



## NEIGHBOUR DISPUTES

### SOUTHERN CROSS HOUSING FACT SHEET

Neighbour disputes can often resolve around noise/pets/common areas/property care and parking. Some of the more serious disputes also could relate to drug use/dealing, intimidation, harassment or anti-social behaviour.

Each tenant has a responsibility to ensure they, their household, and/or visitors to their property are respectful of those around them.

#### WHAT IS A 'GOOD' NEIGHBOUR?

Being a good neighbour means being considerate of your actions and how they impact on others. You should:

- Listen respectfully if a neighbour complains directly to you about a concern.
- Cooperate if a neighbour asks you to reduce noise.
- Show tolerance to your neighbours if they have a different lifestyle to yours.
- Don't harass people in any way.
- Use appropriate language to ensure it is not threatening or abusive.
- Be mindful when sharing public areas such as washing lines, shared gardens and parking spaces.

#### WHAT CAN YOU DO ABOUT NOISY OR DIFFICULT NEIGHBOURS?

**Talk to your neighbour.** If you are having a problem with your neighbours, it is always a good idea to talk to them about the problem first.

If you need help, you can seek independent assistance from the Community Justice Centre to resolve the issues with your neighbour.

**Talk to Council.** If your complaint relates to dumped rubbish or aggressive or noisy pets, you can contact your local Council.

**Talk to Police.** Contact the Police if you suspect or witness criminal activity, for complaints about noise or if you experience violence or feel threatened. You should also inform SCH of any reports made to the police concerning neighbours.

**Talk to SCH.** If you have attempted to resolve the problem and are still experiencing issues with your neighbours, you can report this to your Housing Officer.



#### WHAT WILL SCH DO IF THERE IS AN ONGOING PROBLEM?

SCH prefers reporting of Neighbour Disputes to be submitted in writing, this helps us to keep accurate records and may serve as evidence if further action is required. SCH will investigate complaints in a transparent manner. We will listen and speak with you, your neighbour, and any witnesses.

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Most issues can be resolved through discussion and do not require any further action. We will review any evidence to determine if there has been a breach of the NSW Residential Tenancies Act.

Evidence needs to be factual and preferably confirmed by independent sources. We encourage you to keep a diary, detailing any disturbances or incidents. This can be used as evidence of an ongoing issue, the diary must include dates, times, and details of incidents. Depending on the circumstances and evidence, SCH may undertake some or all of the following actions to manage the problem:

- Refer neighbours to mediation at the Community Justice Centre to attempt to resolve the problem.
- Write a warning letter to the person responsible to remind them of their responsibilities and consequences of behaviour.
- Refer to a support agency who may be able to help the person causing the problem to change their behaviour.
- For ongoing and serious breaches of the tenancy that are proven by evidence, we can take action at the NSW Civil and Administrative Tribunal.
- We will usually consider a combination of methods to deal with the problem before applying to the NSW Civil and Administrative Tribunal.
- We always encourage tenants to resolve issues between themselves and try to avoid taking action against tenancies at NSW Civil and Administrative Tribunal unless all other courses of action have been exhausted.

SCH cannot take direct action where the problem in your neighbourhood or unit complex involves criminal activity; this should be reported to the police or crime stoppers on 1800 333 000. Once criminal activity is confirmed, SCH can then take action.

**NCAT.** If the problem continues, the case may be referred to the NSW Civil and Administrative Tribunal (NCAT). We can only take the matter to NCAT if there is clear evidence that a tenant has caused problems.

Evidence may be presented at NCAT from both sides of the dispute. Evidence must be factual and verified by independent sources. The NSW Civil and Administrative Tribunal can make specific performance orders that the behaviour must stop. In extreme circumstances of ongoing nuisance and annoyance, the Tribunal may end the tenancy.

**Communication and Confidentiality.** SCH will deal with everyone involved in a transparent manner. We will communicate with all parties involved in the reported dispute. However due to confidentiality, we may not always be able to share specific information about our actions, only confirm that action is being taken.

#### NEED FURTHER INFORMATION?

Further information about how we manage Neighbour Disputes can be found in our Neighbour Disputes Policy on the SCH website: [www.scch.org.au](http://www.scch.org.au) or by contacting the tenancy team on 1300 757 885.