

# Antisocial 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 antisocial behaviour?

Antisocial behaviour is when a person's behaviour affects another person's peace, comfort or privacy.

Antisocial behaviour can be:

- nuisance pets such as barking or aggressive dogs
- excessive noise from TV's or stereos
- noisy parties and loud, unruly behaviour
- verbal abuse and domestic disputes
- vandalism
- littering
- domestic disputes.

More serious forms of antisocial behaviour can include:

- any illegal activity
- serious harassment
- threats to the health or safety of a person
- physical assaults and violent acts
- frightening behavior.

## How are antisocial behaviour complaints managed?

Wentworth takes all complaints seriously and will investigate every complaint about antisocial behaviour involving any household member or visitor. Wentworth is unable to deal with civil matters such as suspected illegal activity or damage to personal property; these matters should be reported to and managed by the police.

If Wentworth receives a complaint about your tenancy you will be provided with an opportunity to respond to the complaint. You also have the right to question decisions which you are not happy with and have those decisions reviewed through an appeals process.

Wentworth records full details of all complaints and any action taken or agreement made. These records will be used for ongoing monitoring of the tenancy or possible future eviction proceedings.

If a complaint does not constitute a breach of tenancy, Wentworth will encourage the parties to try and resolve the dispute through mediation.

The Community Justice Centre provides impartial mediators to help parties work together to resolve a dispute. If you would like more information on resolving a neighbourhood dispute by mediation, please contact the **Community Justice Centre** - 1800 990 777.

The Tenants' Advice Service is an independent tenancy advice and advocacy organisation. For independent tenancy advice you can contact:

### **Western Sydney Tenants Service (WESTS)**

1800 251 101

### **Blue Mountains Tenants Advice & Advocacy Service (BMTAAS)**

(02) 4704 0201

### **Greater Sydney Aboriginal Tenants Service (GSATS)**

1800 251 101

## What happens when there are repeated incidents of antisocial behaviour?

If you continue to engage in antisocial behaviour, Wentworth will issue a Notice of Termination and make an application to the NSW Civil and Administrative Tribunal (NCAT) to resolve the matter by:

- applying for a Specific Performance Order, or
- applying for an order of Termination and Possession.

The orders that we ask the NCAT to issue will depend on the frequency and seriousness of the antisocial behaviour.

The orders might be that you, your household and your visitors must not engage in antisocial behaviour at your home or in more serious cases they may be orders that end your tenancy.

If you receive a notice from the NCAT to attend a hearing you should contact your Client Service Officer as soon as possible to talk to them about the problem. You should also attend the hearing in person.

If you don't attend the hearing the NCAT might make orders without hearing your side of the story. If you are worried about attending on your own you can bring a friend or advocate with you.

## What if the antisocial behaviour is serious?

If you refuse to enter into an agreement with Wentworth, or if you seriously or repeatedly breach the terms of a Specific Performance Order Wentworth will seek an order for termination and possession.

## More Information

It is important that you continue to talk to Wentworth about any difficulties you may have with your tenancy.

Even if Wentworth is taking action with the NCAT, it is still very important that you talk to us.

## Orders of Termination and Possession

If Wentworth asks the NCAT to issue orders of Termination and Possession we are asking that your tenancy is legally ended on a certain date. The NCAT will order that you move out of your home on a particular date. If you do not move out of the property by the date specified in the possession order, Wentworth will apply for a Warrant of Possession for the NSW Sheriff's Office to evict you.

## How can I avoid antisocial behaviour?

As part of the conditions of your lease agreement with Wentworth, you agree to:

- treat neighbours in a reasonable and courteous manner
- Not create a nuisance or trespass onto any neighbours' property
- ensure there are no incidents of nuisance or disturbance on the premises or on land adjacent to or opposite the premises
- not cause or permit ongoing or repeated interference with the reasonable peace or privacy of another person
- ensure that your household members and visitors comply with all of the above.

## Where can I go for more advice?

Fair Trading NSW can give you advice about your tenancy rights and obligations, about how the NCAT works and can also help you find an advocate. You can visit the Fair Trading NSW website at [www.fairtrading.nsw.gov.au](http://www.fairtrading.nsw.gov.au) or call them on 13 32 20.

### HEAD OFFICE

#### Penrith

Address: Borec House, Suite 1002, Level 1  
29-57 Station Street, Penrith 2750  
PO Box 4303, Penrith 2750

Phone: 02 4777 8000  
Fax: 02 4777 8099  
Email: [admin@wentworth.org.au](mailto:admin@wentworth.org.au)

Opening hours:  
8:30am-4:30pm Monday, Tuesday, Thursday, Friday  
1:00pm-4:30pm Wednesday

### BRANCHES

#### Hawkesbury

Address: 409A George Street, South Windsor  
Phone: 02 4777 8000

Opening Hours: 8:30am-4:30pm Monday, Tuesday,  
Thursday, Friday (closed Wednesday)

#### Blue Mountains

Address: Level 2, 98 Bathurst Road, Katoomba  
Phone: 02 4777 8000

Opening Hours: 8.30am-4:30pm Monday, Tuesday,  
Thursday, Friday (closed Wednesday)



[www.wentworth.org.au](http://www.wentworth.org.au)