LEGAL AID SOCIETY OF GREATER CINCINNATI

My Landlord Comes Into My Home Without Giving Notice

Your landlord generally must give you 24 hours' notice before entering your home, unless there is an emergency. If there is no emergency, it is illegal for your landlord or a landlord's employee to enter your home without notice.

Does the notice have to be in writing?
No. But most good landlords will give you notice in writing.

Can my landlord enter when I am not home?
Probably, as long as they give 24 hours' notice and enter at a reasonable time.

Can I refuse to let my landlord in if he doesn't give me 24 hours' notice?
Yes. But you can't unreasonably withhold consent for the landlord to enter to make repairs, inspect the premises, or show the dwelling unit to tenants, purchasers, or contractors. You should try to work with the landlord to arrange a mutually agreeable time for the landlord to enter.

What Can I Do If My Landlord Continues To Enter Without Giving Notice?

- Give your landlord a copy of this Notice.
- Get a court order to force your landlord to stop entering without notice.
- You may sue the landlord in Small Claims Court for any damages you suffered. You can also terminate the rental agreement.

What can the landlord do if I get a notice but still refuse to let the landlord (or maintenance people) into my home?

- The landlord cannot forcibly enter your home.

But

- Refusing a proper request to enter can be grounds for terminating the lease or eviction

NOTICE TO LANDLORD

Ohio Revised Code §5321.04(A)(8) states that a landlord must:
Except in the case of emergency or if it is impracticable to do so, give the tenant reasonable notice of the landlord's intent to enter and enter only at reasonable times. Twenty-four hours is presumed to be a reasonable notice in the absence of evidence to the contrary.

Ohio Revised Code §5321.04(B) states that:
If the landlord makes an entry in violation of division (A)(8) of this section, makes a lawful entry in an unreasonable manner, or makes repeated demands for entry otherwise lawful that have the effect of harassing the tenant, the tenant may recover actual damages resulting from the entry or demands, obtain injunctive relief to prevent the recurrence of the conduct, and obtain a judgment for reasonable attorney's fees, or may terminate the rental agreement.

NOTICE TO TENANT

Ohio Revised Code §5321.05(B) states that:
(B) The tenant shall not unreasonably withhold consent for the landlord to enter into the dwelling unit in order to inspect the premises, make ordinary, necessary, or agreed repairs, decorations, alterations, or improvements, deliver parcels that are too large for the tenant's mail facilities, supply necessary or agreed services, or exhibit the dwelling unit to prospective or actual purchasers, mortgagees, tenants, workmen, or contractors.

Not Legal Advice. Legal Aid provides this information to help you understand Ohio laws and procedures.
This is not legal advice concerning your case. Lawyer Referral Service 513-381-8359