Administrative Tribunal (SAT).

Cancellation of registration can restrict the accommodation provider's ability to re-register the premises for a period of three years. It is recommended that cancellation of registration be reserved for serious or repeated offences.

Suspension of registration can be for a fixed period, or for an indefinite amount of time with conditions attached to the lifting of the suspension. This means that a registration could be suspended until the accommodation provider can satisfy the Commissioner that certain circumstances have been met, such as:

- development approval has been given;
- the property meets building standards;
- additional parking has been provided/arranged; or
- an appropriate plan for limiting noise from guests has been put in place.

Note: The contents of the section 29 certificate will be sent to the accommodation provider so it is important that only the facts upon which the refusal was based should be included.



Short-Term Rental Accommodation (STRA) certificate

Section 29(1) of the <i>Short-Term Rental Accommodation Act 2024</i> – Seeking cancellation or suspension of a STRA registration		
1.	Local Government Authority/ Public Sector Body	
2.	Address of premises	
	Suburb/Town	Postcode
3.	Name of owner/tenant/ property manager	
4.	STRA registration number	STRA
5.	Outcome sought	
6.	Reason	
7.	Summary of issue:	
8.	Date notice ¹ issued	
9.	Notice issued to ²	

1 Notice issued to the owner or tenant (or an agent of the owner or tenant) which specified the outcome being sought and the matters that led to that decision.

2 Name of the owner or tenant (or an agent of the owner or tenant) who was issued the notice.



Section 29(1) of the *Short-Term Rental Accommodation Act 2024* – Seeking cancellation or suspension of a STRA registration

10.	Response due date	
11.	Date response received	
12.	Summary of issue:	
13.	Reason for final decision:	
14.	Information or evidence supporting final decision is attached?	Yes
15.	Are any of the matters before a court or tribunal or are expected to be?	Yes No Pending

Designated officer	Name	Signature
--------------------	------	-----------

Date	
------	--



Guide to completion of certificate

1. Enter local government name or name of public sector body seeking the requested outcome.
2. Provide the address of the premises that this certificate relates to.
3. Provide the name of owner, tenant, or property manager for the relevant STRA property.
4. Provide the STRA registration number. All STRA to which this certificate can apply will have a current registration number.
5. Choose which outcome you are seeking:
 - a. **Suspension** of the STRA registration.
 - b. **Cancellation** of the STRA registration.
6. Reason:
 - a. **Approval is required under a specified planning Act** – The STRA has not received required approval to undertake STRA activity (s29(1)(a)).
 - b. **Approval under a specified planning Act has been denied** – The STRA has not received required approval to undertake STRA activity (s29(1)(b)).
 - c. **Premises or use of premises does not comply with development approval** – The STRA has contravened conditions stipulated when approval given to undertake STRA activity (s29(1)(c)).
 - d. **Premises does not comply with a specified law** – The STRA has undertaken activity while in contravention of a specific legislative requirement (s29(1)(d)).
 - e. **Premises does not comply with a specified building standard** – The STRA has undertaken activity while not compliant with a specified building standard (s29(1)(e)).
7. Provide a summary of the issue(s) that has led to the issuing of the certificate. Please be clear as to scope and impact of any contraventions.
8. Provide the date the notice, which outlined the matters that were prompting the issuing of the certificate and the outcome sought, was sent to the owner or tenant (or their agent).
9. Specify who the notice was issued to, being the tenant, owner, or property manager for the STRA.
10. Specify the period of time the owner or tenant (or their agent) was given to respond to the notice. Please specify whether it was 'days' or 'business days'.
11. Provide the date the response (if any) was received from the owner or tenant (or their agent) by your organisation.
12. Provide a summary of the response giving clear detail of their response to each matter raised in the notice.
13. Provide the basis on which the final decision was made showing the reasons against each matter raised in the notice.



14. Provide supporting information or evidence for the reason the final decision was made.
15. Advise whether any of the matters used as a basis for this certificate are before a court or tribunal or are expected to be.
16. Ensure the certificate is signed off by an officer who has been duly appointed in writing by the CEO as a designated officer for the purposes of the *Short-Term Rental Accommodation Act 2024*.

This form can be submitted by:

Email:

stra.enquiries@demirs.wa.gov.au

Mail:

Consumer Protection
Locked Bag 100
East Perth WA 6892

Department of Energy, Mines, Industry Regulation and Safety

www.demirs.wa.gov.au

Consumer Protection Division

Gordon Stephenson House
Level 2/140 William Street Perth Western Australia 6000
Locked Bag 100, East Perth WA 6892

Call: 1300 30 40 54 **Email:** consumer@demirs.wa.gov.au

www.consumerprotection.wa.gov.au



Disclaimer:

The Short-Term Rental Accommodation (STRA) certificate herein is provided for the use of Local Government Authorities, Public Sector Bodies and Planning Authorities issuing this notice pursuant to Section 29(1) of the *Short-Term Rental Accommodation Act 2024*. All other information with regards to the cancellation or suspension provisions and processes is provided as general information as individual circumstances may vary. If you are uncertain as to your legal obligations, you should obtain independent legal advice.

This publication is available in other formats on request.

National Relay Service: 13 36 77

Translating and Interpreting Service (TIS): 13 14 50