



## Nuisance and Annoyance and Antisocial Behaviour

### What are *nuisance and annoyance*, and *antisocial behaviour*?

At the Department of Housing, we use the terms 'nuisance and annoyance', and 'antisocial behaviour' to describe unreasonable behaviour or actions that 'interfere with the reasonable peace, comfort and privacy' of other neighbours.

**Accepting others:** Remember that sometimes you will be able to hear neighbours. As well, people may have different opinions or ways of doing things from you.

**Your responsibility:** You should try not to disturb others, particularly when you live in a unit where any noise is easily heard. It is your responsibility to see that you and other household members, including children and visitors, don't do anything that will disturb your neighbours. More information is available in the *Being a Good Neighbour in Your New Home* fact sheet.

### What is unreasonable behaviour?

Unreasonable behaviour can cover violence or illegal activities. Any violence or illegal activities should be reported to the police immediately and then to the Department.

Other unreasonable behaviour that may disturb others in the neighbourhood includes:

- playing loud music, using lawn mowers or other equipment at times when it is not allowed;
- allowing pets to make a lot of noise or attack people, not cleaning up after them or keeping them in conditions that attract rats or fleas; and
- harassment, such as continued verbal abuse or threats.

Ask your local Department of Housing office for fact sheets on noise, pets or harassment for information on what to do about these problems.

### What about common areas?

Nuisance and annoyance, and antisocial behaviour in common areas are also unacceptable. If you harass people in the stairwell or play loud music in the carpark after midnight you are creating a disturbance.

All tenants may use common areas and cannot claim a particular clothesline or patch of grass as their own. Some families use common areas more often than other people or in different ways, there is nothing wrong with this.

### What can be done about nuisance and annoyance, and antisocial behaviour?

Most serious disturbances are against the law or council regulations and should be reported to the police or local council.

The people responsible for the problem may be charged, fined or forced to make changes.

In some cases, the Department may ask the Consumer Trader and Tenancy Tribunal to make an order requiring the person to stop the behaviour and comply with their tenancy agreement or even to terminate the tenancy. The Tribunal decides whether this happens.

The Tribunal can only act if a person does something where they live, in the common area or an adjoining or adjacent area. If your neighbour does something further away than this, the Tribunal can do nothing about it.

The Department is restricted in what it can do by the *Residential Tenancies Act* and any decisions made by the Tribunal.

It is illegal for an officer of the Department to ask for money or favours or other benefits of any kind in exchange for helping you with your housing needs.

It is also illegal for you or anyone else to offer money or favours or other benefits of any kind to an officer of the Department in exchange for helping you.

If you have any information regarding this, please contact the **Department of Housing's Business Assurance Unit on 1800 806 206**. The Department may refuse the provision of further housing services to anyone who has engaged or sought to engage in corrupt or illegal conduct.



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### Interpreter Services

If you have difficulty understanding English, contact the Translating and Interpreting Service (TIS) on 131 450. TIS will telephone the Department of Housing for you at no cost.

If you are hearing impaired, please contact the TTY Service on 1800 628 310.

**Arabic**  
الترجمة الختية والشفهية المجانية  
على الرقم 131 450

**Chinese**  
免費的翻譯傳譯服務  
致電 131 450

**Russian**  
Служба бесплатного письменного и устного  
Позвоните по номеру 131 450

**Spanish**  
Servicio Gratuito de Traducción e Interp  
Llame al 131 450

**Vietnamese**  
Dịch vụ Phiên dịch và Thông dịch V  
Điện thoại 131 450

### What should I do if my neighbour is causing a problem?

Try to solve minor problems by talking them over with your neighbour before approaching the Department.

If you find it too difficult to talk to your neighbour on your own, or you can't reach an agreement, you can contact the Community Justice Centre (CJC) for assistance. This is a free service. CJC mediators will hear both sides of the story and try to help you reach an agreement that everyone is happy with. Your local Department of Housing office can provide you with the CJC contact details or make a direct referral for you.

For more serious problems (eg. violence, threats of violence or dangerous dogs), you may need to speak to the police, the chamber magistrate at your local court or your local council.

Your local Department of Housing office has information about how to get help with these problems.

### What can the Department of Housing do?

If your neighbour's behaviour is a breach of their lease, the Department will investigate, warn them to stop and try to find a solution to the problem.

If this doesn't work, the Department may take action in the Consumer Trader and Tenancy Tribunal. You may be asked to record all the times your neighbour creates a disturbance for use as evidence at the Tribunal.

Wherever possible, the Department offers tenants an opportunity to change their behaviour. Sometimes, tenants need

assistance and support from health, welfare and other agencies to understand how their actions are affecting others and to help them change their behaviour.

While the Department is taking action, it cannot tell you what it is doing to resolve neighbourhood problems. The Department has to respect a tenant's right to privacy and confidentiality.

The Department has specially trained Client Service staff who support Client Service teams to manage nuisance and annoyance, and antisocial behaviour.

### More information

For more information you can:

- visit your local office, Monday to Friday, 8.30 am – 4.30 pm (closed public holidays and 8.30 am – 1.00 pm on Wednesdays)
- phone the Department on **Freecall 1800 629 212**, 24 hours a day, 7 days a week
- phone the Aboriginal Enquiry Line on Freecall 1800 355 740, Monday to Friday, 8.30 am – 4.30 pm (excluding public holidays)
- go to the Department's website [www.housing.nsw.gov.au](http://www.housing.nsw.gov.au)