

# Neighbour Relations Policy

## 1. Policy Statement

Uniting Vic.Tas (Uniting) provides tenancy and asset management services for community housing to Uniting Housing Victoria (Uniting Housing), a Registered Housing Provider.

This policy describes Uniting’s approach to managing relations between Uniting renters, and with neighbours, particularly if there are allegations of anti-social behaviour. This policy aims to balance the rights of renters and neighbours to support positive relationships and stronger communities.

## 2. Scope

This policy applies to all Uniting Housing community housing tenancies which include, but are not limited to, tenancies in:

- Properties owned by Uniting Housing (Victoria) and Uniting Vic.Tas for use as long-term community housing
- Properties leased by Uniting Housing (Victoria) from Homes Victoria for long term community housing
- Rooming Houses
- Properties managed under the Transitional Housing Management (THM) program, the From Homelessness to a Home (H2H) program and the Homes for Families program; and
- Properties managed as Affordable Housing, including properties under the National Rental Affordability Scheme.

## 3. Guiding principles

In applying this policy Uniting will ensure:

- All renters are treated with compassion and sensitivity
- We use fair, consistent and accountable processes and renters are kept well informed about these processes
- We help renters understand their rights and responsibilities under their Residential Rental Agreement
- We are committed to responding to matters which may be family violence related in a manner that is trauma informed and aligns with the Family Violence Multi-Agency Risk Assessment and Management Framework (MARAM)
- We meet our contractual, legal, and regulatory duties and obligations

Renters and residents of Uniting homes have a right to:

- expect positive and respectful communication from us
- peaceful enjoyment of their home

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- able to complain about neighbours(s) preventing the right to peaceful enjoyment of their home
- access support, information and services to maintain a successful tenancy

Renters and residents also have responsibilities. When signing the Residential Rental Agreement, a Uniting renter or resident agrees to abide by the terms of the rental agreement and to meet all renter obligations. These obligations apply to all household members.

This means renters should not:

- cause or permit a nuisance
- interfere, cause or permit interference with the reasonable peace, comfort or privacy of any neighbour
- use the residential premises, or cause or permit, the premises to be used for any illegal purpose
- intentionally or negligently cause or permit any damage to the residential premises.

## 4. Good neighbours

Local communities work best when everyone tries to be good neighbours. A good neighbour:

- respects others' rights and privacy
- is mindful and respectful of others, particularly in terms of noise
- takes responsibility for household members' and visitors' behaviour
- respects communal areas and others right to use these spaces
- keeps the property clean, e.g. properly disposing of rubbish

If a renter or resident is experiencing problems with noise or nuisance from a neighbour, a first step should be to approach the neighbour and attempt to resolve the matter amicably. Further advice about solving problems between neighbours can be found at the website of the Dispute Settlement Centre of Victoria:

<https://www.disputes.vic.gov.au/>

Uniting staff will work with Uniting renters and neighbours to help resolve problems by:

- encouraging renters and neighbours to work cooperatively to resolve dispute in the first instance
- assist parties to access mediation services where appropriate
- refer renters to support services to address underlying issues if applicable
- keep all parties informed of progress on complaints about behaviour.

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## 5. Unacceptable behaviour

Behaviour by renters is unacceptable if it causes, or is likely to cause, harassment, alarm or distress. Unacceptable behaviour interferes with other people’s right to use and enjoy their home. Unacceptable behaviour could include:

- Excessive and repeated noise
- Abuse, threats and intimidation
- Vandalism
- Damage to common property
- Nuisance caused by pets
- Illegal activity in the property
- Excessive rubbish and belongs including hazardous material

Complaints about unacceptable behaviour involving Uniting renters can be investigated by Uniting staff.

If Uniting receives allegations of serious anti-social and dangerous behaviour by Uniting renters or household members, these matters will be urgently investigated. In very serious cases, Uniting can ask renters or residents to leave a property immediately when there is violent or dangerous behaviour, or serious damage to the property. If the matter concerns violent, dangerous or illegal activity, the complainant must directly contact the Police.

