

All tenants have the right to quiet enjoyment of their home. All household members and visitors must respect the right of their neighbours to feel safe, be comfortable within their home and have privacy.

The majority of public housing tenants are good neighbours. However, there are a small number of tenants whose antisocial and illegal behaviour puts the safety of neighbours and vulnerable tenants at risk and impacts negatively on the local community.

The Department of Family and Community Services (FACS) Antisocial Behaviour Management policy explains how FACS manages tenancy breaches caused by incidents of antisocial behaviour.

What is Antisocial Behaviour?

Antisocial Behaviour is behaviour which may or is likely to unreasonably disturb the peace, comfort or privacy of other tenants or neighbours or any other person living in the vicinity of the premises and surrounding community which causes a breach under the provisions of the Residential Tenancies Act 2010.

The behaviour may include harassment, criminal and illegal activities and other inappropriate actions by tenants, other household occupants and visitors that cause deliberate or reckless damage to a FACS property or place the safety of others at risk.

Categories of Antisocial Behaviour

FACS has defined antisocial behaviour in the following three categories:

- **Severe illegal behaviour** is behaviour which poses a risk to the safety or security of residents or property and may result in criminal charges and/or conviction; or significant damage to a FACS property.
- **Serious antisocial behaviour** involves activities that severely disturb neighbours; place the safety or security of a tenant, other household members, neighbours or FACS staff at risk; or cause damage to a FACS property.
- **Minor and moderate antisocial behaviour** involves activities which disturb the peace, comfort or privacy of other tenants or neighbours.

What does FACS do when a complaint is received?

If FACS receives a complaint relating to a breach of tenancy for antisocial behaviour, FACS will investigate the matter.

FACS may contact the complainant to gather evidence of the claims being made and may speak with other witnesses and agencies, including NSW Police.

The tenant accused of the antisocial behaviour will be provided the opportunity to reply to the allegations made against them and FACS will determine, based on the investigation and evidence provided, whether or not the complaint is substantiated.

FACS will then respond to both the complainant and the accused tenant notifying them of the action FACS has taken. This may include issuing a Strike Notice or action being taken through the NSW Civil and Administrative Tribunal (NCAT) to seek termination of the Tenancy Agreement.

If three Strike Notices are issued within a 12 month period, FACS may take action to end the tenancy. If the type of Antisocial Behaviour is considered severe illegal antisocial behaviour or serious antisocial behaviour, FACS may take action at the NSW Civil and Administrative Tribunal (NCAT) to end the tenancy.

What can a Tenant do if a complaint is received about them?

You should:

- Contact FACS immediately
- Follow the directions set out in the letter you have received
- Attend the scheduled interview
- Provide evidence to FACS
- Cease any antisocial behaviour immediately.

You can also find details of support services at your local office or online at www.hsnet.nsw.gov.au. Accessing support may assist you to meet your tenancy obligations and reduce the risk to your tenancy. For independent and free advice you can call:

- Your local tenants advisory service
- The Department of Fair Trading, Renting Services on 133 220
- Tenants' Union of NSW advice line on (02) 8117 3750 or 1800 251 101 or look at their website at www.tenants.org.au, or
- Law Access on 1300 888 529.

How do I report Antisocial Behaviour and what will I need to provide?

You can report Antisocial Behaviour by:

- Completing one or both of the following forms available at www.housing.nsw.gov.au and providing them to your local FACS office:
 - Serious Incident Diary; which is a running log of continuous incidents; and/or
 - Witness Incident Report; which provides details of one incident
- Contacting the client feedback unit on 1300 468 746 ([Monday to Friday: 8.30am – 4.30pm](http://www.housing.nsw.gov.au))
- Reporting the behaviour online at <http://www.housing.nsw.gov.au/Contact+Us/Feedback.htm>
- Email us at feedback@facs.nsw.gov.au

Are all your questions answered?

If all your questions have not been answered in this fact sheet you can

- contact your local FACS office
- phone 1300 HOUSING (1300 468 746)
- visit the FACS website www.housing.nsw.gov.au

It is illegal for an officer of Housing NSW or a community housing provider 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 anyone who works for Housing NSW or a community housing provider in exchange for helping you. If you have any information regarding this, please contact Business Assurance on 1300 HOUSING (1300 468 746).

Translation service

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| Arabic | خدمة مجانية للترجمة الخطية والشفوية تصل على الرقم 1300 652 488 |
| Chinese | 免費翻譯及傳譯服務機構電話: 1300 652 488 |
| Russian | Бесплатная переводческая служба Звоните по тел. 1300 652 488 |
| Spanish | Servicio Gratuito de Interpretación y Traducción. Llame al 1300 652 488 |
| Vietnamese | Dịch vụ Thông Phiên dịch Miễn phí. Hãy gọi đến 1300 652 488 |