

# Antisocial Behaviour in Social Housing – Options for Neighbours

## Antisocial Behaviour in Social Housing

The Department of Housing, Local Government and Community Development (the Department) is committed to reducing antisocial behaviour in social housing. Section 28A of the *Housing Act 1982* defines 'antisocial behaviour' as behaviour that:

- Involves abusive or violent behaviour directed to a person; or
- Creates alarm or fear in, or annoyance to, neighbours or others in the vicinity; or
- Involves graffiti, littering or vandalism.

Examples of antisocial behaviour include:

- Excessive noise caused by yelling, fighting and late-night parties on a regular basis;
- Making threats to a neighbour's person or property;
- Acts of violence against a neighbour or actual property damage;
- Keeping a property in state of disrepair that threatens the safety of neighbours.

Some antisocial behaviour may also constitute a criminal act such as an assault or property damage.

All tenants and neighbours have a responsibility to ensure the quiet enjoyment of their properties. Neighbours of social housing residences have a range of options available to them to address antisocial behaviour coming from social housing residences.

## Reporting Criminal Behaviour in Social Housing

If the behaviour is of a criminal nature, such as acts of violence, property damage or the sale of drugs from the property, then a report should be made directly to Police. The Police will investigate the incident and determine whether to lay charges.

## Reporting Antisocial Behaviour in Social Housing

If antisocial behaviour is occurring at a property and immediate attendance is required, please call the Police Assistance Line on 131 444. Once this call is received, the operator will assess the situation and dispatch Police or ask Public Housing Safety Officers to assist.

If the matter is not criminal in nature and does not require urgent assistance, you can report it to the 24/7 Housing complaints line on 1800 685 743.

If the housing you are calling about is managed by a Community Housing Provider (CHP), the Housing complaints line will provide you with the CHP's contact details.

If the situation is an emergency or is violent call the NT Police on 000.

## Application to Northern Territory Civil and Administrative Tribunal to Terminate a Social Housing Tenancy

Section 100 of the *Residential Tenancies Act 1999* (RTA) allows interested persons, including neighbours, to apply to the [Northern Territory Civil and Administrative Tribunal](#) (NTCAT) to terminate a tenancy on the grounds a tenant's conduct is unacceptable. Unacceptable conduct under s100 includes:

- Using, or causing, the premises to be used for an illegal purpose;
- Repeatedly causing, or repeatedly permitting, a nuisance to be caused on or from the premises; or
- Repeated causing, or repeatedly permitting an interference with the reasonable peace or privacy of a person residing in the immediate vicinity of the premises.

Neighbours who wish to apply to NTCAT under s100 of the RTA ought to seek legal advice before commencing proceedings.

Email: [AGD.ntcat@nt.gov.au](mailto:AGD.ntcat@nt.gov.au)

Phone: 1800 604 622, (08) 8944 8720

[www.ntcat.nt.gov.au](http://www.ntcat.nt.gov.au)

## Filing a Claim in the Local Court – Private Nuisance

Neighbours affected by antisocial behaviour can commence proceedings against the offending neighbour on the grounds of private nuisance by filing a claim in the Local Court.

Neighbours can ask the Court to be awarded compensation or award an injunction against antisocial neighbours prohibiting their antisocial behaviour. Neighbours who are considering this option are recommended to seek legal advice before commencing proceedings.

## Noise Abatement Order

In circumstances where antisocial behaviour is confined to excessive noise, neighbours can apply to the Local Court for a noise abatement order under s53D of the *Summary Offences Act 1995*. Neighbours considering this option should seek legal advice before commencing proceedings.

## Mediation between Parties with the Community Justice Centre

If all parties are willing, the Community Justice Centre offers free and confidential mediation services. Mediation is a highly effective alternative dispute resolution option that is significantly cheaper and convenient than formal court proceedings. The Community Justice Centre will assist interested parties through the process in organising and attending mediation. The Community Justice Centre can be contacted on 1800 000 473.

## Community legal services

There are a number of free legal services operating across the Northern Territory which may be able to provide advice on how best to respond to an incident of Antisocial Behaviour in Social Housing.

### [NT Legal Aid Commission](#)

The NT Legal Aid Commission provides legal services to Territorians with offices in Darwin, Palmerston, Katherine, Tennant Creek and Alice Springs. You can get free and confidential legal information, referral to other services and legal advice.

Phone: 1800 019 343

[www.legalaid.nt.gov.au](http://www.legalaid.nt.gov.au)

### [Darwin Community Legal Service](#)

Darwin Community Legal Service publishes useful fact sheets about a range of legal topics. The service also provides a range of free legal and advocacy services.

Phone: 1800 812 953

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

### [North Australian Aboriginal Justice Agency](#)

The North Australian Aboriginal Justice Agency (NAAJA) provides culturally competent legal services to Aboriginal people in the Northern Territory.

Phone: 1800 898 251

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