

Quiet Enjoyment of My Apartment

Does every tenant have a right to the quiet enjoyment of his or her apartment?

Yes. Unless you and your landlord agree otherwise, it is assumed to exist when you rent your apartment.

What is the right to "quiet enjoyment"?

The right to quiet enjoyment of an apartment is the right to be left alone. It is the right not to be disturbed or to be told by the landlord or anybody else what you can and cannot do in your apartment. However, you must follow agreed upon rules regarding the use of your apartment and you must also respect the rights of the people around you. For example, if you are playing music too loudly, or if your guests are disruptive, you can be told to stop.

Can my landlord tell me what I can do outside of my apartment such as in the hallway, in my backyard or on the sidewalk?

Your right to "quiet enjoyment" also applies to those places you use to get to your apartment like the hallway, backyard and sidewalk.

What should I do if my landlord tells me what I can and cannot do in my apartment?

You should make a list of the date, time and what your landlord is saying that you can or cannot do. Remember that there are some things the landlord can request. You should not violate any lease or agreement with your landlord, and you should always respect your neighbors' rights to quiet enjoyment. However, if you have been a good and considerate tenant, and you believe that your landlord is harassing you unreasonably, you can write your landlord a letter telling her that she is interfering with your right to "quiet enjoyment" of your apartment. You should also contact a lawyer such as Neighborhood Legal Services at 585-343-5450 for legal advice on how to stop your landlord from bothering you.