

FORM 26 Minor Modification Request Form

RESIDENTIAL TENANCIES ACT 1987 (WA) - Section 500

How to use this form

During a tenancy, tenants must use this form to ask the landlord (also known as the lessor) for permission to make a minor modification to the rental property. Landlords can only refuse or apply conditions if it is reasonable to do so.

1. Tenants complete steps 1, 2, and 3.
2. Landlords complete steps 4 and 5.
3. All parties should read the **Important Information** at the end of this form.

For Tenants

Complete steps **1, 2 and 3** on this form.

Provide enough details about the minor modification for your landlord to make an informed decision.

Additional forms may be completed if requesting more than one modification.

Give the landlord your completed form (including a copy of the **Important Information**).

Keep a copy of the form and the details of how you gave it to the landlord for your own records.

Read the **Important Information** available at the end of this form.

Step 1: Tenancy Details

Tenant to complete and go to step 2

Rental Property Address	Address <input type="text"/> <input type="text"/> Suburb/Town <input type="text"/> State <input type="text"/> Postcode <input type="text"/>
Tenant(s) requesting to make the minor modification	Name Tenant 1 <input type="text"/>
	Contact details (eg email or phone) <input type="text"/>
	Name Tenant 2 <input type="text"/>
	Contact details (eg email or phone) <input type="text"/>
	Name Tenant 3 <input type="text"/>
	Contact details (eg email or phone) <input type="text"/>
Landlord(s) or agent receiving this request	Name Landlord 1 <input type="text"/>
	Name Landlord 2 <input type="text"/>
	Name Landlord 3 <input type="text"/>

Step 2 continues next page

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Step 2: Tenant's Minor Modification Request Details

Tenant to complete and go to step 3

Select type of minor modification below:

- | | |
|--|---|
| <input type="checkbox"/> Picture Hook | <input type="checkbox"/> Lock on a letterbox |
| <input type="checkbox"/> Screw for a wall mount, shelf, or bracket | <input type="checkbox"/> Draughtproofing (e.g. weather seals, caulking, or gap filling) |
| <input type="checkbox"/> Wall anchoring device | <input type="checkbox"/> LED light bulb which does not need a new light fitting |
| <input type="checkbox"/> Water efficient shower head (3 stars or more) | <input type="checkbox"/> Anchor for a blind or cord |
| <input type="checkbox"/> Hand-held shower head | <input type="checkbox"/> Flyscreen on a door and window |
| <input type="checkbox"/> Wireless doorbell | <input type="checkbox"/> Installing a vegetable or herb garden |
| <input type="checkbox"/> Window covering (e.g. a curtain or blind) | <input type="checkbox"/> Lever-style tap |
| <input type="checkbox"/> Adhesive child safety lock on a drawer or door | <input type="checkbox"/> Phone or internet connection |
| <input type="checkbox"/> Pressure mounted safety gate (e.g. child safety gate) | <input type="checkbox"/> Security light, alarm system or security camera |
| <input type="checkbox"/> Lock on a gate | <input type="checkbox"/> Non-permanent window film |
| <input type="checkbox"/> Child safety device on a window | <input type="checkbox"/> Painting a room |

Description of minor modification being requested

Provide further relevant details. e.g. colour, number, size of minor modification

Location of minor modification being requested

Specify the room or area of the property for the minor modification. e.g. kitchen, bathroom, garden

Step 3: Tenant's Declaration

Tenant to complete and go to Important information

Declaration	<p>I am seeking permission to make the above minor modification(s) to the rental property.</p> <p>I understand that I am responsible for the costs associated with making and removing the modification and restoring the property to the original condition at the end of the tenancy unless the landlord agrees otherwise in writing.</p> <p>I accept that I am responsible for maintaining the modification in a reasonable state of repair.</p>	
Signatures of tenant(s) making request	Signature Tenant 1 <hr style="border: 0; border-top: 1px solid black; margin-bottom: 5px;"/> <input style="width: 100%; height: 20px;" type="text"/>	Date <input style="width: 30px; height: 20px;" type="text"/> / <input style="width: 30px; height: 20px;" type="text"/> / <input style="width: 30px; height: 20px;" type="text"/>
	Signature Tenant 2 <hr style="border: 0; border-top: 1px solid black; margin-bottom: 5px;"/> <input style="width: 100%; height: 20px;" type="text"/>	Date <input style="width: 30px; height: 20px;" type="text"/> / <input style="width: 30px; height: 20px;" type="text"/> / <input style="width: 30px; height: 20px;" type="text"/>
	Signature Tenant 3 <hr style="border: 0; border-top: 1px solid black; margin-bottom: 5px;"/> <input style="width: 100%; height: 20px;" type="text"/>	Date <input style="width: 30px; height: 20px;" type="text"/> / <input style="width: 30px; height: 20px;" type="text"/> / <input style="width: 30px; height: 20px;" type="text"/>

Tenants go to Important Information. Landlords continue to next page for step 4

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For Landlords

Complete **steps 4** and **5** of this form, advising if you approve, approve with conditions, or refuse the request. You have 14 days (starting the day after you received the request) to send the completed form back to the tenant.

If you do not respond within 14 days, the minor modification request is automatically approved.

You will also need to apply for Commissioner approval if you:

- approved with conditions that need Commissioner approval; or
- refused the minor modification request for reasons that need Commissioner approval.

If you do not apply for Commissioner approval to refuse (where needed) within the 14 days, the minor modification request is automatically approved.

Keep a copy for your records.

Read the **Important Information** available at the end of this form.

