

03

NOISE AND QUIET ENJOYMENT

Residential Tenancies Act 2010 (NSW) — Section 50

Your rights when persistent noise from a landlord-controlled source is destroying your peace

WHEN TO USE THIS BUNDLE

Use this bundle when persistent noise from a source the landlord controls — another of their tenants, a permitted occupant, or common areas — is unreasonably interfering with your peace, comfort or privacy. For an unrelated neighbour's dog or parties, use your council — with the same diary.

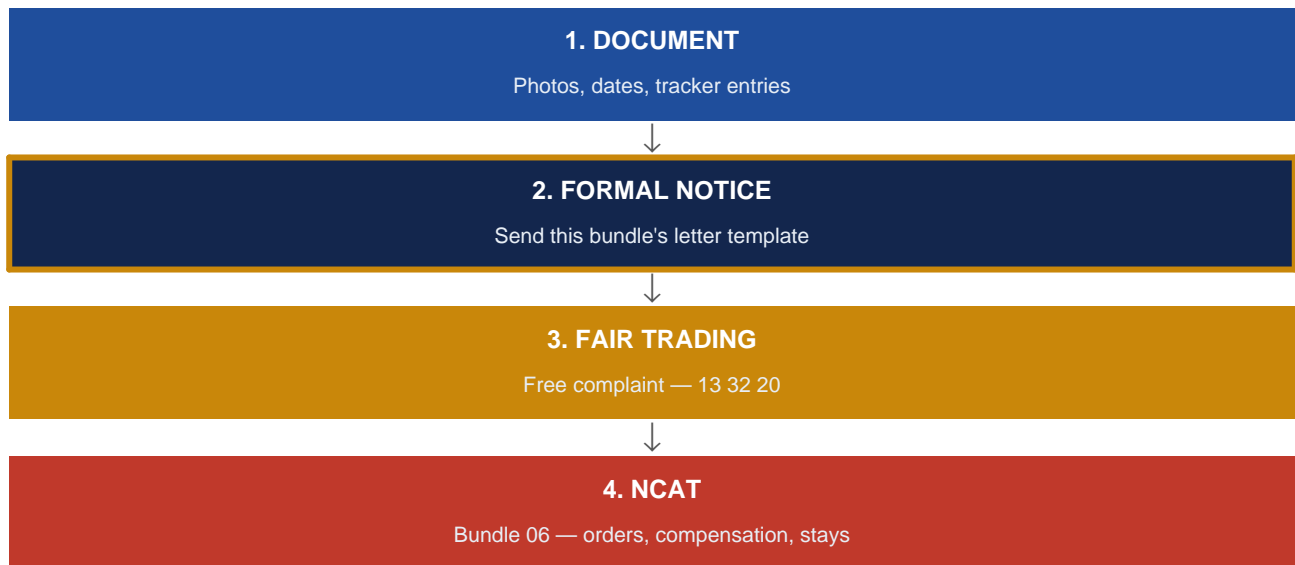
KNOW THE LAW — THE RIGHT TO QUIET ENJOYMENT (S.50)

Under s.50 the landlord must not cause or permit any interference with your reasonable peace, comfort or privacy. This covers interference by the landlord or agent directly, and by anyone they permit on the property — including other tenants of the same landlord, persons using shared facilities the landlord controls, and unauthorised occupants the landlord knows about. Noise from an unrelated neighbour under a different landlord is a council matter — but the same diary evidence works there too.

WHO IS THE LANDLORD LIABLE FOR?

NOISE SOURCE	LANDLORD LIABLE?
Adjacent tenant — same landlord	Yes — the landlord controls that tenancy
Person permitted by landlord (e.g. occupant)	Yes — the landlord is responsible
Common area noise (laundry, corridors)	Yes — the landlord controls common areas
Landlord or agent causing disturbance	Yes — direct breach of s.50
Neighbour under a different landlord	Limited — council or police action applies

HOW THE SYSTEM WORKS — YOUR ESCALATION PATH



The highlighted box shows where this bundle fits in the journey.

03

STEPS TO SUCCESS

Residential Tenancies Act 2010 (NSW) — Section 50

01 Start your diary immediately

Log every incident the moment it happens: date, time, duration, type, source. NCAT acts on pattern evidence — a contemporaneous diary, not a reconstruction.

02 Record audio or video where possible

Name the file with date and time and email it to yourself immediately — the timestamp is independent proof.

03 Send formal written notice citing s.50

After two or more documented incidents, send the bundle letter listing dates, times, and the action you require, with a 7-day response deadline.

04 Escalate through Fair Trading

A free complaint (13 32 20) puts the landlord on notice that a tribunal application is next.

05 Apply to NCAT if the interference continues

Bring your incident diary, recordings, and all correspondence. NCAT can order the landlord to act and award compensation — use Bundle 06.

IF YOU NEED TO ESCALATE — WHAT NCAT CAN ORDER

NCAT can order the landlord to take steps to stop the interference, award compensation for the period of the breach, and reduce rent retroactively. A detailed, dated incident log is the most persuasive evidence a quiet-enjoyment hearing can see.

★ GOOD TO KNOW — PATTERN EVIDENCE IS WHAT NCAT REQUIRES

A single incident rarely establishes a breach of s.50. NCAT looks for documented incidents over time demonstrating ongoing, unreasonable interference. Log every incident — even the minor ones. Cumulative records win cases.

■ CRITICAL — YOUR DIARY IS YOUR MOST IMPORTANT EVIDENCE

NCAT places significant weight on a contemporaneous diary — entries made at the time. Months of consistent documented entries showing regular, severe disturbance is compelling evidence. A letter written after the fact is not.

■ CRITICAL — THE LANDLORD IS LIABLE FOR THOSE THEY PERMIT

Anyone the landlord allows to occupy or use the property falls within s.50. If someone lives at the property without being on any lease and the landlord knows, that person's conduct is the landlord's legal responsibility.

1. COPY

Copy the letter below into a new email

2. FILL

Replace every **[bracketed]** field with your details

3. SEND

Email it — request a read receipt, save a copy

Fill in every **[bracketed]** field, then send via email — request a read receipt.

SUBJECT:**FORMAL NOTICE — BREACH OF QUIET ENJOYMENT (s.50): [Insert Property Address]**

I am writing to formally notify you of ongoing and persistent interference with my reasonable peace, comfort and privacy at the above property, in breach of Section 50 of the Residential Tenancies Act 2010.

1. PARTICULARS OF THE INTERFERENCE

- Source: **[e.g., adjacent unit under your management / person residing on the premises without being on the lease / common area under your control]**
- Nature: **[e.g., loud music, voices, barking dog, machinery]**
- Key incidents on record: **[e.g., 'Tuesday 10/06/2026: 11:30pm–3:00am — loud music and voices. Thursday 12/06/2026: 1:00am–4:00am — repeat disturbance.']**
- Impact: **[sleep, health, work, enjoyment of the property]**

2. ACTION REQUIRED

- Under Section 50 you must not cause or permit interference with my reasonable peace, comfort or privacy.
- I formally request immediate and effective action to remedy this interference, and a written response confirming the steps you will take by **[Insert Date — e.g., 7 days]**.

3. EVIDENCE ON RECORD

- I maintain a contemporaneous incident diary with dates, times, durations and recordings.
- If this matter is not resolved, I will lodge a complaint with NSW Fair Trading and apply to NCAT for orders and compensation.

Yours sincerely,

[Your Full Name]

[Property Address]

[Date]

[Contact Number / Email]