



# Key Control and Entering Tenants' Units

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## *Key Control*

Securing building keys is extremely important. Property management is responsible for securing the building and helping tenants secure their homes. Managers should be required to:

- Ensure that copies of tenants' unit keys and building keys are kept secure and coded in a locked key cabinet at all times.
- Never leave key boxes open and unattended.
- Create a standard key code and ensure that key tags for tenants' units and secure areas do not state the unit number or other confidential information.
- Only give keys to authorized personnel.

The building master key is generally the responsibility of the building, property or operations manager. When master keys are lost or misplaced, management may have to re-key the entire building. Managers should protect the master key by ensuring that no master key is outside of the building at any time, unless authorized by or secured by the manager or designated staff. The master key is secured in the manager's or designated staff person's office or other secure location, and secured in a manner as to ensure that no one has access without the manager's knowledge and approval. The building manager should be authorized to transfer the master key only to designated personnel, and only for specific tasks, consistent with building rules and procedures. Master or unit key transfers should be documented. When delegating a responsibility that involves transferring the master key, the designated manager should be required to document the transfer and ensure that the key is returned directly and immediately when the task is completed.

## *Entering Tenant Units*

Tenants have rights to privacy and confidentiality under the rental agreement and by law. These rights should be reflected in the rental agreement. Property management staff is charged with helping protect these rights. Property management staff (including building managers, maintenance personnel and service personnel like exterminators) may enter a tenant's unit only in the following circumstances:

- With the permission of the tenant at the time of the requested entry
- In case of emergency (e.g., fire, flooding or tenant health emergency)
- Where a court order allows entry (e.g., after obtaining a judgment for possession in an eviction proceeding)

When it is necessary to enter the unit to make non-emergency repairs or show the unit to prospective new tenants, building management should provide the tenant in possession of the unit at least 24 hours written notice, unless the tenant requests and gives permission for entry. If after receiving at least 24 hours' notice (or whatever applicable law or rental agreement requires) and the tenant still refuses entry, then he or she is in violation of the rental agreement and can be served a legal notice. Building management staff should not, except in emergencies, force their way into a tenant's unit. The owner should get competent legal advice, implement policies and procedures consistent with that advice, and train staff accordingly regarding legal entry.



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When the tenant moves out, the owner can enter the unit without notice. Sometimes it is unclear whether the tenant has abandoned the unit. When it appears that the tenant may have abandoned the unit, the owner must post a “Notice of Belief of Abandonment” on the tenant’s door for a period of 14 days before removing any furniture or belongings that the tenant has left behind. The owner is required by law to store any items that have more than nominal value for a period of time, in case the tenant should return. Owners should obtain competent legal advice to determine how to proceed when a unit appears to be abandoned, and the tenants’ furniture and other items are left behind. Managers should ensure that written notice of intent to enter the unit is properly served, and that employees comply with applicable law.