

Notice to enter premises including inspection

Residential Tenancies Act 1995 (section 72)

To:

I hereby give you notice that I will enter the premises situated at:

On (date):	At (time):

Tick appropriate box to indicate reason for entry:

- To inspect the premises.** Note: this notice must be no less than 7 and no more than 28 days' written notice stating a period of up to 2 hours that the proposed entry will occur. If the premises is in a remote location or it is necessary for the landlord or agent to be accompanied by a person for the purposes of the inspection, the notice need not specify a 2-hour period.
- To carry out garden maintenance.** Note: this notice must be no less than 7 and no more than 14 days' notice stating the time of the proposed entry.
- For some other genuine purpose.** Note: this notice must be no less than 7 and no more than 14 days' notice stating the time of the proposed entry.

Insert genuine purpose for entering:

Signature of landlord/agent:	Date:
Address of landlord/agent:	

This notice may be:

1. Personally handed to the tenant
2. Mailed to the tenant
3. Placed in the tenant's letterbox
4. Emailed to the tenant
5. Other (*please specify*)



Residential Tenancies Act 1995 – section 72**Right of entry**

- (1) It is a term of a residential tenancy agreement that the landlord (or an agent of the landlord) may enter the premises—
- (a) in an emergency; or
 - (b) to collect rent (if a reasonable alternative method of payment of rent not involving attendance at the premises has been offered to, but not accepted by, the tenant)—
 - (i) not more than once each week; and
 - (ii) only at a time previously arranged with the tenant (which may only be outside normal hours if the arrangement has been made no more than 7 days before the day of entry); or
 - (c) to inspect the premises—
 - (i) not more than 4 times in a year (or, if an order of the Tribunal has permitted otherwise under subsection (5c), in accordance with that order); and
 - (ii) only in accordance with a written notice given to the tenant no less than 7 and no more than 28 days before the day of entry—
 - (A) stating the purpose of the proposed entry and the date of the proposed entry; and
 - (B) specifying a period of up to 2 hours (which must be within normal hours) within which the proposed entry will occur,

(however, if the premises are in a remote location or it is necessary for the landlord or agent to be accompanied by a person for the purposes of the inspection, the notice need not specify a 2 hour period within which the proposed entry is to occur, but the entry must occur within normal hours);
 - (ca) to inspect the premises in accordance with an order of the Tribunal under section 89A(4)(b); or
 - (d) to carry out garden maintenance, but only—
 - (i) at a time previously arranged with the tenant no more than 7 days before the day of entry; or
 - (ii) in accordance with a written notice given to the tenant no less than 7 and no more than 14 days before the day of entry stating the purpose of the proposed entry and the date and time (which must be within normal hours) of the proposed entry; or
 - (iii) at the request of the tenant; or
 - (e) to carry out necessary maintenance (other than garden maintenance) or repairs (other than in an emergency), but only at the request of the tenant, or at a time within normal hours of which the tenant has been given at least 48 hours notice; or
 - (ea) to carry out the requirements of a housing assessment order or housing improvement order at a reasonable time of which the tenant has been given at least 48 hours notice; or
 - (f) to show the premises to prospective tenants—
 - (i) at the request of the tenant; or
 - (ii) during the period of 28 days preceding the termination of the tenancy agreement, but only on a reasonable number of occasions and only at a time within normal hours of which the tenant has been given reasonable notice; or

- (g) to show the premises to prospective purchasers, on not more than 2 occasions in any 7 day period (unless the tenant has agreed otherwise), but only—
 - (i) at a time previously arranged with the agreement of the tenant (who must not unreasonably refuse to agree to times when the premises are to be available for inspection by prospective purchasers); or
 - (ii) if agreement cannot be reached with the tenant—at a time within normal hours as ordered by the Tribunal, on application by the landlord, if the Tribunal is satisfied that the tenant is unreasonably withholding their agreement; or
 - (h) if the landlord has given the tenant notice of a breach of the residential tenancy agreement under section 80—to determine whether the breach has been remedied, but only in accordance with a written notice in the prescribed form given to the tenant no less than 7 and no more than 14 days before the day of entry stating the purpose of the proposed entry and the date and time (which must be within normal hours) of the proposed entry; or
 - (i) for some other genuine purpose, but only—
 - (i) in accordance with a written notice given to the tenant no less than 7 and no more than 14 days before the day of entry and stating the purpose of the proposed entry and the date and time (which must be within normal hours) of the proposed entry; or
 - (ii) with the consent of the tenant; or
 - (j) if the landlord believes on reasonable grounds that the tenant has abandoned the premises.
- (2) It is a term of a residential tenancy agreement that if the tenant has indicated to the landlord that he or she wishes to be present during the period when the landlord or landlord's agent is at the premises, the landlord (or an agent of the landlord) may not enter the premises unless a reasonable effort has been made to arrange for the visit to occur at a time when it is convenient for the tenant to be present (having regard to the work and other commitments of both the tenant and the persons entering the premises).
- (3) Subsection (2) does not apply to entry under subsection (1)(a), (h) or (j).
- (4) It is a term of a residential tenancy agreement that neither the landlord nor an agent of the landlord may enter the premises otherwise than in accordance with the preceding subsections.
- (5) This section does not apply to a part of the premises that the tenant uses in common with the landlord or another tenant of the landlord.
- (5a) For the purposes of subsection (1)(c), (ca), (f), (g) and (h), the regulations may prescribe requirements relating to the production, distribution or publication of documents or records in connection with the relevant entry onto the premises.
- (5b) A landlord who contravenes a requirement under subsection (5a) is guilty of an offence.
 Maximum penalty: \$25 000.
 Expiation fee: \$1 200.
- (5c) The Tribunal may, on application by the landlord or an agent of the landlord, order that the landlord or agent is permitted to inspect the premises more than 4 times in a year if the Tribunal considers it appropriate in the circumstances.
- (6) In this section—
normal hours means the hours between 8am and 8pm on any day other than a Sunday or public holiday.

For further information contact Consumer and Business services on 131 882, or visit sa.gov.au/renting