

Private Tenancy Explained: Access and Privacy Laws

This factsheet explains about private rental properties for tenants:

- Your rights as a tenant to quiet enjoyment and privacy
- Situations when your landlord or real estate agent can ask for access to your home
- If you can refuse your landlord or real estate access to your home

This factsheet gives general legal information. It is not legal advice. *Last updated on 25 March 2026.*

Your rights as a tenant in a private Tenancy Agreement

Quiet enjoyment

As a tenant, you have the right to the quiet enjoyment of your home. This means you have the right to live in the property in peace and comfort, without your landlord or real estate agent disturbing your use of the home.

Your landlord or real estate agent should not enter your property unless they follow the rules in your Tenancy Agreement and the law. That means giving you appropriate notice beforehand.

Privacy

Your landlord or real estate agent must not disturb your right to reasonable peace, comfort, and privacy in the rental property. This means they should not:

- Enter your home without proper reason and notice.
- Contact you more than is necessary.
- Contact you in a threatening way.
- Inspect the property more than the law allows them to.

Security Cameras

Whether cameras interfere with your privacy depends on the circumstances, such as the location of the cameras and who has access to the footage.

Communication

Your landlord or real estate agent is allowed to contact you. This is generally not a breach of your privacy. If the communication is excessive, threatening, or intimidating, it may be a breach of your privacy.

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If you believe your landlord or real estate agent is interfering with your privacy or quiet enjoyment, please contact our Tenancy Advice Service on 1300 402 512 to make an appointment to talk to a lawyer.

Access for routine inspections

Landlords or real estate agents are allowed to enter your property for a routine inspection. They can enter 2 times in each 12-month period. They can also carry out an additional inspection once in the first month of the tenancy and once in the last month.

If an inspection is required, you must be given at least 1 weeks' notice in writing. The inspection must take place at a time agreed between the parties with reasonable regard to work and other commitments of both parties.

If you cannot agree on a time, you or the landlord or real estate agent can apply to the ACT Civil and Administrative Tribunal (ACAT) for an order permitting access at a specified time (an Access Order). ACAT will tell you by post or email if you have a hearing for an Access Order.

Submitting an application to ACAT for an Access Order is a formal process. It does not get decided immediately and you will be required to attend a hearing. ACAT will listen to both you and the landlord/real estate before making a decision.

We have a different factsheet with information on applying to ACAT. It is titled 'Going to ACAT'. It is available on the Legal Aid ACT website: www.legalaidact.org.au/what-we-do/information-education

Please get legal advice before submitting an application like this to ACAT. Contact our Tenancy Advice Service on 1300 402 512 to make an appointment to talk to a lawyer.

Access for people who might rent or buy the property

If your tenancy agreement is ending, you must allow reasonable access for inspections by possible new tenants during the last 3 weeks of the tenancy agreement. The landlord or real estate agent must tell you at least 24 hours before of these inspections happening.

You must also allow reasonable access for possible buyers if the landlord or real estate agent told you of their intention to sell the property. They must provide this notice of intention in writing before asking you to allow them access.

The landlord or real estate agent must tell you at least 48 hours before any inspection for potential buyers takes place. You must not unreasonably refuse an inspection of the premises by a prospective buyer, but you

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are not required to agree to more than 2 inspections per week. The inspections must be scheduled at a time agreed between you and the landlord or real estate agent. If you cannot agree on a time, either party may make an application to ACAT for an Access Order.

We have another factsheet with more information about ending a tenancy. It is titled 'Private Tenancy Explained: When can I end my tenancy?'. It is available on the Legal Aid ACT website:

www.legalaidact.org.au/what-we-do/information-education.

Access for Repairs and Maintenance

Landlords and real estate agents sometimes need access to your property to:

- Assess damage and carry out repairs.
- Check compliance with minimum housing standards.

For non-urgent repairs, the landlord or real estate must give you 1 weeks' notice. It is usually in your best interests to allow the landlord or real estate access so that repairs can be done quickly.

For urgent repairs, landlords or real estate agents must give reasonable notice and can only enter the premises at a reasonable time.

Can I refuse access?

You cannot unreasonably refuse access to your property if the landlord or real estate agent has followed all the rules. Refusing access without a valid reason can be a breach of your lease. A landlord can rely on such breach to apply to ACAT for an order to end your tenancy early as an alternative to seeking an Access Order. If you are thinking about refusing access, talk to a lawyer.

You can talk to a lawyer for free through Legal Aid ACT's Tenancy Advice Service. Contact 1300 402 512 to make an appointment to talk to a lawyer.

Where can I get help?

Legal Aid ACT

- Phone: 1300 654 314 (Monday to Thursdays, 8.30am to 7pm, Fridays 8.30am to 5pm)
- Website: www.legalaidact.org.au

Tenancy Advice Service

- Phone: 1300 402 512 (Monday to Thursdays, 8.30am to 7pm, Fridays 8.30am to 5pm)

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- Website: www.legalaidact.org.au/tasact
- The Tenancy Advice Service is a specialist legal advice service within Legal Aid ACT
- The Tenancy Advice Service is free and confidential

ACAT (ACT Civil and Administrative Tribunal)

- Phone: (02) 6207 1740
- Website: www.acat.act.gov.au/case-types/rental-disputes

Other useful factsheets by Legal Aid ACT

- *Private Tenancy Explained: When can I end my tenancy?*
- *Private Tenancy Explained: Evictions*
- *Going to ACAT*

These factsheets are on our website: www.legalaidact.org.au/what-we-do/information-education

The Law

Residential Tenancies Act 1997 (ACT)

[Residential Tenancies Act 1997 | HTML view](#)