

## Accessing the property

This information is for private landlords.

During a tenancy, you'll need to visit the property to carry out inspection and repairs.

Although you're the owner, your rights to enter the property are limited. The property is your tenant's home and they have a right to privacy.

Your tenancy agreement should clearly state when you can enter the property. You must stick to these terms, unless there is a genuine emergency.

## Your rights to enter the property

You cannot enter the property without your tenant's permission. The only exception is in the case of an emergency.

To arrange access, you should contact your tenant and:

1. explain the reason you need to access the property
2. give your tenant at least 24 hours' notice
3. propose a suitable time and date
4. wait for your tenant to confirm that you can enter at that time and date

It's not enough to call the tenant on your way to the property.

You do not have to give written notice. But keeping a record of your attempts to arrange access will help if a dispute arises later on.

If your tenant does not respond, you should contact them again. You cannot go into the property until the tenant has confirmed that they agree to this.

# **Video: How to access your rented property**

## **Video transcript**

With any tenancy, you'll need to visit your rental property, to inspect it, carry out repairs or do a viewing. Let's talk about how to arrange access and what to do if you're finding it hard.

The property is your tenant's home and they have a right to privacy. First, check your contract to see what it says about accessing the property.

You need to give your tenant at least 24 hours' notice if you, or a contractor, are planning on calling to the property.

You can only go inside if your tenant gives you permission. If your tenant doesn't respond, you'll have to contact them to arrange another time.

The only time you can enter the property without your tenant's permission is in an emergency, where there's an immediate risk of serious damage or injury, like a gas leak, fire or flood.

If you've tried many times and your tenant won't let you access the property, they could be breaking the contract.

You can write to them and try once more to arrange access, letting them know that if they won't cooperate, this could lead to eviction.

Remember to keep a record of your attempts, especially if you're trying to get access to carry out repairs. This shows that you've tried to get access to address the issue.

Contact Landlord Advice if you're having problems getting access to your property. You can call or email for advice.

## **Dealing with a tenant who refuses access**

Your tenants are allowed to refuse anyone access to their home. But they should not withhold their consent unreasonably. If you give your tenant reasonable notice, they should allow you access.

The time you suggest might not be convenient and they may not want anyone in the property if they're not home. In this case, you'll need to arrange an alternative date and time.

Accessing the property without the tenants' permission could be seen as [harassment](#).

If your tenant refuses all requests to access the property or being obstructive, they are likely in breach of their contract. Write to your tenant and remind them of the term in their tenancy agreement that requires them to allow access.

Let them know they are in breach of this term if they continually refuse to let you enter the property.

Explain that if they do not allow reasonable access, you:

- will not be able to carry out repairs
- may take legal action to get access
- may consider ending the tenancy

The [Housing Mediation Service](#) may be able to help resolve a dispute with a tenant who refuses access.

You have the right to apply for a court order to access the property to carry out an inspection or repairs. You'll need a solicitor to make the application for you.

## **Entering the property in an emergency**

You can enter the property if there is an immediate risk of:

- serious damage to the building or
- serious injury to your tenants or neighbours

This type of emergency includes incidents such as a fire, flood or gas leak.

Try to contact the tenants before entering. Knock loudly before using your own key to go inside.

You may be concerned about bad weather and potential damage caused by frozen pipes. If so, talk to your tenants ahead of time. Ask them to tell you if they'll be away from the property during the winter.

You can ask for permission to enter the property to check pipes or turn off the water if needed. Try to get this permission in writing.

## **Arranging viewings of an occupied property**

If your tenants are due to move out, you may want to arrange viewings during the last few weeks of the tenancy.

Check your contract for a term about viewings. Even if there is a term stating that your tenants must allow viewings at the end of the tenancy, they may still refuse access. If this happens, you cannot go ahead with viewings without their permission.

If your tenancy agreement does not have a term about viewings, you should:

- ask tenants to allow limited viewings
- check if they have a preferred time for viewings
- ensure you give at least 24 hours notice of a viewing
- confirm that the tenants agree before going ahead

You should not:

- go ahead with viewings without the tenants' consent
- ask your tenants to leave the property during viewings
- insist that the property is thoroughly cleaned before viewings

## **Agreeing rights of access in your contract**

To avoid problems, include a term in your [tenancy agreement](#) explaining how and when you can access the property. This type of term usually states that a landlord or agent can enter the property under certain circumstances.

These include:

1. to inspect or carry out repairs, and that
2. they must give the tenant a minimum of 24 hours' notice, and
3. they can only enter if the tenant gives permission

A term that interferes with the tenant's basic right to peacefully occupy the property is [an unfair term](#).

This would include terms such as:

- allowing the landlord or agent to access the property without giving notice
- allowing the landlord or agent to access the property without the tenant's permission
- obliging the tenant to agree to viewings throughout the entire tenancy

## **More advice**

- [Tenancy agreement](#)
- [Illegal eviction and harassment](#)
- [Carrying out repairs](#)

## **Footnotes**