Step 4: Landlord's response to the request

Landlord to complete and go to step 5

Select decision below:

Approve

Approve with conditions

Select and write the condition(s) below. Go to step 5, then send form to tenant

Conditions where Commissioner approval is not needed

If the modification is:

- | | |
|---|---|
| <ul style="list-style-type: none">• Lever-style tap | <input type="checkbox"/> The work to make the modification must be carried out by a person who is appropriately qualified |
| <ul style="list-style-type: none">• Phone or internet connection | <input type="checkbox"/> The tenant must provide the landlord with a copy of the invoice once the work is completed |
| <ul style="list-style-type: none">• Non-permanent window film | |
| <ul style="list-style-type: none">• Painting a room | |
| <ul style="list-style-type: none">• Hard-wired security light, camera or alarm system | |

Alarm system

- The tenant must provide the landlord with the codes to the alarm system

Lock on a gate or letterbox

- The tenant must provide the landlord with copies of keys for locks on gates or letterboxes

Conditions where Commissioner approval is needed

If selected, **you must** apply for Commissioner approval. Conditions **do not** apply unless approved

- Other reasonable condition(s)

What are the condition(s)?

Specify the condition(s) including what it is, how often it happens, and where or when it occurs

Step 4 continues next page

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Step 4: Landlord's response to the minor modification request - Continued...

Refuse

Select reason(s) and explain why it applies below. Go to step 5 and send form to tenant

Reasons where Commissioner approval is not needed

- Making the modification would disturb material containing asbestos
- The premises are entered in the State Register of Heritage Places (heritage listed)
- The premises are in a community title or strata titles scheme and the scheme by-laws prohibit making the modification
- Making the modification would be contrary to a written law

Reasons where Commissioner approval is needed

If selected, you **must** apply for Commissioner approval within 14 days

- The landlord would suffer undue hardship
- The modification would be unsafe, or it would make the premises unsafe
- The premises are in a community title or strata titles scheme. The modification could require changes to another property or the common property
- There would be additional maintenance costs for the landlord
- Removing the modification or restoring the premises would not be practical or is likely to cost more than the bond
- The tenant has been given a valid notice of termination of the tenancy agreement
- The modification is on tile, exposed brick or exposed concrete. It involves drilling, nailing or permanently altering the surface. There is a high risk of damage
- Making the modification is unreasonable in the circumstances

Explain why the reason(s) apply:

Step 5: Landlord's Declaration and Signature

Landlord to complete and send form to tenant

Declaration	I understand that the tenant(s) named on this form are requesting my permission to make a minor modification and I must respond to this request in writing within 14 days. If I do not respond to the tenant and apply for Commissioner approval to refuse the request (where needed) within 14 days, the request is automatically approved.		
Signatures of Landlord(s) or Agent	Signature Landlord 1		Date <input style="width: 30px;" type="text"/> / <input style="width: 30px;" type="text"/> / <input style="width: 30px;" type="text"/>
	Signature Landlord 2		Date <input style="width: 30px;" type="text"/> / <input style="width: 30px;" type="text"/> / <input style="width: 30px;" type="text"/>
	Signature Landlord 3		Date <input style="width: 30px;" type="text"/> / <input style="width: 30px;" type="text"/> / <input style="width: 30px;" type="text"/>

Landlord/Agent and Tenant to continue to next page for Important Information

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Minor Modification Request Form

Important Information for Tenants and Landlords

1. What is a minor modification?

A minor modification is a change which helps make a rental property feel more like a home. Only changes listed at step 2 on this form are minor modifications. There are other types of modifications a tenant may make which are not a minor modification and different processes apply. These include modification for furniture safety, disability access and preventing family and domestic violence.

2. Responding to a minor modification request

The landlord must respond to the tenant within 14 days of the request (starting the day after they receive the form). Where required, they must also apply for Commissioner approval within the applicable timeframe.

3. What happens if the landlord does not respond within 14 days?

If the landlord does not respond to the request within 14 days, and where necessary apply for Commissioner approval within the applicable timeframe, the minor modification request is automatically approved.

4. How is the 14 days counted?

A landlord has 14 days to respond, starting the day after they receive the request. If the tenant's request or the landlord's response is posted, the tenant must allow extra days for the form to be delivered. These extra days are not part of the 14 days the landlord has to respond. Further information about counting days when serving a notice can be found online at www.commerce.wa.gov.au/consumer-protection/counting-days.

5. Challenging a decision

The tenant may challenge the landlord's response if they believe that the decision and/or the conditions set by the landlord is unreasonable, or not permitted or applicable. The tenant applies to Consumer Protection to review the decision.

6. Applying for Commissioner approval

If a landlord decides to refuse for a reason that requires Commissioner approval, the landlord must apply to Consumer Protection for Commissioner approval within the 14 day response period. If a landlord decides to set a condition that requires Commissioner approval, the landlord must apply to Consumer Protection for Commissioner approval. The condition does not apply unless approved.

7. How to apply to the Commissioner

Applications to the Commissioner can be made online at www.consumerprotection.wa.gov.au/CDapply or call 1300 30 40 54 for further information.

8. What happens after an application is made to the Commissioner?

When an application is made, the Commissioner will notify all parties. The Commissioner will invite parties to respond. Parties will be asked if they agree or disagree with the application and to provide relevant information or evidence. The Commissioner may also request additional information or evidence if needed.

9. How does the Commissioner make a decision?

The application will be decided based on the information and evidence provided by the parties, and written reasons for the decision will be given. In some cases, the Commissioner may decline to decide an application and direct the parties to apply to the Magistrates Court.

10. What are the options if the parties are not satisfied with the Commissioner's decision?

If parties are not satisfied with the Commissioner's decision, they can appeal to the Magistrates Court within seven days of receiving the notice of the decision.

11. Where can I find more information?

Visit the Consumer Protection website for more details on the rights and responsibilities about minor modifications in a rental property at www.consumerprotection.wa.gov.au/renting/makingchanges.