

# Requesting cancellation or suspension of a STRA registration

## Section 29 certificate

Section 29 of the *Short-Term Rental Accommodation Act 2024* (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 with conditions attached to lifting of the suspension. This means that a registration could be suspended until either the registration expires or the accommodation satisfies 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; and/or
- an appropriate plan for limiting noise from guests has been put in place.

A fact sheet is available which covers the requirements and process to seek suspension and cancellation of a STRA registration.

**Note: The particulars 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.**

## 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 have led to the issuing of the certificate. Please be clear as to the scope and impact of any contraventions.
8. If you are seeking cancellation of the STRA registration, provide information to support why this is the appropriate outcome.
9. Indicate whether the accommodation provider has been issued notice as required under the STRA Act.
10. 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).
11. Specify who the notice was issued to, being the tenant, owner or property manager. This information must be consistent with that held against the STRA registration.
12. 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'.
13. Provide the date the response (if any) was received from the owner or tenant (or their agent) by your organisation.
14. Provide a summary of the response, giving clear detail of their response to each matter raised in the notice.
15. Provide the basis on which the final decision was made, showing the reasons against each matter raised in the notice.

16. Advise whether any of the matters used as a basis for this certificate are before a court or tribunal or are expected to be.
17. Ensure the certificate is signed by an officer who has been duly designated in writing for the purposes of section 29 of the STRA Act. The designation must be made by the appropriate authority, as follows:
  - a. For certificates certifying matters under section 29(1)(a), (b) or (c) – the officer must be designated in writing by the planning authority for the land on which the premises are situated.
  - b. For certificates certifying matters under section 29(1)(d) or (e) – the officer must be designated in writing by the public sector body or local government responsible for enforcing the relevant law or building standard.

**Note:** In the case of a local government, the designation must be made on behalf of the local government by its Chief Executive Officer (CEO), as per regulation 9(3) of the Short-Term Rental Accommodation Regulations 2024.

## Short-Term Rental Accommodation (STRA) certificate

All fields must be completed to ensure the matter can be progressed. Evidence supporting the final decision must be attached. Incomplete fields or insufficient completion may result in the certificate being rendered invalid and returned.

Section 29(1) of the <i>Short-Term Rental Accommodation Act 2024</i> (STRA Act) – 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, including any relevant specified planning Act, instrument, specified law or building standard that has been contravened:		

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

8.	If cancellation is sought, provide information on the basis for seeking cancellation rather than suspension of the registration:
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Before submitting a section 29 certificate, the following steps must be completed in accordance with section 29(2) of the STRA Act:

1. A written notice must be issued to the accommodation provider (or their agent) which includes:
  - a. the outcome being sought (e.g. cancellation or suspension of registration);
  - b. the matters that form the basis for that proposed outcome; and
  - c. an invitation to make a submission explaining why the certificate should not be issued.
2. The notice must specify a reasonable timeframe for the provider to respond.
3. Any submission received within the specified timeframe must be considered before the certificate is submitted to Consumer Protection.

9.	Has written notice been issued to the accommodation provider or their agent?	Yes	No	<b>Note:</b> In accordance with section 29 of the STRA Act if a designated officer does not issue a written notice to the accommodation provider (or their agent) the section 29 certificate cannot be progressed.
10.	Date notice issued:			
11.	Notice issued to:			
12.	Response due date:			
13.	Date response received:			
14.	If a submission is made by the accommodation provider, provide a summary of response:			

15.	Reason for final decision:			
16.	Are any of the matters before a court or tribunal or are expected to be?	Yes	No	Pending

Designated officer	Name	Signature
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**By submitting this certificate you agree to notify the Commissioner in writing should the certificate be withdrawn for any reason.**

Date	
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This form can be submitted by:

**Email:**

[stra.enquiries@lgirs.wa.gov.au](mailto:stra.enquiries@lgirs.wa.gov.au)

**Mail:**

Consumer Protection  
Locked Bag 14  
Cloisters Square Perth WA 6850

**Department of Local Government,  
Industry Regulation and Safety**

[www.lgirs.wa.gov.au](http://www.lgirs.wa.gov.au)

**Consumer Protection Division**

Gordon Stephenson House  
Level 2/140 William Street Perth Western Australia 6000  
Locked Bag 14 Cloisters Square Perth WA 6850

**Call:** 1300 30 40 54 **Email:** [consumer@lgirs.wa.gov.au](mailto:consumer@lgirs.wa.gov.au)  
[www.consumerprotection.wa.gov.au](http://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.**

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