

Entry to your room

Rooming Accommodation generally covers residents who rent a room, but share facilities like a kitchen or bathroom. See *Do you rent a room?* fact sheet for more information. The *Residential Tenancies and Rooming Accommodation Act 2008* (the Act) is the law that covers tenants and lessors as well as residents and providers in Queensland.

Entry by the provider or agent

The rules of entry are set out in the Act and summarised in the table below. It is important to note that when the provider enters your room they must preserve your privacy and not stay in the room longer than necessary.

If an agent of the provider (i.e. real estate agent) wants to enter your room, and they are not the person to whom you normally pay rent, or they are not accompanied by the provider, you may ask for written evidence of the agent's appointment.

If you ask for evidence of the agent's appointment, they must not enter or stay in your room without producing written proof of this appointment.

In most cases, nobody can enter your room unless:
they are the provider or you know the provider has approved them, they have a reason for entering and you have been given notice

Quiet enjoyment

Your provider must take reasonable steps to ensure you have quiet enjoyment of your room and common areas. The provider or providers' agent must not interfere with your reasonable comfort, peace or privacy in using these areas.

However, your provider or their agents have a right to enter your room if:

- the reason for entry is permitted under the Act;
- you are given written notice of the proposed entry (some exemptions, see table); and
- they provide the required period of notice.

The provider may enter your room with someone else, if this is necessary to carry out the purpose of the entry.

The provider is the person who is providing you with your room. Unless otherwise stated, 'provider' can be taken to include 'provider's agent'. A resident is a person who rents a room in rooming accommodation.

Locks & keys

Your provider must give you any keys needed to access your room, the building and common areas.

The provider must supply and maintain locks that are necessary to make sure your room is reasonably secure.

If you think there is a risk to your safety, or your goods are at risk of theft or damage, you can request that the provider change or repair a lock that secures your room. The provider must not be unreasonable when considering your request.

If you want to make a copy of your keys, you must first gain the providers' permission.

If you can't come to an agreement with your provider, you can apply to QCAT for an order relating to the locks and keys in your premises. The order may:

- require the provider to supply a lock;
- require the provider to carry out maintenance of a lock;
- authorise you or the provider to change a lock;
- allow you to withhold giving to your provider, a copy of a key to a lock; or
- require your provider to give you a key to a lock.

Notice requirements

If the provider asks if they can come into your room and you agree to let them, then the provider is allowed to enter your room.

Reason for Entry – Rooming Accommodation	Minimum Notice Required	Is a Form R9 Entry Notice required?
To inspect a room (only once a month).	48 hours. Further if you are in or near your room at the time of entry, the provider must also let you know they are going to enter.	Yes
For the provider to: <ul style="list-style-type: none"> • clean the room; • carry out pest control; • make routine repairs or carry out maintenance to the room; • show the room to a prospective buyer or resident; or • allow for a valuation of the premises. 	24 hours. Further if you are in or near your room at the time of entry, the provider must also let you know they are going to enter. If the provider intends to enter more than one room on any of these grounds, then the provider can post an entry notice on a notice board or another place likely to be seen by the residents affected by the proposed entry.	Yes, unless it is an agreed service (see below)
To carry out urgent repairs, in an emergency or if the provider believes the room has been abandoned.	Immediately before entry if you are in or near your room at the time of entry.	No
If you agree to the entry, or your rooming accommodation agreement states times the provider may enter the room to provide a service, such as weekly cleaning.	At the agreed time.	No

What can you do if your provider doesn't follow the rules of entry?

If you believe the provider has entered your room in a way that:

- contradicts the rules of entry; or
- interferes with your reasonable peace, comfort and privacy in using your room,

you can try to resolve the dispute with your provider. You may want to write to the provider and ask that they respect the rules of entry. It is a good idea to keep a copy of anything to do with your residency.

If you cannot resolve the dispute with the provider, you can seek an order from the Queensland Civil and Administrative Tribunal (QCAT) about the issue. QCAT can make orders about entry and may change the rules of entry as it considers appropriate.

You can also make a complaint to the Residential Tenancies Authority if the provider has entered your room in breach of the rules of entry.

For free tenancy advice & further information call:

Tenants' Union of Queensland (TUQ)
1300 744 263 – Statewide advice line
www.tuq.org.au

Tenant Advice and Advocacy Services (TAAS)

Look under "T" for tenancy advice in the telephone directory for a local TAAS.

Further information:

Residential Tenancies Authority (RTA)
1300 366 311 www.rta.qld.gov.au

The Tenant Advice and Advocacy Service (Queensland) is administered by the Queensland Department of Communities (Housing and Homelessness Services) funded by both the Residential Tenancies Authority from interest earned on bond lodged with the Authority, and by the Department of Communities (Housing and Homelessness Services).

Disclaimer: This brochure provides information only and is not intended to provide legal advice.

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