

Submission in Response to the Statutory Review of the Residential Park (Long-stay Tenants) Act 2006

March 2026

About Shelter WA

Shelter WA is the independent peak body in Western Australia for the community housing and homelessness sectors. Our vision is that all people in WA have a home that enables them to thrive. We bring together a strong coalition of organisations and individuals and work for diverse and affordable housing choice for all, with a focus on housing for people on low to moderate incomes and groups that experience housing insecurity.

This submission is supported by the WA Council of Social Service (WACOSS).

Introduction

Shelter WA welcomes the opportunity to provide a submission in response to the Statutory Review of the *Residential Park (Long-stay Tenants) Act 2006* (the Act).

Shelter WA acknowledges that for tens of thousands of Western Australians, residential parks provide an increasingly rare affordable housing option, especially for those on low to moderate incomes such as age pensioners. It is crucial that these tenants are protected by a robust and enforceable legislative framework, capable of ensuring safety, affordability and long-term security of tenure. At the same time, we acknowledge the need to balance security of tenure for tenants while fostering operational conditions that incentivise park owners/operators to offer long-stay tenancies rather than short-stay or 'holiday' rentals in residential parks.

Shelter WA welcomed many of the substantial amendments to the Act that came into effect in 2022.¹ In particular, we welcomed improved tenant protections such as removal of 'without grounds' terminations for certain agreements, the prohibition of market rent reviews in new contracts, and clearer processes and requirements for disclosure and dispute resolution.

Since the implementation of the 2022 amendments, however, housing affordability and availability has radically deteriorated in Western Australia. In the past five years, rents have increased by 66% across the state (compared to just 18.5% wage growth over the same period).²

¹ See: Shelter WA (2018), *Submission to the Standing Committee on Legislation: Inquiry into Residential Parks (Long-stay Tenants) Amendment Bill 2018*.

² Cotality (2026) *Monthly Housing Chart Pack*.

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House prices have increased by 83% during the same period³ and vacancy rates across most of the state have remained below 1% for most of the last few years.⁴ Over the same period, the social housing waitlist increased by 55%,⁵ with 23,143 households on the waitlist as of January this year.⁶ Meanwhile, social housing stock has only increased by 2,356 dwellings in five years and has remained stagnant over a decade.⁷

Over the same period, legislative and regulatory frameworks in related sectors have undergone significant reform, including ongoing reforms to the *Residential Tenancies Act 1987* (the RTA) and regulation of the short-term rental accommodation market (STRA). Interstate, other jurisdictions such as Victoria, New South Wales and Tasmania have all recently reformed regulatory provisions for long-term tenants in residential parks. As such, Shelter WA views this review as an opportunity to incorporate best-practice learnings from those parallel processes to achieve meaningful and effective legislative reform for residential park tenancies in WA.

In this context, Shelter WA supports a review of the Act that strengthens protections for tenants, protects housing affordability and encourages park owners to maintain or increase the number of long-term tenancies in residential parks. In particular, Shelter WA believes it is crucial for this legislative review to consider the following key issues:

1. Improved enforcement and governance of the Act
2. Strengthening protections around rent increases
3. Strengthening protections around terminations

1. Improved enforcement and governance of the Act

Long-term tenants at residential parks have reported that existing provisions of the Act are difficult to enforce (due to park operators either being unaware of or unwilling to abide by the provisions of the Act). Similarly, dispute resolution mechanisms are inefficient and represent an unnecessary and/or unachievable burden for tenants. In turn, procedural burdens may have a chilling effect preventing tenants from enforcing their statutory rights. To address this issue, Shelter WA strongly supports improving procedural aspects of the Act (and accompanying regulations).

Provisions of the Act should be strengthened to improve regulation, enforcement and dispute resolution mechanisms. Shelter WA supports the suggestion to introduce a licencing scheme and/or register of parks to ensure operators meet a minimum standard, using learnings from the

³ ABS (2025) [Total value of dwellings, all series](#). December figures. Refers to average price across WA.

⁴ SQM Research. [Vacancy rates](#).

⁵ 2020 figures from [Hansard Extract 12 August 2022](#). 2025 figures from [WA Hansard 9 September 2025](#). June figures.

⁶ [WA Hansard 26 February, 2026](#).

⁷ Productivity Commission (2026) [Report on Government Services. Part G: Housing and Homelessness](#). Table 18A.3.

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recently introduced STRA register in WA. Requirements for licensing and registration should not be onerous enough to disincentivise park owners/operators from offering long-stay contracts, however. To improve compliance with the Act, licensing and access to the register could be conditional on the completion of training or education modules to ensure park operators are aware of rights and obligations arising under the Act. Shelter WA understands that other jurisdictions, including NSW, require park operators to undertake education, while other jurisdictions are moving towards licensing and/or registration schemes.⁸

Shelter WA also supports conferring greater powers on the Commissioner for Consumer Protection to resolve disputes under the Act. Park tenants report that while dispute resolution has improved, it can be difficult for tenants to access the State Administrative Tribunal (SAT) due to fees and administrative burdens. As such, it may be beneficial to confer powers on the Commissioner to resolve certain disputes. To alleviate concerns around natural justice, in line with recent reforms to the RTA this could be limited to disputes arising over simpler or more routine matters, leaving more substantive or complex dispute resolution for the SAT.

