

Disruptive behaviour

We all have a right to live in a peaceful neighbourhood. This means you and your neighbours have the right to enjoy and use your property in peace, privacy and comfort without interference. This applies to everyone, whether they own their home, rent privately or are a public housing tenant.

What is disruptive behaviour?

Disruptive behaviour is anything that unreasonably interferes with the quiet enjoyment of your home. This can include:

- excessive or ongoing noise
- threats, intimidation, offensive behaviour or assault
- trespass
- noise and disturbance from domestic arguments

Resolving concerns with your neighbours

- The best way to resolve concerns or disagreements is by talking to your neighbours to reach a reasonable compromise that is acceptable to everyone.
- If you cannot reach an agreement with your neighbour, information on your rights and options, where to find help and assistance to help you deal with common problems is available from Legal Aid Western Australia at www.legalaid.wa.gov.au.

Reporting disruptive behaviour

The Department of Communities can only investigate and take action against tenants at public housing properties if the disruptive behaviour breaches the conditions of their tenancy agreement or the *Residential Tenancies Act 1987*.

Some behaviour and activities may be disruptive or concerning but cannot be investigated by the Department, including:

- unpleasant or annoying neighbours
- personal disputes or disagreements you may have with a neighbour
- noise and activity associated with normal daily life e.g. children playing
- barking dogs
- incidents that take place away from the tenant's property

There are a number of ways to seek assistance with disruption.

To achieve the best outcome, it's important to report issues to the appropriate place.

WA Police

If you are concerned about your or others' safety, loud music, illegal activity, or parties occurring at the time of calling, please contact:

- 000 for all emergencies
- 131 444 to call WA Police

Department of Communities

- Disruptive behaviour at public housing properties can be reported on our website, to the Disruptive Behaviour Reporting Line on 1300 597 076 or in person at your local Department of Communities housing office.
- Rubbish, property condition, parking or dividing fence issues related to a public housing property can be reported at your local Department of Communities housing office.
- Concerns about child welfare can be reported to your local Department of Communities child protection and family support office.



Translating and Interpreting Service (TIS) – Telephone: 13 14 50
If you are deaf, or have a hearing or speech impairment, contact us through the National Relay Service. For more information visit: www.relayservice.gov.au
This publication is available in other formats that can be requested at any time.



Government of Western Australia
Department of Communities

Department of Communities offices*

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Meekatharra 6642
Tel: (08) 9956 5000

Metropolitan Offices

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Armadale 6112
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Great Southern Albany
131 Aberdeen Street
Albany 6330
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Tel: (08) 9159 1700

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6 Daping Street
Katanning 6317
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South Hedland 6722
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Derby 6728
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Fremantle 6160
Tel: (08) 9432 5300

Manjimup
Unit 10,
30-32 Rose Street
Manjimup 6258
Tel: (08) 9771 7800

East Kimberley Halls Creek
Lot 72-73
Great Northern Hwy
Halls Creek 6770
Tel: (08) 9168 9300

Joondalup
Unit 4, 7 Wise Street
Joondalup 6027
Tel: (08) 9404 3300

Goldfields Esperance
92 Dempster Street
Esperance 6450
Tel: (08) 9072 3000

Kununurra
16 Codlibah Drive
Kununurra 6743
Tel: (08) 9166 5100

Kwinana
2 Stidworthy Way
Kwinana 6167
Tel: (08) 9411 9500

Kalgoorlie
Unit 1-2,
84-90 Brookman Street
Kalgoorlie 6430
Tel: (08) 9093 5200

Wheatbelt Merredin
27 Mitchell Street
Merredin 6415
Tel: (08) 9081 3800

Mandurah
Unit 1, 17 Sholl Street
Mandurah 6210
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30 Robinson Street
Carnarvon 6701
Tel: (08) 9941 6500

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11-13 Park Street
Narrogin 6312
Tel: (08) 9881 9400

Midland
21 Old Great Northern Highway
Midland 6056
Tel: (08) 9250 9191

Geraldton
201 Marine Terrace
Geraldton 6530
Tel: (08) 9923 4444

Northam
5 Elizabeth Place
Northam 6401
Tel: (08) 9690 1900

* For housing related matters

www.communities.wa.gov.au

Other assistance

Your local council

You can let your local council know about:

- noise (including construction and power tools)
- trees, rubbish or concerns and the condition of your neighbour's property
- issues to do with neighbourhood animals (including noise from barking dogs)
- abandoned vehicles and street parking

Contact details for your local council can be found at www.dlgsc.wa.gov.au.

RSPCA

You can report any animal welfare concerns to the RSPCA on 1300 278 3589 or using their online form at www.rspca.org.au.

