

# 06

## ENTRY NOTICE RESPONSE

Residential Tenancies Act 1987 (WA) — Section 46

WA —  
Magistrates  
Court

*Your rights when an entry notice is deficient — inadequate notice, wrong hours, or missing Form 19*

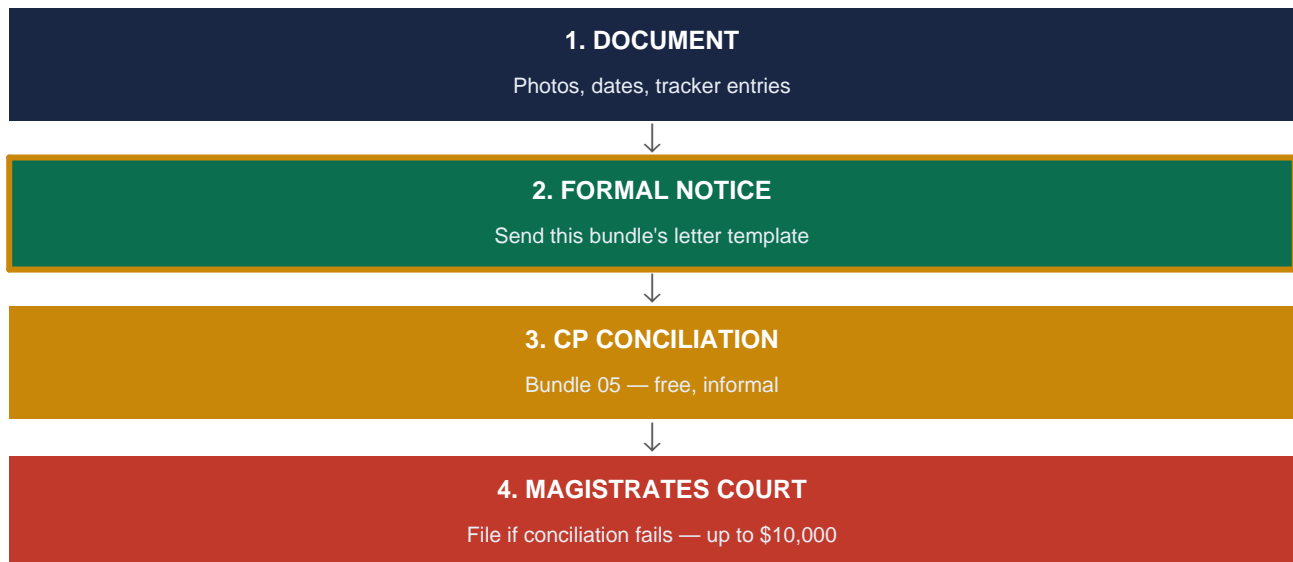
### WHEN TO USE THIS BUNDLE

Use this bundle whenever you receive an entry notice that does not meet the statutory requirements, or where an inspection is proposed more frequently than the annual cap allows.

### KNOW THE LAW — THE ENTRY NOTICE REQUIREMENTS (S.46)

Section 46 of the Residential Tenancies Act 1987 requires the landlord to use Form 19 (Notice of Intention to Enter Premises) with 7–14 days' written notice for routine inspections, capped at 4 per 12-month period. Entry must occur between 8am and 6pm on weekdays, or 9am and 5pm on Saturdays — never Sundays or public holidays without your agreement.

### HOW THE SYSTEM WORKS — YOUR ESCALATION PATH



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

- 01 Check every notice against the requirements**  
The 7–14 day window, permitted hours, correct form (Form 19), and the annual inspection cap.
- 02 Respond in writing if deficient**  
State clearly that the entry cannot proceed and a compliant Form 19 must be reissued.
- 03 Be present at inspections where possible**  
Photograph the property before and after to protect against later disputes.
- 04 Log every notice and every actual entry**  
Update the Entry Notice Log immediately upon receiving any notice.
- 05 Escalate repeated interference**  
Repeated non-compliant entry can breach your quiet enjoyment under s.44 — use Bundle 02 alongside this one.

## IF YOU NEED TO ESCALATE — WHAT MAGISTRATES COURT CAN ORDER

A defective notice does not authorise entry. If the landlord enters without a valid notice, this may constitute both a s.46 breach and interference with your quiet enjoyment under s.44.

### ★ GOOD TO KNOW — A DEFICIENT NOTICE DOESN'T AUTHORISE ENTRY

If a notice fails any requirement — wrong form, insufficient notice period, or outside permitted hours — you are entitled to refuse entry and request a compliant notice be reissued.

### ■ CRITICAL — FORM 19 IS MANDATORY FOR ROUTINE INSPECTIONS

A notice that fails to use Form 19, or fails the 7–14 day window, permitted hours, or annual cap of 4 inspections, does not authorise entry.

### ■ CRITICAL — REPEATED BREACHES ALSO BREACH QUIET ENJOYMENT

Persistent non-compliant entry can be raised as interference with quiet enjoyment under s.44 — see Bundle 02.

**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:****OBJECTION TO ENTRY NOTICE: [Insert Property Address]**

I am writing in response to the entry notice dated **[Insert Notice Date]** proposing entry on **[Insert Proposed Date/Time]**. This notice does not meet the requirements of Section 46 of the Residential Tenancies Act 1987.

**1. DEFICIENCY IDENTIFIED**

- **[State the specific deficiency — e.g., notice period of only 4 days given, or proposed entry time outside permitted hours, or Form 19 not used.]**

**2. REQUEST**

- I request that a compliant Form 19 notice be reissued, providing 7–14 days' written notice and proposing a time within permitted hours (8am–6pm weekdays, 9am–5pm Saturdays).

**3. RECORD**

- This notice and my response are being logged in my chronological evidence index.

Yours sincerely,

**[Your Full Name]**

**[Property Address]**

**[Date]**

**[Contact Number / Email]**