

Quiet Enjoyment and Illegal Landlord Entry



TENANT RESOURCE & ADVISORY CENTRE

Unit #150-900 Howe St
Vancouver, BC V6Z 2M4

1-800-665-1185
tenants.bc.ca

Tenants have the right to peace, quiet, and privacy in their unit, otherwise known as the right to “**quiet enjoyment**.”¹

What could be a violation of my right to quiet enjoyment?



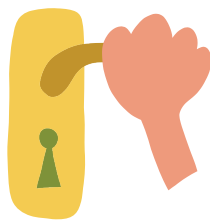
harassment or
intimidation



unreasonable and
ongoing noise



secondhand smoke
or pest infestations



landlord entering
unit without notice

What is not a violation of my right to quiet enjoyment?

Temporary inconveniences like reasonable noise from neighbours or noise from construction taking place during daytime hours.



Determining whether something breaches your right to quiet enjoyment can be complex. If you have questions, **call TRAC**.

I think my landlord is breaching my right to quiet enjoyment. What can I do?

1. Contact your landlord in writing, tell them what the issue is, ask them to take specific steps to fix it, and give them time to correct the situation.²
2. If the problem continues, apply for dispute resolution through the Residential Tenancy Branch (RTB). These claims can be hard to prove, so it is necessary to gather quality evidence such as photos, videos, complaint letters, witness statements, and affidavits.

Tenants who live in supportive housing may not have a right to quiet enjoyment.³



Is my landlord entering my unit legally?

To enter legally, your landlord must provide a **written** notice at least **24 hours** but not more than 30 days before entering, including:

- the date and time of entry (can be a range between 8am and 9pm)
- and a valid reason for entry, such as making repairs or a monthly inspection

If your landlord wants to enter the unit with less than 24 hours' notice, they can only do so with your permission, or if there is an emergency.⁴



A landlord can legally enter without notice if there is an emergency, and entry is necessary to protect life or property.

I think my landlord entered my unit illegally. What can I do?

Don't wait!

1. Explain to your landlord in writing they are required to give proper written notice.
 - You may use the TRAC template letter "Landlord Entry Restricted".
2. If this doesn't resolve it, consider applying for dispute resolution at the RTB to request an order:
 - for your landlord to follow the law,
 - to give you permission to change the locks,
 - to set conditions on when your landlord is allowed to enter, and/or
 - for monetary compensation.

For More Information

- 1 See RTB Policy Guideline 6 for more information on Quiet Enjoyment.
- 2 You may use TRAC's template letter "Loss of Quiet Enjoyment"
- 3 See RTB Policy Guideline 46 for exemptions for supportive housing.
- 4 See RTB Policy Guideline 7 for information on the landlord's right to entry.

Is my landlord responsible for addressing noise or harassment from my neighbours?

If the person causing the noise issue is...

- a co-tenant or an occupant not covered under the Residential Tenancy Act (RTA)

→ **Your landlord is not responsible.**

You would need to file at the Civil Resolution Tribunal.

- a tenant who shares the same landlord but lives in a different unit and has a separate tenancy agreement

→ **Your landlord is responsible.**

You can apply to the RTB for monetary compensation and an order for your landlord to fix the noise issue.

- someone living in a nearby building under a different landlord or there is unreasonable noise around your unit

→ **Your landlord may have responsibility.**

You can apply to the RTB to order your landlord to compensate you for the loss of quiet enjoyment and, in some cases, to mitigate the noise.

TRAC receives ongoing support from:

English



Department of Justice
Canada

Ministère de la Justice
Canada

This is general information that applies to British Columbia, Canada. TRAC cannot guarantee that it is current or complete. This fact sheet is not meant as legal advice for specific legal problems. Use at your own risk and consult a lawyer if you need legal advice. V1 July, 2025.