

MANAGING ANTI-SOCIAL BEHAVIOUR

Information for people affected by anti-social behaviour

All residents have a right to the peaceful enjoyment of their property and to live in harmony with their neighbours. Tenants have an obligation to abide by the Nuisance and Annoyance conditions of their Residential Tenancy Agreement, including being responsible for their own conduct as well as for the behaviour of other occupants of the household and visitors to their property.

What is anti-social behaviour?

Antisocial behaviour is when a person's behaviour affects another person's peace, comfort or privacy. If you feel a person living in, or visiting, a Home in Place dwelling is interfering with your peace or privacy, there are several things you should do.

- Contact police or relevant authority;
- Keep an Incident Diary with dates, times and details of the incidents;
- Contact Home in Place and report and provide them with copies of your incident diary and police event numbers.

Please remember that Home in Place is not always the most appropriate place to call if you are having problems with neighbours, as our ability to do something about the problem is limited.



What if my complaint involves illegal activity?

Home in Place is here to help you, but it will not carry out a criminal investigation. Suspected illegal activity should be reported to the police for assistance. You can call QLD Policelink on 131 444 and log an incident report with the Police and to let Home in Place know the 'Event Number'.

In an emergency you should call "000"

If you feel you are being intimidated and that this will continue to happen, then you may also be able to apply for an Apprehended Violence Order (AVO) through your local court. For further information relating to the application of an AVO, please contact your Local Police Command or Courthouse.

What will Home in Place do when they receive a complaint?

Home in Place does not tolerate unacceptable behaviour and will respond within established policies and procedures and the provisions of the QLD Residential and Tenancies Rooming Act. However, when an antisocial behaviour complaint is received, Home in Place will investigate the allegation, when it has been supported by one or more of the following;

- ✓ Police Event Number/s,
- ✓ Incident Diary
- ✓ Statutory Declaration

All complaints are treated confidentially.

The tenant will be advised of the investigation, but the complainants' details will not be provided to them.

If the alleged behaviour is found to be in breach of the residential tenancy agreement, the following steps are taken:

- surveying neighbors to determine the impact of the reported behaviour on surrounding residents;
- requesting records of police attendances related to the reported incidents;
- monitoring the tenancy;
- referring tenants to external support agencies for advice and assistance;
- working with tenants and external agencies to identify strategies to manage the tenancy;
- applying to the QLD Civil and Administrative Tribunal (QCAT) for breach of the tenancy agreement; and
- please note, Home in Place will only seek to terminate a tenancy as a last resort.

What can you do to assist?

People affected by antisocial behaviour are requested to keep a record of incidents including details such as:

- ✓ the date and time of the incident
- ✓ the nature of the incident
- ✓ how long it lasted
- ✓ If police attended
- ✓ Police Event Numbers
- ✓ How it impacted on your peace and privacy, and

- ✓ How it made you feel (scared, intimidated etc.)

Resolving Disputes

If you would like more information on resolving a neighbourhood dispute by mediation, please contact Queensland Government Dispute Resolution Centre's: Ph 1800 017 288.

The Dispute Resolution Centre's offer free mediation services to help you manage your neighbourhood disputes without going to court. If a complaint does not constitute a breach of the tenancy agreement, Home in Place will encourage the parties to try and resolve the dispute through mediation

Why have some Home in Place tenants not been evicted for their anti-social behaviour?

All reported incidents are investigated; however, we can only act where incidents of anti-social behaviour can be substantiated and where the behaviour is a breach of the Residential Tenancy Act. In some cases, a complaint may not be able to be substantiated.

We must also consider other issues affecting the tenant and the tenancy. In these cases, we may take a range of other actions to assist the tenant to change their behaviour and maintain their tenancy including referral to a support worker or agency, closely monitoring the tenancy or investigate the option of a transfer where appropriate

Where can I get more information?

Home in Place Customer Service or Tenancy Relations Team	1300 333 733
Your Local Council	
Queensland Government Dispute Resolution Centre	1800 017 288
Queensland Civil and Administrative Tribunal	www.qcat.gov.au or call 1300 753 228
Queensland Residential Tenancies Authority	www.rta.qld.gov.au or call 1300 366 311
Law Access	1300 888 529
Office of the Information Commissioner QLD	07 3405 1122