

06

ENTRY AND INSPECTION NOTICE RESPONSE

Residential Tenancies Act 1997 (Vic) — Sections 85–91, 67

Your rights when you receive a deficient entry or inspection notice

WHEN TO USE THIS BUNDLE

Use this bundle when you receive an entry or inspection notice that is deficient — insufficient notice period, proposed time outside permitted hours, no stated purpose, or exceeds the permitted frequency. Also use it to formally record every entry.

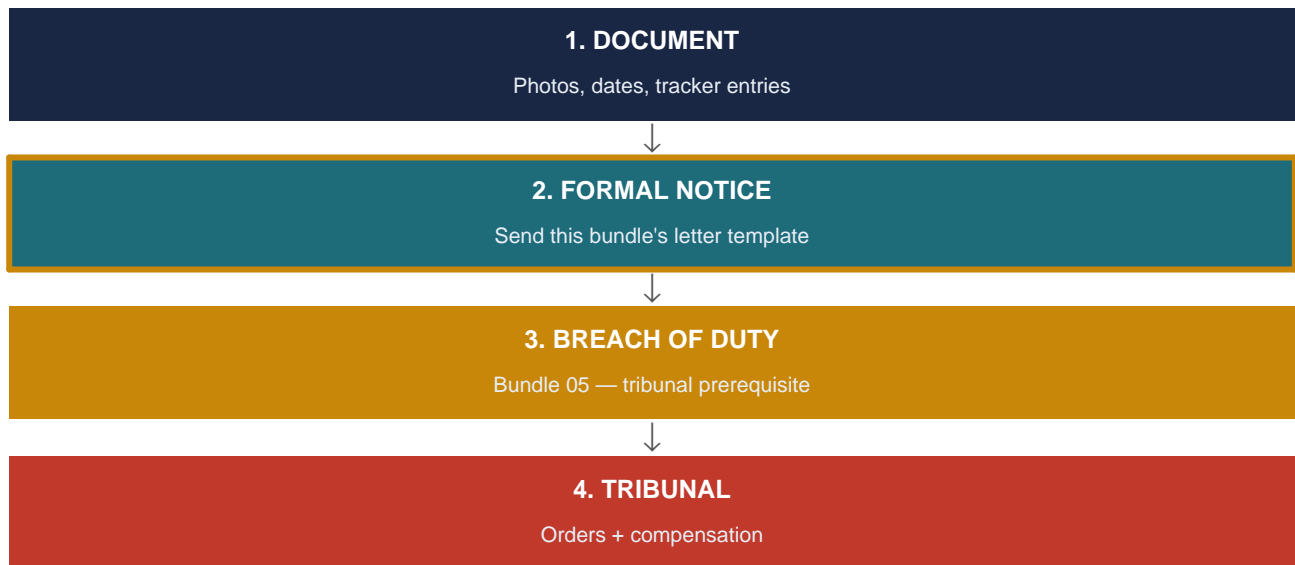
KNOW THE LAW — ENTRY RIGHTS AND LIMITS (SS.85–91, 67)

Sections 85–91 of the Residential Tenancies Act 1997 regulate when and how a rental provider may enter rented premises. The requirements differ by entry type. Routine inspections require at least 7 days written notice, may not occur within 3 months of tenancy commencement or the last inspection, and are limited to a maximum of 4 per 12 months. Other entries (repairs, showing to buyers) require a minimum of 24 hours written notice. All entries must occur between 8am and 6pm on any day except public holidays. Section 67 provides the right to quiet enjoyment.

