

Management of Antisocial Behaviour Policy

1. Purpose

To define HOME in PLACE position on the antisocial behaviour within the HOME in PLACE (Australia) Limited portfolio.

2. Scope

This policy applies to HOME in PLACE entities. References to HOME in PLACE in this policy refer to all HOME in PLACE companies unless specified otherwise.

The policy applies to all workers, directors and members of HOME in PLACE decision-making committees and advisory bodies. The policy applies to third parties engaged to carry out activities on behalf of HOME in PLACE if stipulated by agreements.

3. Policy Statement

HOME in PLACE is committed to successful tenancies and sustainable communities and will utilise a range of early intervention strategies to assist tenant to maintain their tenancies.

HOME in PLACE manages tenancies in accordance with the provisions of the Residential Tenancies Act 2010 and the Housing Act 2001. Reports of alleged antisocial behaviour are managed as tenancy issues and will be referred to the relevant branch to action in the first instance.

HOME in PLACE recognises that the majority of tenants are good neighbours and members of their communities. Tenants who continue to meet their obligations under their Residential Tenancy Agreement will not be affected by this policy.

However, HOME in PLACE will not tolerate continued antisocial behaviour that disturbs the peace and risks the safety of neighbourhoods. Where tenants engage in unacceptable behaviour, HOME in PLACE will take action to assist tenants to address and cease the behaviour. Where behaviour is considered to be dangerous, severe or illegal, HOME in PLACE will take immediate action to end the tenancy. HOME in PLACE has a zero-tolerance policy for dangerous and/or illegal behaviour and will issue a Notice to Leave when this behaviour is found to have occurred.

HOME in PLACE will always endeavour to balance the needs and rights of other tenants, neighbours and the broader community with the need to support their tenants to sustain their tenancies.

It is not the role of HOME in PLACE to conduct criminal investigations, such investigations are the responsibility of the NSW Police.

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Categories of Antisocial Behaviour

HOME in PLACE describes antisocial behaviour in the following categories:

- Minor/moderate antisocial behaviour
- Serious antisocial behaviour
- Dangerous/severe or illegal behaviour

Dangerous/Severe or Illegal Behaviour

These is behaviour or activities which pose a risk to the safety or security of residents or property and may result in criminal charges or convictions/convictions or significant damage to a HOME in PLACE QLD property. Examples of dangerous/severe or illegal antisocial behaviour may include but is not limited to:

- Committing injury towards a neighbour, visitor, staff member, contractor which constitutes grievous bodily harm;
- The use of the property for the manufacture, sale, cultivation or supply of any prohibited drug;
- The use of the property for storing unlicensed firearms;
- The use of the property for a show cause offence within the meaning of the Bail Act 2013;
- Intentionally or recklessly causing serious damage to a HOME in PLACE property
- The use of the property as an illegal brothel;
- The use of the property for the production or distribution of child abuse material;
- The use of the property to facilitate organised car or boat rebirthing; and
- Perpetrating domestic and family violence;
- Physical assault or acts of violence against other tenants, neighbours or HOME in PLACE staff.

Serious antisocial behaviour

This behaviour involves the following types of activity that:

- Severely disturbs neighbours;
- Places the safety or security of a tenant, other household members, neighbours or HOME in PLACE staff at risk; or
- Cause damage to a HOME in PLACE property.

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

- Threats, abuse, intimidation or harassment towards neighbours, visitors, HOME in PLACE staff or contractors;
- Victimisation and intimidation;
- Provoking pets to attack;
- Hate & other threatening behaviour towards members of identified groups because of their perceived differences (e.g., race & ethnicity, gender, age, religion, sexual orientation, mental health or disability); and
- Negligent and extensive damage to a HOME in PLACE property.

Minor & moderate antisocial behaviour

This behaviour involves activities that disturb the peace, comfort or privacy of other tenants or neighbours. This includes, but is not limited to:

- Obscene language towards neighbours and visitors;
- Bullying and harassment towards neighbours and visitors;
- Noise causing a nuisance, e.g., loud parties, excessive shouting/screaming or excessive noise from music or television;
- Vandalism, graffiti, abandoning vehicles in front yard or common areas, carrying out noisy vehicle repairs in common areas;
- Leaving large amounts of rubbish in the home, garden or common areas;
- Inappropriate use of parking areas;
- Behaviour that limits other tenant's access to common facilities, such as preventing other tenants from accessing common gardens or laundry facilities; and
- Damaging any HOME in PLACE property including individual tenant's property and common areas

Principles

HOME in PLACE will be guided by the following principles in the implementation of this policy:

- Tenants are provided with clear information on their rights and responsibilities pursuant to their residential tenancy agreement at the commencement of their tenancies;
- Reports of alleged antisocial behaviour will be taken seriously and actioned appropriately;
- The process for managing/investigating reports of alleged antisocial behaviour will ensure the principles of procedural fairness are applied;
- Tenants will be given the opportunity to respond to reports of alleged antisocial behaviour;
- Action will be taken when reports of antisocial behaviour are substantiated;
- When reports are substantiated, tenants are given the opportunity to remedy the breach, and
- Tenants will be provided with information on complaints, appeals and NCAT processes.

Review of Decisions

If a tenant is dissatisfied with a decision made by HOME in PLACE they should discuss with a Tenancy Relations Officer in the first instance. If they are still dissatisfied in some circumstances they may be able to request a review of the decision.

4. Definitions and Acronyms Glossary

For clarification of any definitions or acronyms contained within this document, please click on the [Glossary](#) for information.

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