

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 tenancy law that covers residential tenants and lessors as well as rooming 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 respect 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.

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. 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.

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 believe 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 the Queensland Civil and Administrative Tribunal (QCAT) for a non-urgent order relating to the locks and keys in your premises. The order may:

- require the provider to supply a lock or a lock of a particular kind;
- require the provider to carry out maintenance of a lock;
- authorise you or the provider to change a lock;
- state that the provider or resident is not required to give the other party a key to a lock;
- require the provider or resident to give the other party a key to a lock.
- the provider must change or repair the lock in order to protect the resident from domestic violence.
- the provider must not give a key to any person other than the resident without the residents agreement or reasonable excuse.

Notice requirements

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

Please refer to the table on the following page for more information.

What's inside

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- **What if your provider doesn't follow the rules of entry?**

Who's who?

A **lessor** is the person who gives a tenant the 'right to occupy' a residential premises. Lessors often employ real estate agents to manage premises on their behalf.

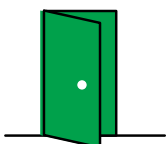
A **provider** is a person who provides rooming accommodation to residents.

Tenants Queensland (TQ) is a specialist community and legal service which has been providing services to and representing the interests of residential renters in Queensland since 1986.

QSTARS is a program providing specialist advice and support to renters, funded by the Qld Government, delivered by TQ

The **RTA** is the government authority that manages rental bonds, provides forms and information, conducts dispute resolution and investigates complaints of unlawful conduct under tenancy laws.

The Tribunal or **QCAT**, hears and makes binding decisions about residential tenancy disputes.



Entry to 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. If you are in or near your room at the time of entry, the provider must also tell you 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 of the room; • show the room to a prospective buyer or resident; or • allow for a valuation of the premises. 	24 hours. If you are in or near your room at the time of entry, the provider must also tell you they are going to enter. If the provider intends to enter more than one room on any of these grounds, 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 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 can talk to the provider and follow up in writing to ask them to respect your privacy and follow the rules of entry. You can also give them a Notice to Remedy Breach (RTA Form R11) in breach of the rules of entry.

If you cannot resolve the dispute with the provider, you make an application to QCAT for a hearing. QCAT can make orders about entry and change the rules of entry if needed.

You can also apply to the RTA Dispute Resolution Service for mediation or make a formal complaint to the RTA if the provider unlawfully enters your room.

Tenancy Facts

Tenancy facts information for renters are available at www.tenantsqld.org.au

Tenancy Rooming Facts include:

- Do you rent a room?
- Entry to your room
- Getting your belongings back
- Moving into a room
- Moving out of a room
- Rooming rent
- While you are a resident

Further help

For free tenancy advice call:

1300 744 263

Open Mon – Friday 9am – 5pm

(extended hours to 7pm on Tuesdays and Wednesdays)

Tenants Queensland

Tenants Queensland (TQ) is a specialist community and legal service which has been providing services to and representing the interests of residential renters in Queensland since 1986. Queensland Statewide Tenant Advice and Referral Services (QSTARS) is managed by TQ to provide specialist tenancy advice, advocacy support and referral for Queensland renters and delivered in collaboration with partner organisations.

For more information and to access tenancy factsheets and videos visit www.tenantsqld.org.au or www.qstars.org.au.

For administration issues contact TQ on 07 3832 9447.

Residential Tenancies Authority (RTA)

The RTA is the government authority. RTA tenancy forms are available online at www.rta.qld.gov.au or call 1300 366 311

The Queensland Civil and Administrative Tribunal (QCAT or the Tribunal)

To find your local Tribunal (except for Brisbane QCAT sits in the local Magistrates Court) or get QCAT forms visit www.qcat.qld.gov.au or call QCAT on 1300 753 228

Translating and Interpreting Service (TIS National)

If you need an interpreter let us know when you call, or call the TIS National translating and interpreting service on 131 450 so they can help you contact our service.

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