

# Decision of the Commissioner for Consumer Protection

## Section 11J(2) *Residential Tenancies Act 1987*

<b>Application Number:</b>	[redacted]
<b>Application Type:</b>	Landlord application to refuse minor modification request
<b>Premises:</b>	[redacted]
<b>Bond Amount:</b>	\$3660 (including \$260 pet bond)
<b>Tenant(s):</b>	[redacted], [redacted] and [redacted]
<b>Landlord(s):</b>	[redacted]

### Decision

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The Commissioner orders:

1. The landlord must approve the tenant's request to make the requested minor modifications at the premises.
2. The tenant is permitted to make the requested minor modifications at the premises.

### Request

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On 8 December 2025, the tenant requested to install picture hooks, a wireless doorbell with camera and a water-saving shower head at the premises, following the process established in the *Residential Tenancies Act 1987 (WA) (RTA)*.

On 12 December 2025, the tenant provided the landlord's property manager with an email, outlining further details for the requested picture hooks. The requested picture hooks are:

- Three picture hooks in the study.
- Four picture hooks in the TV room.
- Two picture hooks in the north-west back bedroom.
- One picture hook in the south-west bedroom.

### Application

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On 20 December 2025, the landlord applied to Consumer Protection for approval to refuse the tenant's request to install the picture hooks and the doorbell with camera (the requested minor modifications).

The landlord's refusal was on the ground that:

- Making the requested minor modification is unreasonable in the circumstances.

### Evidence

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The landlord and tenant were invited to provide evidence to support their views about the application.

The landlord provided the following evidence:

- Written submissions to Consumer Protection.

- Minor Modification Request Form 26.
- Property Condition Report.
- Email correspondence between the landlord and agent.

The tenant provided the following evidence:

- Written submissions to Consumer Protection.
- Photographs of the wireless doorbell with camera, whiteboard and shower head.

## Law

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Under the RTA, tenants have the right to make a minor modification at their rental premises with the landlord's approval.<sup>1</sup>

Unless otherwise agreed in writing, the tenant is responsible for the cost of:

- making the modification; and
- removing the modification; and
- restoring the premises to the original condition.<sup>2</sup>

Landlords have the right to apply to Consumer Protection for an order allowing them to refuse the minor modification request.<sup>3</sup>

When an application is received, the Commissioner is required to either:

- approve the landlord's application; or
- order the landlord to approve the tenant's request.<sup>4</sup>

The Commissioner may approve this application if satisfied that the ground claimed by the landlord is established. In this case, the claimed ground is:<sup>5</sup>

- Making the requested minor modification is unreasonable in the circumstances.

The landlord is responsible for demonstrating that this ground applies.

## Reasons for Decision

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As a delegate of the Commissioner, I have reviewed all evidence. Only the evidence relevant to deciding this application is mentioned in these reasons for decision.

### Is making the requested minor modifications unreasonable in the circumstances?

In written submissions to Consumer Protection, the landlord stated that they are seeking permission to refuse the requested minor modifications as "the tenant's Minor Modification application was not fit for proper consideration", given:

- Some of the hooks and the doorbell had already been installed at the premises, prior to the tenant making their request.
- Details of the number and location of hooks were not outlined in the tenant's minor modification request form (Form 25).

Where a tenant has installed a minor modification before submitting a Form 25 request to the landlord, the landlord still has the same obligations under the RTA to consider the request, respond to the tenant within 14 days, and, where necessary, apply to the Commissioner.<sup>6</sup>

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<sup>1</sup> Section 50N *Residential Tenancies Act 1987* (WA).

<sup>2</sup> Section 50ZB *Residential Tenancies Act 1987* (WA).

<sup>3</sup> Section 50S(1) *Residential Tenancies Act 1987* (WA).

<sup>4</sup> Section 50S(2) *Residential Tenancies Act 1987* (WA).

<sup>5</sup> Section 50S(3) *Residential Tenancies Act 1987* (WA).

<sup>6</sup> Section 50O(4) *Residential Tenancies Act 1987* (WA).

Where a landlord has applied to the Commissioner for approval to refuse a minor modification that has already been installed, the Commissioner could:

- Refuse the landlord's application.
  - In which case the requested minor modification could remain at the premises.
- Approve the landlord's application.
  - In which case the tenant would be responsible for removing the requested minor modification and restoring the premises to the original condition (where necessary).<sup>7</sup>

The landlord has provided a copy of an email sent to them from their property manager on 15 December 2025, which shows the landlord was aware of the number and location of picture hooks requested by the tenant, prior to the landlord submitting their application to the Commissioner.

The landlord has not provided any evidence which demonstrates how or why it would be unreasonable for:

- The requested minor modifications to be made at the premises.
- The minor modifications which have already been made, to remain at the premises.

Considering the information from the landlord, I am not satisfied that making the requested minor modifications is unreasonable in the circumstances.

## **Appeal**

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A tenant or landlord who is dissatisfied with this decision can appeal to the Magistrates Court of Western Australia. Appeals must be lodged within seven days after receiving this decision, or a later date if leave is granted by the Court.

The appeal can be started by lodging both a [Form 1B – Appeal Against Registrar's Decision](#) and a copy of this notice with the Magistrates Court online at [ecourts.justice.wa.gov.au/eCourtsPortal](https://ecourts.justice.wa.gov.au/eCourtsPortal).

For information about appealing the decision see [www.consumerprotection.wa.gov.au/commissioner-determinations-pets-and-minor-modifications](https://www.consumerprotection.wa.gov.au/commissioner-determinations-pets-and-minor-modifications).

Signed

[redacted]

**Delegate of the Commissioner for Consumer Protection**

**DATE OF ORDER AND WRITTEN REASONS**

29 January 2026

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<sup>7</sup> Section 50ZD *Residential Tenancies Act 1987* (WA).