

Landlord access and entry to a rental property

Tenants have the right to privacy when renting. A landlord, agent or anybody else acting on their behalf can enter the property if notice is provided.

On this page

- [General information](#)
- [Minimum notice period](#)
- [Limits on entry without consent](#)
- [Entry when the tenant isn't home](#)
- [Unlawful entry](#)

General information

Tenants have the right to reasonable peace, comfort and privacy when renting.

The law restricts when and how often landlords, agents or their authorised persons can enter the property while it is rented.

A landlord, agent or authorised person acting on their behalf can generally only enter the property without the tenant's consent if they provide notice to the tenant.

Tenants can always give the landlord or agent permission to enter the property at any time for any reason.

Minimum notice periods

The following table lists the reasons where entry to the property can occur without the tenant's consent, and the minimum notice period required.

The notice requirements do not apply to any part of the property where the tenant does not have the right of exclusive occupation (e.g. a shared laundry or shared kitchen).

Reason

Notice required

Reason	Notice required
To inspect the property	At least 7 days' written notice each time (up to 4 times in a 12 month period)
To carry out or assess the need for necessary repairs or maintenance	At least 2 days notice each time
To carry out urgent repairs, such as fixing a burst water pipe, a gas leak or a blocked toilet)	None
To comply with health and safety obligations, such as inspecting swimming/spa pool fencing	At least 2 days notice each time
To inspect or assess the need to repair or replace a smoke alarm	At least 2 days notice
To repair or replace a smoke alarm	At least 1 hour notice
To obtain a property valuation	At least 7 days notice each time (once in a 12 month period)
To take photos or videos to advertise a property for sale or rent	Reasonable notice, and reasonable opportunity must be given for the tenant to move any belongings that can reasonably be moved out of the picture frame/video scope (only once in a 28 day period before marketing starts or the agreement ends)
To show a prospective tenant (in the last 14 days before the tenancy is due to end)	Reasonable notice each time
In an emergency	None
If the landlord/agent has tried to contact the tenant and been unable to and has reasonable cause for serious concern about the health or safety of the tenant or other occupants	None

Reason	Notice required
If the landlord reasonably believes the tenant has abandoned the property	None
To show the property to prospective buyers	<p>14 days' written notice before the first inspection.</p> <p>After the first inspection, the tenant can agree on a suitable time frame but no more than 2 inspections per week with 48 hours' notice each time</p>

Limits on entry without consent

There are limits to when a landlord, agent or authorised person can enter the property without the tenant's consent.

In most circumstances, entry is not permitted on Sundays, public holidays or outside the hours of 8am to 8pm

Where practical, landlords should notify tenants of an approximate day and time when entry will be required

The landlord, agent or authorised person should not stay on the property longer than necessary

If the landlord or agent's authorised person (e.g. a selling agent, valuer or tradesperson) wants to enter the property, they must have written consent from the landlord or agent and must show this to the tenant if the tenant is home.

These limits do not apply:

- in an emergency
- to carry out urgent repairs
- if the property is abandoned
- if the Tribunal so orders, or
- if the tenant otherwise agrees.

Entry when the tenant isn't home

The landlord, agent or authorised person can enter the property without the tenant's consent if the tenant is not home, provided that the required notice for a valid reason has been given.

If the correct procedures have been followed and if the tenant prevents entry by the landlord, agent or authorised person, then the tenant may be in breach of the agreement.

If the tenant cannot be home, the tenant can try and arrange for someone to be there on their behalf.

The tenant can also give the landlord, agent or authorised person permission to enter the property if they are not home without notice being provided, for any reason that the tenant agrees to. To avoid disputes, it is recommended that the tenant give permission in writing.

Unlawful entry

A landlord, agent or someone on their behalf cannot enter a rented property without following the rules set out above.

Tenants should contact the Tribunal if the problem is serious or persistent, or any goods are damaged or stolen.

Prev Making changes to a rental property

Next Serving notice to tenants

<https://www.fairtrading.nsw.gov.au/housing-and-property/renting/during-a-tenancy/access-and-entry-to-a-rental-property>

23-03-20

Except where otherwise noted, content on this site is licensed under a Creative Commons Attribution 4.0 International License. To view a copy of this licence, visit: <https://creativecommons.org/licenses/by/4.0>

23-03-20