

NEIGHBOUR DISPUTES

SOUTHERN CROSS HOUSING FACT SHEET



At Southern Cross Housing we have a wonderful community of tenants from all backgrounds, ages and lifestyles. SCH wants every tenant to live in safe and peaceful neighbourhood. Accordingly, SCH promotes tolerance, understanding and respect.

Some of the most common Neighbour Disputes relate to Noise/Pets/Common areas /Property care and parking. Some of the more serious disputes can relate to Drug use and dealing, Intimidation, harassment and anti-social behaviour.

Each tenant has a responsibility to ensure they, their household, and/or visitors are mindful of a tenant's rights and responsibilities. While you as a tenant have a right to peaceful enjoyment of your property, this also applies to your neighbours, even if they are not SCH tenants.

SCH promotes good communication as a key part of being a Good Neighbour. Talking things through with a neighbour often circumvents misunderstandings and builds bridges to healthy neighbourhoods.

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
- Watch your 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 Neighbour. If you are having a problem with your neighbours, it is always a good idea to talk to them about the problem first – they might be unaware that they are upsetting you.

It is important that you listen to your neighbour to understand their point of view and any problems they raise. These conversations can be difficult, and you may need some help. In these cases, SCH is more than happy to assist with advice. Alternatively, 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 who have Rangers that can investigate the problem and take action if needed.

Talk to Police. You should 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. Your Housing Officer can investigate the complaint and take action, if appropriate, to help resolve the issues including advising you of services that can assist.



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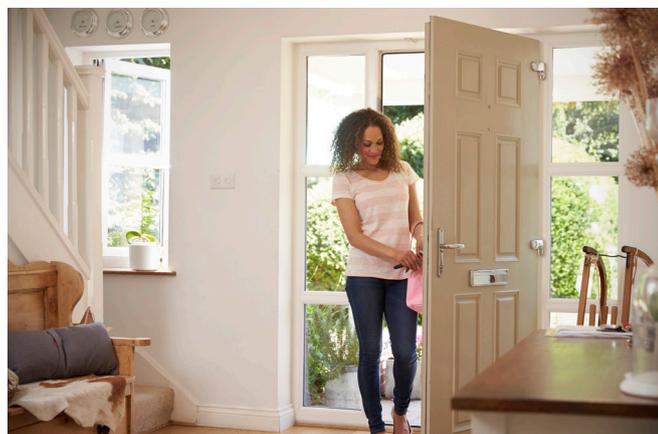
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Most issues can be resolved through discussion and do not require any further action. We will review any evidence to determine if there has been a breach of tenancy.

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. However, once criminal activity is confirmed, SCH can 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. SCH endeavours to provide a response to a complaint enquiries within 21 days, this of course depends on the cooperation of all parties.

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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 or by contacting one of our Tenancy Team on 1300 757 885

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