ENTRY RULES AT A GLANCE

ENTRY TYPE	MIN. NOTICE	PERMITTED HOURS	FREQUENCY LIMIT
Routine inspection	7 days written	8am–6pm (not public holidays)	Max 4 per 12 months
Repairs / tradesperson	24 hours written	8am–6pm (not public holidays)	No limit
Show to prospective tenants	24 hours written	8am–6pm (not public holidays)	No limit
Emergency	None	Any time	As required

HOW THE SYSTEM WORKS — YOUR ESCALATION PATH



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

06

STEPS TO SUCCESS

Residential Tenancies Act 1997 (Vic) — Sections 85–91, 67

01 Check the notice against the four requirements

On receiving any entry notice, immediately verify: (1) adequate notice period, (2) permitted time, (3) stated purpose, (4) frequency limit not exceeded.

02 Identify which requirement(s) are not met

Clearly identify the specific deficiency. Your response template should state only the actual deficiencies — do not overstate the case.

03 Send the response template immediately

Fill in all [bracketed] fields and send the response by email immediately. State clearly which requirement(s) are not met, that the entry cannot proceed on the deficient notice, and that a compliant notice must be reissued. A deficient notice does not authorise entry.

04 Be present during inspections where possible

Take your own notes and photographs of the property's condition before and after entry. This protects against false damage claims.

05 Track all entries in the Evidence Tracker

Log every notice received and every entry that occurs. Pattern evidence of excessive inspections is critical for a VCAT complaint under s.67.

IF YOU NEED TO ESCALATE — WHAT VCAT CAN ORDER

Repeated deficient entry notices or excessive inspections can constitute a breach of quiet enjoyment under s.67. VCAT can order the rental provider to comply with notice requirements and award compensation for interference with quiet enjoyment. A documented chronological record of all entries is essential — a single deficient notice is a warning; a pattern is a VCAT application.

★ GOOD TO KNOW — YOU CANNOT REFUSE A VALID NOTICE

If a notice is valid — correct notice period, permitted time, stated purpose — you cannot unreasonably prevent entry. Refusing valid entry may put you in breach. This template is for deficient notices only.

■ CRITICAL — EXCESSIVE INSPECTIONS BREACH QUIET ENJOYMENT

More than 4 routine inspections in 12 months, or repeated unannounced entries, can constitute a breach of your right to quiet enjoyment under Section 67. Document every entry — this evidence is essential for a VCAT complaint.

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:**RESPONSE TO ENTRY NOTICE — NOTICE DEFICIENCY: [Insert Property Address]**

I am writing in response to your entry notice dated **[Insert Date of Notice]** proposing entry to the above property on **[Insert Proposed Entry Date]** at **[Insert Proposed Time]**.

1. NOTICE DEFICIENCY — APPLICABLE ITEMS

- I note that your notice is deficient in the following regard(s). Complete the items that apply:
- Insufficient notice period: The notice period provided is **[X hours/days]**, which does not meet the minimum **[24 hours / 7 days]** required for this type of entry under Sections 85–88.
- Proposed time outside permitted hours: Entry at **[proposed time]** does not fall within permitted hours of 8am to 6pm, or falls on a public holiday.
- Purpose not stated: The notice does not clearly state the purpose of entry as required by the Act.
- Exceeds permitted frequency: This proposed inspection would be the **[X]**th routine inspection within 12 months / within 3 months of the last inspection.

2. ENTRY NOT AUTHORISED — COMPLIANT NOTICE REQUIRED

- As the notice does not comply with the requirements of the Act, the proposed entry is not authorised and should not proceed. Entry without a valid notice would be unlawful and an interference with my quiet enjoyment under Section 67.
- Please reissue a compliant entry notice that meets the requirements of Sections 85–88 of the Residential Tenancies Act 1997.
- I am happy to facilitate reasonable access for legitimate purposes once a valid notice has been provided.

3. RECORD KEEPING

- This response and the original deficient notice are being maintained in a chronological evidence record.
- If deficient notices continue, I reserve the right to apply to VCAT for a compliance order under Section 209 and/or compensation for interference with quiet enjoyment under Section 67.

Yours sincerely,

[Your Full Name]

[Property Address]

[Date]

[Contact Number / Email]