



Service of Notice of Entry

SBRPA Form NOTICE-009: Declaration of Service to Residents

Notices of entry must be in writing in most situations. EMAILS are generally not acceptable. The notice may be personally delivered to the tenant, left with someone of a suitable age and discretion at the residence, or, left on, near or under the usual entry door of the residence in a manner in which a reasonable person would discover the notice. The “subservice” and “posting” methods of service for notices of entry do not require that a second copy be mailed.

The tenant must be given “reasonable notice”. The law presumes twenty-four hours is reasonable. However, the law also allows a notice to enter to be served by mail. If the notice is only mailed, the law presumes that six days’ notice of intended entry is reasonable. The only exceptions are in cases of an emergency or when the tenant has abandoned or surrendered the premises, as entry in those circumstances need not be made during normal business hours and no prior notice is necessary.

If the purpose of the entry is to exhibit the residence to prospective or actual purchasers of the property, and the landlord has notified the tenant in writing within 120 days of the oral notice that the property is for sale and that the tenant may be contacted to allow for an inspection, the notice may be given orally, in person or by telephone. At the time of the entry, the landlord or agent must leave written evidence of the entry inside the unit.