

# Antisocial Behaviour

## Fact Sheet

All tenants have the right to quiet enjoyment of their home. All household members and visitors must respect the right of their neighbours to feel safe, be comfortable within their home and have privacy. When a tenant signs their Residential Tenancy Agreement, they agree to:

- Make sure that the household behaves in acceptable ways,
- Cooperate with neighbours and settle disputes, where possible, and,
- Respect the community and the right of neighbours to live in peace.

### What is Antisocial Behaviour?

Antisocial behaviour (ASB) is behaviour which may or is likely to unreasonably disturb the peace, comfort or privacy of other tenants or neighbours or any other person living in the vicinity of the premises and surrounding community which causes a breach under the provisions of the Residential Tenancies Act 2010.

Housing Trust's Antisocial Behaviour Policy explains how we respond to tenancy breaches related to antisocial behaviour.

<https://www.housingtrust.org.au/tenants/policies/>

### Categories of Antisocial Behaviour

Housing Trust has defined antisocial behaviour into the following three (3) categories: -

#### Minor and Moderate

Minor and moderate antisocial behaviour involves activities which disturb the peace, comfort or privacy of other tenants or neighbours.

Such behaviour may include but is not limited to:

- Use of obscene language
- Bullying and harassment
- Noise nuisance
- Vandalism including graffiti
- Improper disposal of rubbish.

#### Serious

Serious antisocial behaviour involves activities that severely disturb neighbours, place the safety or security of a tenant, other household members, neighbours or Housing Trust staff at risk; or cause damage to property.

These behaviours may also be illegal and may include, but are not limited to:

- Threats and abuse
- Intimidation, harassment
- Victimisation

#### Severe or Illegal behaviours

Severe illegal behaviour is behaviour which poses a risk to the safety or security of residents or property and may result in criminal charges and/or conviction; or significant damage to a social housing property.

Examples of severe illegal behaviour may include but are not limited to:

- Physical assault
- Use of premises for illegal activities (eg. Drug related activities)
- Storing firearms

## **Housing Trust's role in Antisocial Behaviour**

Housing Trust will investigate allegations of alleged antisocial behaviour only where there is an alleged breach of the Residential Tenancy Agreement.

Where a breach has been substantiated and where appropriate, Housing Trust will facilitate early intervention and referral to support services to minimise the escalation of antisocial behaviour.

Housing Trust will encourage tenants to resolve neighbourhood problems themselves, or with the assistance of mediation services.

Housing Trust will refer tenants to Community Justice Centres for assistance when appropriate and where the parties agree to attend.

It is not the role of Housing Trust to carry out criminal investigations, as these are the responsibility of the NSW Police.

### **What action can be taken?**

Where a breach of the Residential Tenancy Agreement has been substantiated, Housing Trust

may take further action against the tenancy such as issuing a Strike Notice.

If three strikes are issued within a 12-month period, Housing Trust may take action to end the tenancy. If the type of antisocial behaviour is considered severe illegal antisocial behaviour or serious antisocial behaviour, Housing Trust may take action at the NSW Civil and Administrative Tribunal (NCAT) to terminate the tenancy

The person accused of antisocial behaviour will be provided the opportunity to reply to the allegations made against them and Housing Trust will determine, based on the investigation and evidence provided, whether or not the allegation is substantiated.

### **What can a tenant do if an allegation is made about them?**

- Contact Housing Trust immediately
- Follow the directions set out in the letter you may have received
- Organise an appointment to discuss the matter with your Tenancy Manager
- Provide evidence to Housing Trust, and
- Cease any antisocial behaviour immediately.

You can also find details of support services at Housing Trust's office or online at [www.askizzy.org.au](http://www.askizzy.org.au). Accessing support may assist you to meet your tenancy responsibilities and reduce the risk to your tenancy.

For independent and free advice you can also call:

- your local tenants advisory service
- the Department of Fair Trading, Renting Services on 133 220
- Tenants' Union of NSW advice line on 1800 251 101 or their website at [www.tenants.org.au](http://www.tenants.org.au) , or
- Law Access on 1300 888 529

### How do I report Antisocial Behaviour?

An Antisocial Behaviour (ASB) report may be lodged:

- verbally to a staff member or by telephone 4254 1166
- in writing by email [info@housingtrust.com.au](mailto:info@housingtrust.com.au)
- in writing by post PO Box 1, Coniston NSW 2500
- in person at the Housing Trust office located on Level 7, 5 Bridge Street, Coniston
- by completing Housing Trust's form 106002 Complainant Witness Statement for ASB Complaints

Antisocial reports received in writing will be formally acknowledged by within three (3) working days of receipt.

## Do you need an Interpreter or a Translator?

If you need help to understand this letter, please contact Telephone Interpreters on 131 450 and ask them to call Housing Trust on 4254 1166 at no cost.

## Trebate li tumača ili prevoditelja?

Ako vam je potrebna pomoć da biste mogli razumjeti ovo pismo, kontaktirajte telefonske tumače na broj 131 450 i zamolite ih da nazovu Stambeno povjerenstvo (Housing Trust) na broj 4254 1166, bez ikakvih troškova.

## Да ли вам треба тумач или преводилац?

Ако вам треба помоћ да разумете ово писмо, молимо вас јавите се на 131 450 за телефонског преводиоца и затражите да бесплатно назову Housing Trust на 4254 1166.

## ¿Necesita un intérprete o un traductor?

Si necesita ayuda para entender esta carta, comuníquese con los intérpretes telefónicos en el 131 450 y solicite que llamen a Housing Trust al 4254 1166 sin costo alguno.

## Bir Sözlü veya Yazılı Tercümana mı ihtiyacınız var?

Bu mektubu anlamak için yardıma ihtiyacınız varsa, lütfen 131 450 numaralı telefondan Telefonda Tercüman servisi ile iletişime geçin ve 4254 1166 numaralı telefondan Housing Trust'ı ücretsiz olarak aramalarını isteyin.

## هل تحتاج إلى مترجم شفوي أو مترجم خطي؟

إذا كنت بحاجة إلى مساعدة لفهم هذه الرسالة، فيرجى الاتصال بخدمة الترجمة الشفوية على الرقم 131450 واطلب منهم الاتصال بصندوق الإسكان Housing Trust على الرقم 42541166 دون أي تكلفة.