

150 Anti-social Behaviour Policy

1. Purpose

This policy defines Link Housing's approach to responding to anti-social behaviour by tenants of Link Housing.

2. Policy Scope

This policy applies to all Link Housing residents.

3. Policy Details

Antisocial or illegal behaviour puts the safety of neighbours at risk and impacts negatively on the local community. Antisocial behaviour is a problem that affects and damages communities.

Antisocial behaviour has a strong link to stigmatisation of people living in social housing. It has a significant impact on the quality of people's lives through fear of crime and the long-term effects of victimisation. It also gives rise to additional costs for a wide range of organisations and individuals including families, schools, NSW Police, non-government organisations, local government, social landlords and businesses.

This policy aims to balance the responsibilities of tenants, the rights of their neighbours in social housing, private residents and the broader community with the need to support tenants to sustain their tenancies.

4. Definition of anti-social behaviour

Antisocial behaviour is behaviour which disturbs the peace, comfort or privacy of other tenants or neighbours or the surrounding community which results in a breach of the tenancy agreement and/or the provisions of the *Residential Tenancies Act 2010* (the Act).

5. What is anti-social behaviour

Link Housing will always investigate a complaint about anti-social behaviour.

Link Housing will also work with tenants to resolve neighbourhood problems and, where required, will involve the Community Justice Centres.

If the anti-social behaviour involves criminal activity, Link Housing will work with the NSW Police.

There is a wide range of anti-social behaviours and the following list provides some examples:

- The use of a property to manufacture, store or deal drugs;
- Intentional or reckless damage to a Link Housing property.;
- The use of the premises as a brothel;
- Physical assault or acts of violence against other tenants, neighbours or Link Housing staff;
- Threats, abuse, intimidation or harassment towards neighbours, visitors, Link Housing staff or their contractors;
- Victimisation and intimidation towards neighbours or visitors;

- Provoking pets to attack neighbours or visitors;
- Having unsuitable or an excessive number of pets or livestock;
- Treating neighbour's pets badly;
- Hate and threatening behaviour that targets members of identified groups because of their perceived differences (e.g. race and ethnicity, gender, age, religion, sexual orientation, mental health or disability);
- Obscene language or bullying towards neighbours and visitors;
- Loud and uncontrolled noise, eg from music, parties, excessive shouting/screaming or television;
- Environmental and common area issues e.g. vandalism, graffiti, abandoned vehicles, carrying out noisy vehicle repairs in communal areas;
- Leaving large amounts of rubbish within the home, garden or on communal areas;
- Behaviour which limits other tenants' access to communal facilities, such as preventing other tenants from accessing communal gardens or laundry facilities.

6. How Link Housing manages anti-social behaviour

Link Housing is committed to sustaining tenancies and will work in partnership with other government and non-government organisations to support tenants, including when there is anti-social behaviour.

Link Housing will investigate allegations of anti-social behaviour and, where appropriate, facilitate early intervention and referral to support services to minimise the escalation of anti-social behaviour and the need to resolve cases through the NSW Civil and Administrative Tribunal (NCAT).

Link Housing aims to support tenants and families by effectively addressing anti-social behaviour that places them at risk. Link Housing will seek to refer tenants to support services when required as well as when a breach of the tenancy agreement or the Act has occurred.

When Link Housing receives a complaint about anti-social behaviour, Link Housing will investigate the matter, collect evidence, and apply the rules of natural justice so that those involved are given the opportunity to provide information about their view of events. Link Housing will provide feedback to relevant parties on the outcomes of the investigation while also protecting people's privacy.

Link Housing will always exercise discretion and in particular will consider the safety of victims of anti-social behaviour when making decisions on the action to be taken for substantiated incidents. When a substantiated breach of the tenancy agreement or the Act has occurred and it relates to anti-social behaviour and it is appropriate to take formal action, Link Housing may apply directly to the NCAT to seek termination of the tenancy.

7. Legislative Framework

- *Residential Tenancies Act 2010*
- *Smoking Free Environment Act 2000*

8. Related Policies

- Complaints Policy
- Appeals Policy

9. Privacy and Confidentiality

Link Housing will keep applicants', tenants' and residents' information and feedback confidential, in line with privacy laws and standards.

10. Complaints and appeals

A tenant who is not happy with a decision made by Link Housing or who believes that Link Housing has not followed this policy can complain or appeal using the complaints and appeals policies that are available on the Link Housing website www.linkhousing.org.au or by phoning Link Housing on 9412 5111.