



# Anti-social Behaviour



Churches of Christ Housing Services is committed to building sustainable and safe communities where everyone can enjoy the comfort of their home and live in peace and harmony with their neighbours.

We support residents to foster healthy communities in a number of ways but there will be times residents are impacted by anti-social behaviour.

## What is anti-social behaviour?

Anti-social behaviour refers to the actions of a tenant, member of their household or visitor which, disturbs the peace, comfort or privacy of neighbours and the community. Some examples include:

<p><u>Minor or nuisance behaviour</u>: activities that could reasonably occur occasionally in a household but may disturb the peace, comfort or privacy of neighbours.</p>	<ul style="list-style-type: none"> <li>• Nuisance pets.</li> <li>• A loud party.</li> <li>• Excessive and persistent noise for example: from televisions, stereos or other equipment.</li> </ul>
<p><u>Serious behaviour</u>: activities that intentionally or recklessly disturb neighbours, or cause concern for the safety and security of the community or property.</p>	<ul style="list-style-type: none"> <li>• Use of aggressive or obscene language.</li> <li>• Harassment of neighbours or community members.</li> <li>• Damage to property.</li> </ul>
<p><u>Dangerous or severe behaviour</u>: activities that pose a risk to the safety and security of community members and property.</p>	<ul style="list-style-type: none"> <li>• Illegal or alleged illegal activity.</li> <li>• Physical assault or threats of violence.</li> <li>• Extensive malicious damage to property.</li> </ul>

## Illegal Activity

We investigate and respond to all anti-social behaviour incidents within the limits of tenancy legislation but we cannot act on behalf of the police and investigate criminal matters. Instances of illegal activity or behaviour should always be reported to the police first and then to our office. Call Police Link on 131 444 to report an incident or Crimestoppers on 1800 333 000 to report suspicious behaviour. Let us know the report number or any other details the police provide you. Always call 000 in an emergency.

## What should I do if I experience problems with a neighbour?

We encourage all residents to settle disagreements or disputes with neighbours before they become serious and before making a complaint. We can provide residents with neighbour dispute information and with support to engage an appropriate mediation service.

If you are experiencing problems with a neighbour's behaviour and you do not believe it is possible to resolve the issue, you have the right to make a complaint. Start by completing a *Feedback, Complaint and Appeals Form*—available in your tenant start-up pack, on our website and from any of our offices. Alternatively, you can send us a letter or email. We will always try to assist you to lodge a complaint and staff are available to help you complete the form.

If you choose to provide your details when lodging a complaint, we will ensure your information remains confidential, although sometimes complainants are identifiable due to the nature of the complaint. You may choose to remain anonymous, however this will restrict our ability to fully investigate and respond to the matter.

When lodging a complaint about a neighbour's behaviour, ensure you provide information such as:

- date, time and nature of the incident – including how long it lasted
- police attendance and corresponding report number
- impact on your peace and right to quiet enjoyment.



### What about anti-social behaviour problems in the wider community?

Occasionally, you may experience problems not directly related to your unit complex or house. An example of this would be groups of people congregating in your street, causing a disturbance. These problems are not always within our ability to respond, even though they may affect our residents. In these situations, contact the police or other appropriate authority such as the local council. We will provide assistance and work with such authorities when required.

### How are anti-social behaviour complaints actioned?

We take anti-social behaviour very seriously and investigate all complaints ensuring factual and relevant information is considered. We will always aim to ensure fairness for everyone and provide residents with the opportunity to refute an allegation and to remedy a breach and negotiate resolutions to problems.

In most cases we are unable to tell the person, who made the complaint, about the outcome or the actions being taken in order to protect residents' right to privacy under legislation. The personal information of the person who made the complaint is also treated as confidential wherever possible.

1. We will acknowledge your complaint in writing.
2. Your complaint will be referred to the relevant housing service manager for assessment and further investigation. We may contact you for more information as part of the investigation. We may also ask you to keep a record of incidents.
3. We will contact the person the complaint is about to discuss the issues raised in the complaint and seek a response.
4. Appropriate action will be taken when it is determined there is a breach of the tenancy agreement. A number of factors including the seriousness of the incident and the tenant's response and willingness to remedy the situation determines the action required which can include:
  - a warning letter with intensive management
  - assistance to access support with ongoing monitoring
  - implementation of a behaviour agreement
  - a notice to remedy breach
  - a notice to leave
5. If there is a serious incident and/or ongoing issues, which are unable to be resolved with alternative processes exhausted, the tenant may be subject to termination proceedings where we will apply to the Queensland Civil and Administrative Tribunal (QCAT) for an urgent hearing to terminate the tenancy.

The timeframes for each action are generally determined by tenancy legislation however, we will always seek to address issues as quickly as possible. We will also continue to monitor situations for ongoing issues and ask residents to continue to report incidents as they occur.

### Why have some tenants not been evicted for their behaviour?

We will always ensure we have provided tenants with a reasonable chance to address disruptive behaviour and may take a range of other actions to help sustain a tenancy, including providing or engaging support. Support and consideration must also be given to issues such as mental health concerns or domestic violence situations.

We can also only take action where incidents are substantiated and there is a breach of tenancy agreement. In some cases, we are unable to substantiate an incident, or satisfactorily substantiate an incident for tribunal standards, and therefore are unable to take action.

### What if I'm not satisfied with the way complaints are being managed?

If you are not satisfied with the way we handled your complaint, you have the right to escalate the matter by lodging an appeal.

### Where can I get more information?

Queensland Statewide Tenant Advice and Referral Service - 1300 744 263

Residential Tenancies Authority - 1300 366 311

Queensland Government Dispute Resolution Centres - 1800 017 288