



Policy Number: 03-002
Subject: Notice to Enter
Chapter: Entry of Premises

Legislation	s. 10(5)
Definitions	
Purpose	The purpose of this policy is to set reasonable guidelines for landlords (or their listing agent) to enter rental units for the purpose of inspecting premises, carrying out work on the premises, showing rental units for sale or showing the unit to prospective tenants. These guidelines help to protect both the tenant’s right to privacy in their home and the landlord’s right to use standard practices to inspect, show, and sell rental property.
Policy	Except in the case of an emergency, the landlord shall not enter the premises without the consent of the tenant unless: <ul style="list-style-type: none"> • notice of termination has been given by the landlord or the tenant and the entry is at a reasonable time for the purpose of showing the premises to a prospective tenant or purchaser and a reasonable effort has been made to give the tenant at least 4 hours notice; • the entry is made at a reasonable time and written notice of the time of the entry has been given to the tenant at least 24 hours in advance;
Procedure Overview	<p>Notice Requirements (Section 34)</p> <p>The notice to enter the residential premises must be in writing and must identify the names of the tenants and the address of the rental unit. The notice must also identify the section of the Residential Tenancies Act (Section 10.(1) 5) under which this notice is given.</p> <p>In the notice to the tenant, the landlord must identify the date of entry and identify a reasonable time of day for the entry. The landlord must also identify the reason(s) why entering the premises is necessary.</p> <p>If the landlord does not meet the responsibility to provide proper notice and sufficient reasons to justify entering the premises, the tenant has a right to terminate the tenancy for interference with peaceful enjoyment and reasonable privacy.</p>



	<p>Service Requirements (Section 35(2)) The landlord's notice to enter may be delivered to the tenant by:</p> <ul style="list-style-type: none"> • sending it electronically where: <ul style="list-style-type: none"> ○ it is provided in the same or substantially the same form as the written notice or document; ○ the tenant has provided an electronic address to receive documents, and ○ it is sent to that electronic address; • giving it personally to the tenant; • giving it to a person 16 years of age or older who apparently lives with the tenant; • posting it in a conspicuous place on the tenant's premises; • placing it in the tenant's mailbox or under a door in the tenant's premises; • sending it to the tenant by prepaid registered mail or prepaid express post or by courier service at an address (i) provided by the tenant or (ii) where the tenant carries on business. <p>Where the landlord's notice to enter is sent electronically as indicated above, it will be considered served on the day it is sent if it is sent before 4pm. If the notice is sent after 4pm, it will be considered to be served on the next day which is not a weekend or statutory holiday.</p> <p>Where the landlord's notice to enter is sent by registered mail or express post, it will be considered to be served on the 5th day after mailing.</p>
Forms & Form Letters	Landlord's Notice to Enter Premises
X-Reference	
Policy Developed	September, 2000
Policy Revised	January, 2002 August, 2021
Other Resources	