



Neighbourhood Issues

Policy Category	1. Tenancy	Policy Number	1.11
Author	Cliff Jones – Chief Executive Officer	Board Approval Date	27 June 2019
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Purpose:

Our neighbourhood issues policy outlines how we will handle complaints from tenants regarding the behaviour of other Homes Out West tenants and community members and complaints being made from community members about Homes Out West tenants.

This policy relates to all staff undertaking the operations of Homes Out West and is inclusive of all tenants and community members.

Policy:

Homes Out West will aim to resolve neighbourhood disputes and behaviours which impact adversely on other residents in a manner which is respectful of the rights of all parties.

Homes Out West will aim to determine the relevant issues without judgement and will attempt to find a resolution which seeks to improve the outcomes for all parties involved. Homes Out West also commits to working in partnership with other services to enhance community well being through shared skills and resources where appropriate.

Homes Out West recognises the need to embrace a holistic approach to enhancing community well being through resident participation, partnering with support services and mediation. Homes Out West will adopt a range of methods which will include prevention, intervention, support and enforcement, as outlined below, to manage negative behaviour in the community.

Relevant Service Standards:	National Community Housing Standards <ul style="list-style-type: none"> • Standard 1.2 Establishing and Maintaining Tenancies Legislation <ul style="list-style-type: none"> • Residential Tenancies Act (NSW) 2010 National Regulatory System for Community Housing (NRSCH) Performance Outcome and Performance Requirement <ul style="list-style-type: none"> • Performance Outcome 1: Tenant and Housing Services
Related HOW Policies:	<ul style="list-style-type: none"> • Managing Anti-Social Behaviour Policy • Complaints and Appeals Policy

Procedure and Guidelines:

When complaints are received from Homes Out West tenants or other community members regarding the behaviour of individuals or groups who are not Homes Out West tenants, Homes Out West will provide appropriate referrals in order to address their complaint. Referrals may include:

- Police
- Community Justice Centre
- Law Access NSW

In the event that complaints are received from:

- Homes Out West Tenants regarding the behaviour of other Homes Out West Tenants, or
 - Other community members regarding the behaviour of Homes Out West tenants,
- Homes Out West will seek to resolve neighbourhood issues using the following strategies:

Prevention

- Communicate acceptable standards of behaviour to new tenants using our Residential Tenancy Agreements, standard sign-up procedures, Homes Out West Tenant Handbook, factsheets, newsletters and our website.
- Work with tenants to improve their environment through regular property inspections and client service visits.
- Identify and support tenants needing assistance by referring to specialist agencies and support groups.
- Use sensitive and flexible local allocation strategies wherever necessary (which may include transferring a tenant to another property if this is considered appropriate).

Intervention

- Sustain tenancies through resolution, and view termination as a “last resort”.
- Mediate in common, less-serious matters of disputes – this may be internal mediation by a Homes Out West staff member or external mediation utilising services such as the Community Justice Centre.
- Refer residents to support services and programs where appropriate.
- Provide information to all parties about their rights under the law and relevant Homes Out West policies and procedures.
- Consider transfers, where other measures (such as mediation and referrals) have failed to resolve issues and a transfer is considered to be an appropriate response and in line with Homes Out West’s policies.

Support

- Provide a confidential and non-judgemental method to report and investigate incidents and disputes.
- Contact or refer residents to appropriate support services where applicable.
- Provide feedback to the complainant, where possible, of proposed actions taken to resolve issues, and provide information to the complainant about timeframes.
- Actively encourage and support residents to resolve neighbourhood disputes directly in a constructive and non-confrontational manner.
- Establish and maintain effective working relationships with partner agencies including, but not limited to, community services, education, police and health services.

Enforcement

- Use enforcement where prevention, intervention and support measures have failed or were deemed to be inappropriate.

- Apply to the NSW Civil and Administrative Tribunal (NCAT) to address persistent and or serious breaches of the current Residential Tenancies legislation. Applications may be for Specific Performance Orders or Termination and Possession Orders, with appropriate delegation, dependent on individual circumstances.

All reported incidents will be investigated; however, enforcement action can only be taken where incidents are able to be substantiated and where the behaviour is a breach of the current Residential Tenancy Agreement.

Complainants

Homes Out West appreciates the importance of supporting complainants. Homes Out West staff will respond promptly to complaints.

Complainants have the right to expect that personal information will be dealt with in a sensitive and confidential manner. Wherever possible, Homes Out West will maintain confidentiality as a fundamental principle, however, we may not be able to do this where the complaint involves child protection issues, risk of violence or harm, criminal activity, fraud or legal proceedings. In such instances, the requirements of the relevant legislation will be followed.

Safety

- The personal safety of residents, staff and contractors will be prioritised in the application of these rules:
 - All staff investigating complaints must consider all associated risks and check tenancy database information prior to an investigation commencing.
 - It is the responsibility of all staff members to withdraw from any potentially dangerous situation and report immediately to their manager. The incident should also be recorded and, in consultation with the manager, be escalated to a future two person visit on the tenancy database where appropriate.
- Threats, abuse, intimidation or harassment to staff or contractors by residents are not acceptable to Homes Out West. Action may be taken under the current Residential Tenancies legislation if warranted and/or reported to the police.

Ethical behaviour and tenants' rights

The policy will ensure that all clients and community members are treated in a fair, equitable and transparent manner and will be afforded natural justice and due process.