Dispute resolution processes may be strengthened further through the introduction of a collective complaints mechanism, which permits groups of park tenants to apply to the SAT (or the Commissioner exercising delegated powers) as a group where each individual case has sufficiently similar material facts and grounds for complaint.

2. Strengthening protections around rent increases

In light of unrestrained rent increases across WA, Shelter WA has advocated strongly for the introduction of ‘rental caps’ in the private rental market.⁹ For residential park tenants, we welcomed previous reforms to the Act which included a prohibition of market-value rent increases for all contracts entered into after commencement. In its practical application since then, however, tenants have reported ongoing uncertainty surrounding rent increases, suggesting the need for clearer and more equitable provisions outlining permissible rent increases.

In particular, Shelter WA would like to see the prohibition of market rent reviews extended to all long-stay contracts, not just those commencing after 2022 (as the current Act provides).

Improved legislative clarity may also be required around the definition of “consumer price index” (CPI) rent increases. While CPI increases and/or fixed percentage rental increases are currently permitted by the Act (as a fixed method agreed to in the contract), Shelter WA understands that

⁸ For example, The Victorian Consumer Policy Research Centre strongly recommends licensing residential park operators, registering residential parks and introducing a mandatory code of conduct for operators (Consumer Policy Research Centre (2025), *Life in Residential Parks – Key insights and recommendations*)

⁹ See: Make Renting Fair Alliance (2025), *If the Cap Fits: The case for rent stabilisation in WA*

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some owner/operators are increasing rents by CPI +X% (e.g. CPI +3%). Since the purpose of fixed method increases is to provide tenants with a degree of certainty when predicting rent costs, the permissibility of these kinds of formulas may need to be reviewed. Clearer direction may also be required from Consumer Protection on the precise definition of CPI, and whether local and national CPI rates are applicable, and at what periodic interval (calculated quarterly, annually etc).

Similarly, improved disclosure requirements are needed to ensure that the agreed method of rent increases is communicated clearly to prospective and existing tenants, both prior to entering into a contract and at the time of each increase.

To bring the Act in line with recent reforms to the RTA, rent increases should be limited to once every 12 months for all tenancies, including on-site home agreements.

3. Strengthening protections around terminations

In light of an increasingly unstable and inaccessible private rental market in WA, Shelter WA broadly supports any amendments which serve to limit grounds for termination and ensure vulnerable tenants are not at risk of homelessness, including amendments to the current grounds for termination outlined in Division 2 of the Act.

Shelter WA's ongoing advocacy position for residential tenancies is to end no grounds terminations of both fixed term and periodic tenancies under the RTA, allowing a range of reasonable, prescribed grounds for ending a tenancy.¹⁰ In line with this, Shelter WA supports removal of without-grounds termination across all residential park tenancies, not just site-only agreements as is currently the case.

Current grounds for termination allow a park operator to terminate the agreement when the site is to be used for a different purpose (s. 41C of the Act). Shelter WA believes there is a systemic imperative to review this ground for termination, to protect existing long-stay tenancies in a market increasing dominated by STRA. We are aware of a number of occasions in recent years where residential parks have been sold to incoming operators who have required vacant possession and/or changed the purpose of the park to accommodate short-stay tenancies only (e.g. holiday accommodation); leaving long-stay tenants facing homelessness.¹¹ Better protections are needed for long-stay tenants to prevent terminations in these situations.

¹⁰ Shelter WA's [Policy Position: Private Rental Housing](#)

¹¹ See for example: <https://www.abc.net.au/news/2025-07-25/call-for-greater-oversight-amid-caravan-park-evictions/105502292>

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While it is preferable to limit grounds for termination, where terminations are strictly necessary and permitted under the Act provisions should be strengthened to provide greater notice periods and better compensation.

Sufficient notice is required to give tenants time to find suitable alternative accommodation. Notice periods should be increased to 365 days for terminations due to sale of park with vacant possession, closure of park or change of purpose for the site or park. For the same reason, notice periods should also be extended for tenants with a fixed-term contract where the contract is not being renewed.

Requirements for compensation under the Act should be broadened in line with reforms in NSW, to protect vulnerable fixed-term and periodic tenancies who may find it difficult to source alternative affordable housing. Compensation could also serve to dissuade park operators/owners from changing long-stay residencies to short-stay. The amount of compensation payable should consider reasonable costs of removing and relocating homes as well as costs of renting in local rental markets where no suitable alternative sites can be found. The Commissioner for Consumer Protection should have delegated authority to decide compensation amounts (similar to powers under the RTA to resolve bond disputes).

Conclusion

Residential parks are an important affordable housing option for a significant number of Western Australians. Shelter WA recognises the importance of having clear, concise and enforceable frameworks to protect long-stay tenancies in residential parks. This is particularly true in light of the current housing crisis in Western Australia. Accordingly, Shelter WA supports strengthening provisions protecting long-stay tenancies while balancing the need to incentivise the provision of long-stay tenancies over short-stay.



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