

Rules of entry – General tenancies

The *Residential Tenancies and Rooming Accommodation Act 2008* (the Act) is the main law that governs renting a place to live in Queensland. This fact sheet contains information on how the Act applies when the owner/manager wants to enter the premises.

The owner/manager must take reasonable steps to ensure tenants have quiet enjoyment of their rented home. This means the owner/manager must not interfere with the tenant's reasonable peace, comfort and privacy in using the premises.

However, the owner/manager has the right to enter premises to inspect them and to carry out maintenance and management tasks if they follow the Act's processes.

Can the owner/manager enter if the tenant is not present?

Tenants do not have to be present for an entry unless it is a condition of an agreed entry. However, the Residential Tenancies Authority (RTA) recommends the owner/manager enters at a time the tenant can be present.

What if the tenant doesn't want the property manager/owner to enter?

If a tenant doesn't want the property manager/owner to enter, it's important that they contact them before the planned entry to try and resolve the issue.

If a tenant refuses entry and a resolution cannot be reached, the property manager/owner can try to resolve the dispute using the RTA's [free dispute resolution service](#) or submit an urgent application to the [Queensland Civil and Administrative Tribunal \(QCAT\)](#).

For what reasons can the owner/manager enter?

- The owner/manager can enter the premises for reasons set out in the Act (refer to table). Notice must be given in writing on a form called an [Entry notice \(Form 9\)](#).
- The owner/manager can enter at any time without notice if the tenant agrees, but only at the time agreed to by the tenant.
- The owner/manager can also enter at any time without notice in an emergency, or if there are reasonable grounds to believe entry is necessary to protect the premises from damage.

The amount of notice the owner/manager must give depends on the reason for entering the premises.

Reason	Notice required
To inspect	7 days
To carry out repairs or maintenance	48 hours
To check repairs or maintenance has been completed as requested	48 hours
To check the tenant has fixed a significant breach* after being given a Notice to remedy breach (Form 11) . Entry is limited to two weeks of the expiry of the Form 11	48 hours
To comply with smoke alarm laws	48 hours
To comply with safety switch laws	48 hours
To carry out repairs where the premises is remote and there is a shortage of qualified repairers	None
To show a prospective tenant or purchaser the premises	48 hours
To carry out a valuation	48 hours
To check if the premises are abandoned**	48 hours

* Significant breach' is a breach relating to any of the following:

- using the premises for an illegal purpose
- exceeding the number of occupants allowed
- keeping a pet on the premises without the owner/manager's permission, or
- another matter, if the reasonable cost of rectifying the matter exceeds one weeks rent for the premises.

** For more information, see the [Lease break, abandonment and goods left behind](#) fact sheet.

What if the owner/manager is looking for another tenant or wants to sell the premises?

The owner/manager can only enter to show the premises to a prospective tenant if:

- a [Notice to leave \(Form 12\)](#) was given to the current tenant
- the current tenant gave a [Notice of intention to leave \(Form 13\)](#) to the owner/manager.

An [Entry notice \(Form 9\)](#) must also be given, allowing 48 hours notice of the entry.

The owner/manager may only enter the premises to show a prospective purchaser if a [Notice of lessor's intention to sell premises \(Form 10\)](#) was issued before, or with, the Entry notice.

The owner/manager can only hold an open house or on-site auction if the tenant agrees in writing.

To help protect the privacy of tenants, photos showing a tenant's possessions (e.g. in advertising) can only be used if the tenant agrees in writing.

There are privacy considerations and notice periods that must be observed in the event that a tenant ends their agreement due to Domestic and Family Violence reasons.

Entry by selling agent

The selling agent must give an Entry notice allowing 48 hours notice of the entry.

If the tenant does not know the selling agent, they can request written evidence of their appointment from the owner/manager before they agree to entry. Where an agent is not the renting agent, they must give an Entry notice to the tenant and a copy to the renting agent. They must also give the renting agent a copy of the Notice of lessor's intention to sell premises.

Are there any limits to entry?

- If a property manager/owner serves a [Notice to leave \(Form 12\)](#), or if a tenant/resident issues a [Notice of intention to leave \(Form 13\)](#), a property manager/owner cannot enter the property more than 2 times within a 7-day period.
 - The following grounds for entry are not subject to an entry limit during the 7-day period:
 - by mutual agreement with a tenant
 - to comply with the *Fire Services Act 1990* in relation to smoke alarms
 - to comply with the *Electrical Safety Act 2022* in relation to approved safety switches
 - if a property manager/owner reasonably believes that entry is necessary to protect the premises or its contents from imminent or further damage.
- The owner/manager can only enter the premises on a Sunday, public holiday, or between 6.00pm and 8.00am with the tenant's agreement.
- The owner/manager renting or selling the premises must specify on the Entry notice a two-hour time period during which they intend to enter the premises. The owner/manager must enter the property during the stated two-hour period. They can stay in the property past the end of the two-hour period to complete the job. This does not apply to entry by other people such as tradespeople or valuers, alone or with the owner/manager.
- The owner/manager must not allow a prospective buyer to enter the premises unaccompanied, unless the tenant agrees.
- General inspections cannot take place more than once every three months, unless the tenant agrees. The owner/manager and tenant may also agree to less frequent inspections.
- For entry to show the premises to prospective purchasers or tenants, reasonable time must have elapsed since the last entry for the same reason.

Are the rules different for moveable dwellings?

Except for the following situations, the entry rules are the same for moveable dwelling tenancies:

- The owner/manager for a moveable dwelling tenancy in a moveable dwelling park may include a term in a tenancy agreement stating when and how they may enter the site only to carry out maintenance (e.g. to mow the lawn). When this occurs as per the agreement, an Entry notice is not needed.
- The owner/manager for a short tenancy (moveable dwelling) may enter to inspect the premises giving 48 hours notice via an Entry notice.

How can the tenant dispute an entry?

If the tenant feels their right to quiet enjoyment of the premises is being breached, they should start by discussing this with the owner/manager. If this is unsuccessful, the tenant can give a [Notice to remedy breach \(Form 11\)](#) to the owner/manager.

Either party can request tenancy dispute resolution online via [RTA Web Services](#) or by submitting a completed paper [Dispute resolution request \(Form 16\)](#) to the RTA. Conciliators at the RTA are impartial and do not advocate for either party. They guide the conciliation process but cannot make a decision on the outcome of the dispute.

Important: Help is available for customers who are unable to use RTA Web Services or post. Please call us on 1300 366 311 if you require urgent help to submit a Dispute resolution request form. Your options will be discussed on a case by case basis.

If disputing parties cannot reach agreement through conciliation, a *Notice of unresolved dispute* will be issued. The person who lodged the initial dispute resolution request may choose to apply to the Queensland and Civil Administrative Tribunal (QCAT) for a decision. Parties can also apply to QCAT for an urgent matter (as listed in the Act).

Accessing RTA forms

The RTA's forms can be obtained electronically or in person via:

- rta.qld.gov.au
- 1300 366 311 (Mon to Fri, 8:30am to 5:00pm)
- Level 11, Midtown Centre, 150 Mary Street, Brisbane



Other languages: You can access a [free interpreter service](#) by calling the RTA on 1300 366 311 (Monday to Friday, 8:30am to 5:00pm).

Further information

For more information contact the Residential Tenancies Authority.



rta.qld.gov.au



1300 366 311



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Disclaimer:

This fact sheet is prepared for information only. The Residential Tenancies and Rooming Accommodation Act 2008 is the primary source on the law and takes precedence over this information should there be any inconsistency between the Act and this fact sheet.

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