The Housing Authority operates within the Department of Communities.

Dealing with disruption



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Managing disruptive behaviour

The Department of Communities manages disruptive behaviour in accordance with its disruptive behaviour management strategy and Disruptive Behaviour Management Policy.

Once a report of disruptive behaviour is received and determined as falling within the *Residential Tenancies Act 1987*, the Department will investigate the incident in accordance with principles of procedural fairness. This includes giving the tenant an opportunity to respond to the complaint.

If the incident breaches the *Residential Tenancies Act 1987*, the Department will take appropriate action. Our response will be proportionate to the behaviour.



There are three categories of disruptive behaviour:

1. *Dangerous Behaviour*

- Activities that pose a risk to the safety or security of residents or property, or
- have resulted in injury to a person in the immediate vicinity of the premises with subsequent police charges or conviction.

2. *Serious Disruptive Behaviour*

- Activities that intentionally or recklessly cause serious disturbance to persons in the immediate vicinity of the premises, or
- which could reasonably be expected to cause concern for the safety or security of a person or their property.

3. *Disruptive Behaviour*

- Activities that cause a nuisance, or
- unreasonably interfere with the peace, privacy or comfort of persons in the immediate vicinity of the premises.

Support for tenants

Communities works closely with tenants, other government and support agencies and community organisations to assist and encourage tenants to meet their tenancy obligations and sustain their tenancies.

The disruptive behaviour management strategy aims to provide:

- tenants with the opportunity to resolve tenancy concerns and modify behaviour, with relevant assistance
- clarity and standards for tenants and the community on the consequences of ongoing disruptive behaviour.

This includes referrals to appropriate support services where relevant.

If you are a public housing tenant and would like more information about available support services, please visit our website or contact your local Department of Communities housing office.



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Terminating a tenancy

If the tenant's behaviour is in breach of their obligations under the *Residential Tenancies Act 1987*, they are issued with a strike against the tenancy. Once a final strike has been issued against the tenancy, the Housing Authority may begin the process to terminate the tenancy.

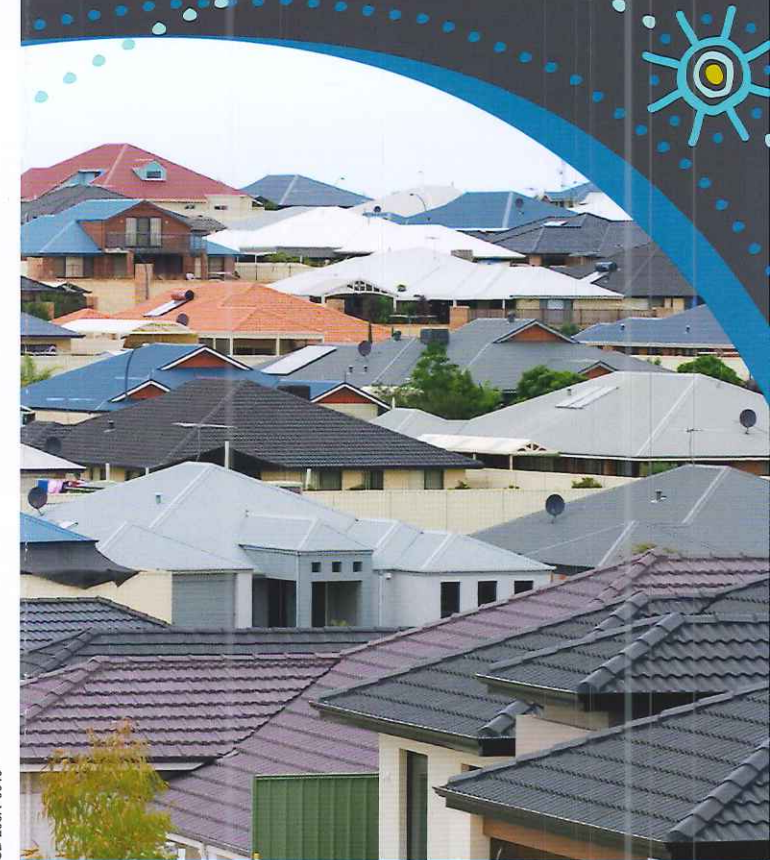
The Housing Authority does not have the power to evict a tenant without a court order. The decision to evict a tenant is exclusive to the Magistrates Court. When seeking to evict a tenant, the Housing Authority must produce evidence which corroborates the incidents of disruptive behaviour and the Magistrate must be satisfied that the behaviour justifies terminating the agreement.

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Managing disruptive behaviour at public housing properties



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