

Does my landlord have the right to enter my rental unit?

Yes. Your landlord has the right to enter your rental unit in order to:

- Inspect the unit;
- Make necessary or agreed upon repairs, decorations, alterations, or improvements;
- Supply necessary or agreed upon services; or
- Show the unit to potential or actual buyers, lenders, tenants, workers, or contractors.

In addition, your landlord may enter your rental unit if:

- You have abandoned your rental unit;
- You have been absent for more than seven days, and the entry is reasonably necessary;
- Your landlord has a court order allowing him/her to enter; or
- There is an emergency requiring entry.

Does my landlord have to give me notice before entering my rental unit?

Yes. Unless there is an emergency, your landlord must notify you 24 hours before he/she intends to enter your rental unit. The notice can be either written or verbal.

As long as my landlord gives me notice, can he/she enter my rental unit anytime?

No. Your landlord may only enter your rental unit at reasonable times. In addition, your landlord cannot abuse his/her right to enter your rental unit in a way that harasses you.

What if there is an emergency?

In an emergency your landlord can enter your rental unit without giving you 24 hours notice.

Can I refuse my landlord's request to enter my rental unit?

No. You cannot unreasonably refuse to allow your landlord to enter your rental unit. If you do, your landlord may:

- Get a court order telling you to let him/her access to your rental unit;
- Evict you, if he/she has first given you proper notice;
- Recover any actual damages caused by your refusal.

Can I change or add a lock without my landlord's permission?

No. You cannot change or add a lock to your rental unit without written permission from your landlord.

If you do change or add a lock without your landlord's permission, you must give your landlord a key. Otherwise, your landlord may:

- Get a court order directing you to allow him/her access to your rental unit; and
- Evict you, if he/she has first given you proper notice.

What can I do if my landlord enters unlawfully, makes unreasonable requests, or harasses me with repeated requests for lawful entry?

Your landlord cannot enter your rental unit unlawfully, make unreasonable requests to enter, or use his/her right to enter in a way that harasses you.

If your landlord does any of these things, you may:

- Get a court order restraining your landlord from such activity;
- Move out of the rental unit, after you have given proper notice to your landlord; and
- Recover any actual damages caused by your landlord's actions.

How do I get more help?

Montana Legal Services Association (MLSA) provides free civil legal help to low-income people. Contact us to see if you qualify:

- Apply anytime online at mtlsa.org;
- Call our Helpline at 1-800-666-6899 (Helpline hours are limited).

What help can I find at MLSA?

- Legal advice and representation;
- Referrals to volunteer attorneys and other providers;
- Self-help clinics and materials.

www.MontanaLawHelp.org

Need legal information or forms? Visit www.MontanaLawHelp.org.

Can't find what you want? Use LiveHelp. Click on the LiveHelp picture and get help finding the information you need.

www.MTLSA.org

Find copies of all our brochures online. They are all available for free download!

This pamphlet is meant to give basic legal information, not legal advice about your problem. The law changes often and each case is different. We recommend you talk to an attorney about your legal problem.

Montana Legal Services Association

Housing:

Your Landlord's Right to Enter Your Rental Unit



Providing, protecting, and enhancing access to justice.

Rev. 05/17

