

# Your privacy and security

## What are my rights to privacy when I rent a place?

In Queensland, when you rent a place to live, you have the right to “quiet enjoyment” and privacy in your rental place.

Quiet enjoyment means you have a right to the peaceful use and enjoyment of your rental place. Privacy means not being looked at, or disturbed, by the lessor or their agent.

During your tenancy the lessor (or their agent):

- must not interfere with your peace, comfort, or privacy,
- must not unreasonably restrict your use of the place,
- must give you an Entry Notice, or get your agreement, if they want to enter your rental place,
- must make sure the locks and keys work and the place you rent is reasonably secure.

## What if the lessor or agent wants to enter my place?

If your lessor, or their agent, wants to visit your rental place they must follow the “Rules of Entry” set out in the tenancy laws.

The lessor, or an agent who is acting on behalf of the lessor, can only enter your rental place for a reason allowed under the tenancy laws.

Reasons they can enter your place include:

- to do a routine inspection to see if you are looking after the place,
- to carry out repairs and maintain the place,
- to show the place to a new tenant (only applies if you are moving out and if you or the lessor have given a notice to end the agreement)
- to show the place to a new buyer (the lessor must also give you a Form 10 notice to let you know they want to sell the place).

Before they can enter your place, the lessor (or their agent) must give you an **Entry Notice** (Form 9). They will either post or email the Entry Notice to you, or put it in your letter box, so keep an eye out for it.

You can invite anyone into your home at any time. If the lessor or agent asks you if they can come to your place, without sending you a Form 9 Entry Notice, you can decide if you agree to this entry or not. If you agree to the proposed entry, you can still ask them to give you a Form 9 Entry Notice to confirm the agreed entry time.

### When can they enter my place?

The amount of time (notice) your lessor must give you before they can enter your rental place is stated on the Entry Notice. The time will depend on the reason they want to enter.

- for a routine inspection they must give you at least 7 day's notice. They can only do a routine inspection once in every 3 months.
- for other entry reasons they must give you at least 48 hours notice.
- if it is an emergency they can enter at any time
- if you agree to an entry, they can enter at the agreed time.

### What if I don't agree with the entry?

If you get an Entry Notice, but you think the entry time is not reasonable, you can talk to the lessor or agent to see if they will agree on a different day or time. They should be reasonable and respect your privacy.

If the lessor (or their agent) turns up at your place without giving you an Entry Notice, and without your agreement, you do not have to agree to the entry and you can ask them to leave.

### What if I am harassed?

The lessor (or their agent) must not harass, bully or talk meanly to you. If this happens you can make a note of this. You can send them a **Notice to Remedy Breach** (Form 11) that tells them they must respect your rights to privacy. They must not harass you, or interfere with your right to use and enjoy living in your rental place.

### What if the locks don't work or the place is not secure?

When you move into a place your lessor must make sure the locks work and the place is reasonably secure. The lessor must give you keys for each of the locks and must maintain the locks in working order during your tenancy.

If you have a problem with locks or keys let the lessor or agent know. You can ask them to fix the problem. If they don't fix the problem in a reasonable time you can send them a **Notice to Remedy Breach** (Form 11) that asks them to fix the problem in 7 days.

### Important points to remember!

- You have rights to privacy when you rent a place
- Your lessor must make sure the place you rent is reasonably secure
- Your lessor must not interfere with your use of the place.
- If they want to enter your place, the lessor or agent must give you a written Entry Notice, or get your permission.

**For advice and help with renting problems call the Tenants Queensland free QSTARS advice service on 1300 744 263**