

## **What to do when your Landlord enters your home without notice**

Ohio law protects your rights as a tenant. If you do not receive reasonable notice from your landlord, you do not need to let your landlord into your home.



### **Can I keep my landlord from ever entering my home?**

No. Under Ohio law, you must give your landlord reasonable access to your home to make repairs, make improvements, inspect the home, or show the home to prospective tenants if you have decided to move out. However, your landlord cannot abuse this right.



### **When does my landlord need to give reasonable notice?**

Your landlord is required to give you reasonable notice before entering your home unless it is an emergency.



### **How long of a notice is reasonable?**

Under Ohio law, a 24-hour notice is usually considered reasonable notice.



### **What is an emergency?**

Emergencies are often conditions that will cause serious damage if not immediately repaired.

An example of an emergency is a broken pipe, a major leak, or a broken furnace in the winter. In those situations, your landlord can enter your home with notice that is shorter than 24 hours.



## **Do I have to let my landlord into my house at any time?**

No. Your landlord is required to enter your home only at reasonable times to make repairs. For example, your landlord cannot try to enter your house at 4:00 a.m. unless it is an emergency or if you and your landlord agree to that time.



## **What do I do if my landlord enters my house without giving me a reasonable notice?**

If you learn that your landlord has been in your home without giving you notice, you should send your landlord a letter saying that you do not want him or her in your home in the future without giving you a reasonable notice. A sample letter is included with this handout.

Be sure to save a copy of the letter for your own records.



## **What do I do if my landlord enters my house without giving me a reasonable notice after I send a letter?**

If your landlord enters your home after you give him or her a letter saying you do not want him or her in your home without first giving you a reasonable notice, you should call an attorney.

Under Ohio law, if a landlord enters a home without giving reasonable notice, the landlord must pay the tenant damages and attorneys' fees. A court can also order the landlord not to do it again in the future.

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**This information is provided by Southeastern Ohio Legal Services based on current Landlord-Tenant laws, which are always subject to change.**

## **FOR FREE HELP CONTACT:**

**Southeastern Ohio Legal Services**

Call: 844-302-1800 or "Request Help On-line" at <http://www.seols.org/get-help/>

\_\_\_\_\_  
Date

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Landlord's name and address

Dear Landlord:

I would like to clarify the requirement for notice before entering my home. According to Ohio Revised Code 5321.04, you, as my landlord, must give me, as a tenant, reasonable notice of your intent to enter my home. You may only enter my home at reasonable times. A 24-hour notice is presumed to be reasonable. The law provides that if the landlord makes an entry in violation of this provision, the tenant may recover actual damages and obtain injunctive relief together with attorneys' fees.

I will be pleased to arrange with you or any of your staff reasonable times for you to enter my home. Please feel free to contact me to set up such appointments. I hope that you will abide by this request and that we can establish a more effective working relationship.

Sincerely,

\_\_\_\_\_  
Your name

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Your address and phone number