

02

NOISE AND QUIET ENJOYMENT

Residential Tenancy Act 1997 (Tas) — Section 55

TAS —
Magistrates
Court

Your rights when noise from an owner-controlled source interferes with your peace, comfort or privacy

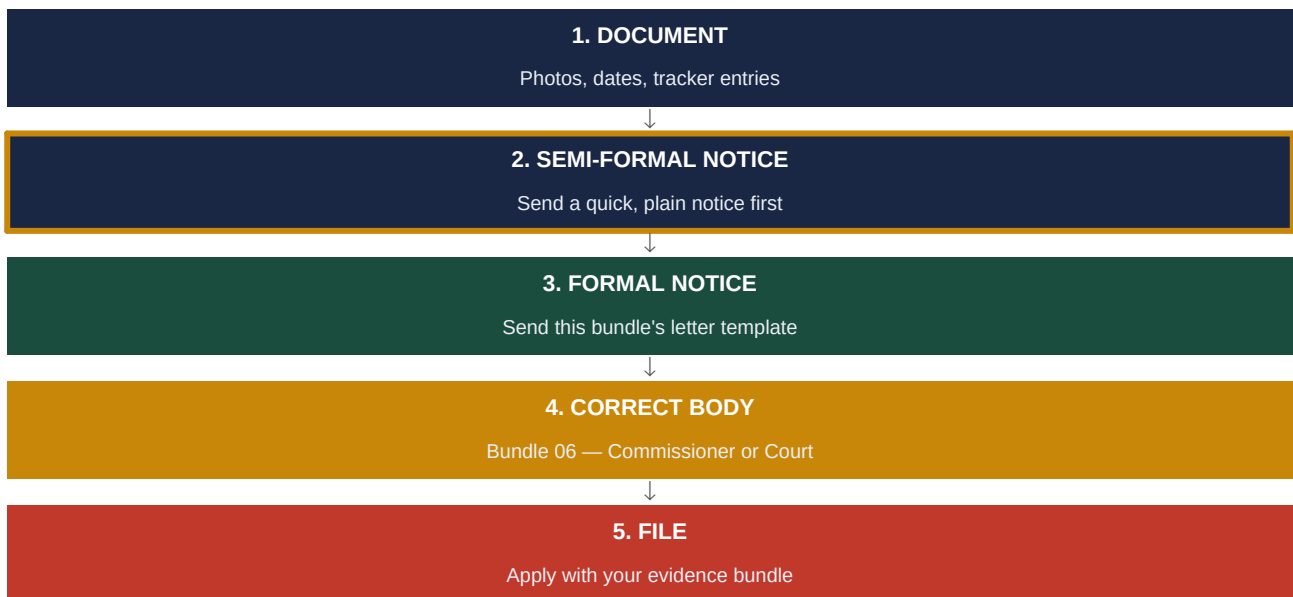
WHEN TO USE THIS BUNDLE

Use this bundle when noise — from another tenant under your owner's control, or from the owner or agent directly — persistently interferes with your reasonable peace, comfort or privacy.

KNOW THE LAW — THE QUIET ENJOYMENT OBLIGATION (S.55)

Section 55 of the Residential Tenancy Act 1997 gives you the right of quiet enjoyment without interference by the owner, and requires the owner not to interfere with your reasonable peace, comfort and privacy — on penalty of a fine up to 50 penalty units.

HOW THE SYSTEM WORKS — YOUR ESCALATION PATH



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

02

STEPS TO SUCCESS

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01 Log every incident in real time

Date, time, duration, source, and severity — for every occurrence, not just the worst ones.

02 Record evidence where possible

Audio recordings, written diary entries, and witness accounts all strengthen your case.

03 Check whether the source shares your owner

The s.55 remedy applies to interference the owner causes or permits. If the noise comes from a property under a different owner, this is a council nuisance matter under the Dog Control Act 2000 (Tas) or general noise process — keep logging regardless.

04 Send a formal written notice citing s.55

After at least two documented incidents, put the owner on formal written notice.

05 Escalate if ignored

If ignored, prepare a Magistrates Court application (Bundle 06).

IF YOU NEED TO ESCALATE — WHAT MAGISTRATES COURT CAN ORDER

The Magistrates Court can order the owner to take action against the source of interference and award compensation for the loss of quiet enjoyment you have suffered.

★ GOOD TO KNOW — DIFFERENT OWNER? STILL LOG IT

Noise from an unrelated neighbour under a different owner isn't a s.55 matter against your own owner — but a consistent, timestamped diary works in every channel: council nuisance complaints, police, and mediation alike.

■ CRITICAL — SECTION 55 CARRIES A PENALTY OF UP TO 50 PENALTY UNITS

This isn't just a civil remedy — s.55 makes interference with quiet enjoyment an offence with a statutory penalty, giving your written notice real weight.

■ CRITICAL — DOCUMENT EVERY INCIDENT — PATTERN EVIDENCE WINS

A single complaint rarely succeeds. A consistent, timestamped diary of repeated incidents is what the Magistrates Court acts on.

NOTICE OF DISTURBANCE — NOISE AND QUIET ENJOYMENT

TAS —
Magistrates
Court

Residential Tenancy Act 1997 (Tas) — Section 55

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

This is your first contact — a short, plain notice after you've logged at least two incidents. Copy it into an email. If it's ignored, use the formal template on the next page.

SUBJECT:

Noise disturbance at [Insert Property Address]

Hi [Insert Property Manager Name],

I wanted to flag an ongoing noise issue at the property that I've been keeping a record of.

WHAT'S BEEN HAPPENING

- Source: [e.g., the unit next door / a person staying at the property]
- Recent incidents: [e.g., Tue 10/06 11:30pm–3am, Thu 12/06 1am–4am]

WHAT I'M ASKING FOR

- Could you please look into this and let me know what steps will be taken?
- Happy to share my incident log if that's useful.

Thanks,

[Your Full Name]

[Property Address]

[Contact Number / Email]

1. COPY

Copy the letter below into a new email

2. FILLReplace 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 — INTERFERENCE WITH QUIET ENJOYMENT: [Insert Property Address]**

I am writing to formally notify you of ongoing interference with my quiet enjoyment of the above-referenced property, pursuant to Section 55 of the Residential Tenancy Act 1997.

1. PARTICULARS OF INTERFERENCE

- Source: **[e.g., occupant of the adjoining unit under your management]**
- Nature: **[e.g., loud music and voices, most nights between 11pm and 2am]**
- Dates of incidents logged: **[Insert Dates]**

2. IMPACT

- This ongoing interference is materially affecting my reasonable peace, comfort and privacy in the property.

3. FORMAL REQUEST

- Pursuant to Section 55, I request that you take reasonable steps to address this interference within **[Insert Timeframe — e.g., 14 days]**.
- If this matter is not resolved, I will make an application to the Magistrates Court.

Yours sincerely,

[Your Full Name]

[Property Address]

[Date]

[Contact Number / Email]