

Section 29 certificates

This fact sheet outlines the process and requirements for issuing a section 29 certificate under the *Short-Term Rental Accommodation Act 2024*.

Section 29 of the *Short-Term Rental Accommodation Act 2024* (STRA Act) empowers local government authorities, planning authorities and public sector bodies to request the Commissioner for Consumer Protection (the Commissioner) to suspend or cancel a STRA registration where the premises is operating unlawfully. This provision ensures that STRA operators comply with planning, safety and other regulatory standards.

When can I seek suspension or cancellation of a STRA registration?

There are several grounds where suspension or cancellation of a STRA registration can be requested. These include where a STRA is:

- operating without appropriate development approval;
- operating in a non-permitted zone;
- breaching development approval conditions;
- contravening a prescribed Act, local law or regulation (regardless of prosecution); and
- failing to meet specified building standards.

What are the outcomes?

Suspension of registration can be imposed for a fixed period or remain in place indefinitely until certain conditions are met. For example, a suspension might be lifted once the provider obtains the appropriate development approval to operate the premises as a STRA.

Cancellation is a more serious measure and should be reserved for cases involving significant or repeated non-compliance.

Any decision to suspend or cancel a STRA registration is ultimately at the discretion of the Commissioner.

Procedural fairness

Authorities seeking suspension or cancellation through a section 29 certificate must ensure procedural fairness is upheld throughout the process. This means you must notify accommodation providers of alleged non-compliance, advise that suspension or cancellation of their registration is being considered and give them a reasonable opportunity to respond.

Once any response, made within the specified timeframe has been considered, the designated officer may proceed with issuing the certificate.

Where can I access a copy of the certificate?

A copy of the section 29 certificate can be found on the [STRA Register resources page](#)

Need help with the process or completing the certificate?

Contact the Consumer Protection Registers team:

Phone: (08) 6251 1234

Email: stra.enquiries@lgirs.wa.gov.au

Section 29 certificate process steps for issuing authorities

Note: If a section 29 certificate is to be withdrawn for any reason, you should advise the Department of Local Government, Industry Regulation and Safety (LGIRS) as soon as possible by contacting the Consumer Protection Registers team at: stra.enquiries@lgirs.wa.gov.au

1

Regulating authority to ensure officer/s are designated for the purpose of issuing certificates under s29 of the STRA Act.

2

The STRA is non-compliant with a prescribed ground, e.g. the STRA is operating without required development approval.

3

Written notice issued that:

- is addressed to the accommodation provider (this may not necessarily be the rate payer);
- states the intention to issue a section 29 certificate;
- outlines the matters that form the basis of the outcome sought;
- invites the provider to make a submission explaining why the certificate should not be issued; and
- specifies a reasonable timeframe for response.

4

Consider any response from the accommodation provider made within the specified timeframe.

5

If the premises remains non-compliant after the response period:

- ensure the issuing authority has designated officers for the purpose of issuing certificates under s29 of the STRA Act;
- complete the section 29 certificate; and
- attach all supporting documentation (e.g. written notices, evidence).

6

Check to ensure the premises is still registered before submitting the certificate to Consumer Protection.

Department of Local Government, Industry Regulation and Safety

www.lgirs.wa.gov.au

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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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Translating and Interpreting Service (TIS): 13 14 50