

Landlord's Right to Enter Under a Two-day Notice

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Before entering a rented unit, a landlord must give a tenant notice of intent to enter unless there is an actual emergency or the tenant has abandoned the unit. Verbal consent is very hard to prove, which is why landlords should always provide written notice of their intent to enter. Photography is permitted only to document the tenant's lease compliance during the entry.



What does a proper notice look like?

A landlord must give the tenant at least two days' written notice. Forty-eight hours notice is not enough. The notice must specify reasonable time periods the landlord, the landlord's agent, or vendor/service provider will enter. The notice must state the exact time and date or dates of entry or specify a period of time during the date or dates when entry will occur, in which case the notice must specify the earliest and latest possible times of entry.

How do I correctly serve a 2-day notice?

A landlord must visibly post the notice on the tenant's door. Post enough copies for every adult occupant, plus one additional copy. Note the time and day posted, and who posted the notice. Keep a copy. If you suspect the notice will be contested, photograph the posted notice.

You must provide a telephone number for the tenant to communicate any objection or request to reschedule the entry. The notice must contain language stating that the landlord's entry will be conducted unless the tenant objects. LT Services' website contains a sample two-day notice.

Can I just give one day's notice?

A two-day notice may be issued for most routine activities a landlord needs to do. Inspecting the premises, making necessary or agreed repairs, improvements, allowing third-party vendors access to repair appliances or provide other services are all valid reasons to issue a two-day notice.

A one-day notice may only be used where the landlord intends to enter to exhibit the unit to prospective or actual purchasers or tenants. The landlord must still meet the same requirements as a two-day notice, but only needs to give the notice one day in advance.

May I still go in if the tenant blocks my entry or sends me an objection?

No. A tenant may not unreasonably deny the landlord access to the unit, but if the tenant does you may not enter at that time. You may give the tenant a warning or 10 day notice and may potentially evict the tenant for repeated unreasonable refusals. Statutory fines may also be imposed on either party for violations.

Remember that a landlord must not interfere with the tenant's quality of life by excessively entering the unit.

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