

POLICY 1.18 ANTI SOCIAL BEHAVIOUR

OVERVIEW

This policy outlines how ILV (we, us, our) will deal with neighbour disputes and issues.

It applies to all residents living in ILV properties and all tenancies managed by ILV.

WORD LIST

Tenancy Agreement: A tenancy agreement (also known as a lease) is a legally binding, written agreement between a tenant (or their authorised representative) and a property manager/owner. This functions as the Service Agreement between ILV (SDA Provider) and the NDIS Participant in SDA Properties.

POLICY

This policy covers:

- Your rights
- Your responsibilities
- How to report neighbour disputes
- What we can do
- Illegal activities

YOUR RIGHTS

You have the right to live in peace and comfort in your home ...

- Free from discrimination or harassment including verbal, physical or any other form of harassment, discrimination or threatening behaviour related to your race, religion, culture or personal differences
- Free from antisocial behaviour i.e. behaviour that affects your peace, comfort or privacy. Anti-social behaviour includes:
 - Excessive and persistent noise
 - Nuisance pets
 - Loud and unruly behaviour
 - Verbal abuse
 - Vandalism
 - Illegal activity
 - Serious harassment
 - Threats to the health and safety of a person
 - Physical assaults and acts of violence

YOUR RESPONSIBILITIES

Your Tenancy Agreement outlines your responsibilities.

You agreed to the conditions in your Tenancy Agreement when you signed it.

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You are responsible:

- For what you do (your actions) **and**
- What others who live with you do (where you live with partner/family/friends) **and**
- What any visitors to your home do.

REPORTING NEIGHBOUR ISSUES

Contact us if what other people in the property do badly affect you or how you live.

Phone: 1300 951 587

Email: info@ilv.org.au

It can be helpful if you keep a record of what is happening and when.

We will treat your report as a complaint and follow our complaints management process.

We will not say who made the report to others involved, unless you give us permission to do so.

WHAT WE CAN DO

The actions we take will depend on the issues and the seriousness of the issues.

What we might do	What it is	When we might use it
Discussion	We will meet with you to discuss how you might be able to solve the issue/s yourself.	When the issue might be solved by discussion between you and the other people involved.
Negotiation	We will meet with the resident/s you consider are acting in an antisocial way. We will talk with them about the effect of their behaviour and how things can be improved.	Where the issues might be solved without the need for more formal action.
Mediation	You meet with the other resident/s involved in the issues together with a trained and impartial third party (someone not involved in the issue). The meeting will try and find a solution that everyone can accept. We are not involved in the mediation process. We may refer you to a Community Justice Centre.	Where there is a willingness from all involved to try and solve the issues.
Rehousing	Where you and/or another resident involved in the issue are offered the opportunity to move to another property	Where the complainant and/or others involved in the dispute <ul style="list-style-type: none"> • May not be in the best type of housing for their needs and/or

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		<ul style="list-style-type: none"> Rehousing may alleviate further disputes or breaches of the tenancy agreement
Breach of Tenancy Letter	<p>We send a letter to the resident/s who you/we think are acting in an anti-social way and tell them they have breached their Tenancy Agreement.</p> <p>It also acts as a formal warning that we may take action against the tenancy if the antisocial behaviour continues.</p>	<p>Serious and persistent antisocial behaviour when:</p> <ul style="list-style-type: none"> Discussion is not appropriate Negotiation and/or mediation have not solved the complaint.
Tenancy Tribunal Specific Performance Order	We apply to the Tenancy Tribunal and ask for an order for a resident/s to stop their anti-social behaviour.	Where there is a serious and persistent breach of the Residential Tenancy Agreement that has not been resolved through any other avenues
Tenancy Tribunal Termination and Possession Order	We apply to the Tenancy Tribunal for an order to terminate the tenancy. This may lead to a resident/s being evicted.	<p>Where there is a breach of the Specific Performance Order.</p> <p>A termination order can take a long time and there must be substantial credible evidence to present to the Tribunal.</p> <p>This will only be used as a last resort where all other attempts to stop the antisocial behaviour have failed.</p>

Sometimes the issue might involve someone not living in an ILV property.

If we cannot assist, we may give advice on what other action you can take e.g.

- Talking with the neighbour
- Contacting local authorities such as Councils
- Contact Police
- Mediation e.g. through Community Justice Centres

ILLEGAL ACTIVITIES

If you suspect illegal activity, report it to the Police.

You can call 131 444 and log an incident report with the Police. Let us know the 'Event Number'.

In an emergency situation you should call "000"

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Independent Living Villages Ltd

And Controlled Entities (ILV)



RELATED POLICIES, LEGISLATION OR OTHER RESOURCES

Legislation and Guidelines

- Applicable tenancy legislation
 - Residential Tenancy Act 2010 (NSW)
 - Residential Tenancies Regulation 2019 (NSW)

Resources

- Tenanhelp Tenanhelp.com.au (State specific information for tenants)
- Disability Housing Information line 1800 843 929 or email housinginfo@pwd.org.au Information for people living in SDA properties and their supporters

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