### Human rights

Uniting staff will consider the potential impact of any proposed action on the renter’s (and their households) rights under the *Charter of Human Rights and Responsibilities Act 2006* (the Charter)

By taking a human rights approach Uniting will ensure renters are at the centre of all decisions made. It does not mean that a renter’s rights can never be limited, it means that any decisions made that do limit a renter’s humans right must be lawful, necessary, reasonable and proportionate.

Staff taking action in line with this policy must:

- Understand the objective and rationale of the actions they are taking
- Consider the impact of a proposed action on the persons Charter rights
- Consider whether the proposed impact is balanced, proportionate and necessary to achieve the objectives of the organisation
- Choose the least restrictive measure available

### Natural justice

Natural justice (also known as procedural fairness) requires all staff of Uniting to act fairly when making decisions that impact a renter’s rights under the Residential

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Tenancies Act 1997 (RTA).

Natural justice requires staff to:

- Notify the renter, either in writing or verbally, of the nature of the alleged breach that may result in a notice or action taken by Uniting
- Inform the renter of all information and evidence gathered that will be used in the making of the decision.
- Provide the renter in a timely manner an opportunity to refute the alleged breach or provide a response to the alleged breach. Including reasons why a notice should not be issued.
- Consider any material or information provided by the renter when making a decision.

## 6. Making complaints

Complaints against Uniting renters about negative behaviour affecting neighbours will be received through any of Uniting's feedback methods, including:

- Direct contact with Uniting staff (phone or email)
- email to local tenancy team or [consumerfeedback@unitingvictas.org.au](mailto:consumerfeedback@unitingvictas.org.au)
- Uniting website feedback form:  
<https://www.unitingvictas.org.au/feedback/feedback-compliments-and-complaints/>

If, after investigation, the matter is considered a breach of the Residential Rental Agreement by the renter, Uniting staff will collect information on the matter and may issue a Breach of Duty notice or, in serious cases, a Notice to Vacate.

## 7. Definitions

Term	Meaning
<b>Affordable housing</b>	Rental housing where rent is charged at less than market level
<b>Charter of Human Rights and Responsibilities</b>	A Victorian law that sets out the basic rights, freedoms and responsibilities of all people in Victoria - <a href="https://www.humanrights.vic.gov.au/for-individuals/human-rights/">https://www.humanrights.vic.gov.au/for-individuals/human-rights/</a>
<b>Community housing</b>	Rental housing owned and/or managed by a registered community housing provider
<b>MARAM</b>	Family Violence Multi-Agency Risk Assessment and Management Framework – process for ensuring effective identification, assessment and management of family violence risk.

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Term	Meaning
<b>Notice to vacate</b>	A legal notice telling a renter that the rental provider wants them to vacate the property by a certain date.
<b>Residential Rental Agreement</b>	Legal agreement between a rental provider (landlord) and renter (tenant) to rent a home
<b>Tenancy breach/breach of duty</b>	Failure to meet a requirement of the RTA that is classed as a duty provision (a provision which has specific legislative requirements and consequences for either a rental provider or a renter)
<b>VCAT</b>	Victorian Civil & Administrative Tribunal. A legal institution set up to administer several Acts. For residential tenancies, the Tribunal administers the Residential Tenancies Act 1997

## 8. Transparency and accessibility

This policy will be available on the Uniting Housing and Uniting Vic. Tas websites

If you require this policy in a language other than English, or in accessible format please contact Uniting.

This policy will be fully reviewed within 3 years of the approval date.

## 9. Legislation/Regulations

This policy implements the obligations of Uniting under:

- Housing Act 1983
- Residential Tenancies Act 1997
- Residential Tenancies Regulations 2021
- Service Level Agreement between Uniting Vic Tas and Uniting Housing

## 10. Related Documents

Tenancy Breaches Policy

Ending Tenancies Policy

Tenancy feedback and complaints procedure

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