CORNERSTONE HOUSING LTD

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Anti-social Behaviour Policy

Purpose

This policy sets out how Cornerstone House Ltd (Cornerstone) investigates and responds to complaints about anti-social behaviour at properties they own and manage.

Governing Regulations

- Residential Tenancies Act 1995

Definitions

'Anti-social Behaviour' is a behaviour that interferes with the reasonable peace, comfort, or privacy of a tenant's neighbour. Noise or activity associated with daily life, e.g., children playing, isn't considered anti-social behaviour.

'Complaint' means a statement of concern (not being a decision made by Cornerstone, court, or tribunal) made directly to Cornerstone. A complaint identifies a reasonable action or outcome that would resolve the complaint.

Levels of Anti-social Behaviour

Minor Anti-social Behaviour

Minor anti-social behaviour interferes with the reasonable peace, comfort, or privacy of neighbours and can include, but isn't limited to:

- Obscene language, bullying and harassment towards neighbours, Cornerstone staff or contractors
- Noise that causes nuisance
- Issues around yards and communal areas – e.g., vandalism, graffiti, limiting other tenants' access to communal facilities, inappropriately disposing of rubbish
- Property damage.

Moderate Anti-social Behaviour

Moderate anti-social behaviour substantially, unreasonably, or repeatedly interferes with the reasonable peace, comfort, or privacy of neighbours and includes, but isn't limited to:

- Threats, abuse, intimidation or harassment towards neighbours, Cornerstone staff or contractors
- Hateful or threatening behaviour targeting someone because of perceived differences – e.g., ethnicity, gender, sexual orientation
- Extensive property damage
- Out-of-control parties
- Repeated or ongoing minor anti-social behaviour.

Serious Anti-social Behaviour

Serious anti-social behaviour poses a risk to the safety or security of people or property and may result in criminal charges, and includes, but isn't limited to:

- Using the property to produce or distribute child exploitation material

- Using the property to manufacture, sell, cultivate, or supply any prohibited drug
- Intentionally or recklessly damaging the property leaving it uninhabitable
- Assaulting or causing harm to people in the vicinity of the property, Cornerstone staff or contractors.

Investigating and Substantiating Complaints

Cornerstone only investigates anti-social behaviour complaints that involve an alleged breach of the tenant's lease. If the behaviour doesn't breach the lease, it's outside Cornerstone's authority.

In those cases, complainants are referred to the relevant agency, for example, SAPOL for illegal activity or the local council for barking dogs.

Tenants have the right to know about and respond to complaints made against them. They aren't told who made the complaint.

A complaint is substantiated if the investigation finds it's likely to be accurate. Investigation surrounding anti-social behaviour includes:

- Talking to anyone involved and giving them the chance to have their say, except if it would put the safety of Cornerstone staff at risk
- Treating everyone fairly
- Considering all relevant evidence
- Getting extra information from other agencies, if required
- Referring people to mediation or support services with it's appropriate.

Responding to Substantiated Complaints

Cornerstone's response depends on the level of Anti-social behaviour and whether there are mitigating factors.

Verbal and Formal Warnings

Cornerstone issues a verbal warning for the first incident of minor anti-social behaviour if no complaints have been substantiated in the previous six months.
A formal written warning is issued for substantiated moderate behaviour, or for minor behaviour where a verbal warning has already been given within six months.
Warnings remain active for six months. Cornerstone monitors the tenancy and may escalate action, including ending the tenancy, if the behaviour continues.

Ending the Tenancy

Cornerstone may seek to end a tenancy after two formal warnings and a third substantiated complaint. If the behaviour is serious, Cornerstone may take immediate action without a formal warning.

Transfers

Cornerstone may offer a transfer to a tenant to resolve anti-social behaviour, with approval from the Housing Services Manager.
Only essential needs, for example wheelchair access, are considered when offering a transfer.
Any transfer due to anti-social behaviour is subject to a 90-day probationary lease.

Exclusion from Cornerstone

Tenants or occupants responsible for substantiated moderate or serious anti-social behaviour are excluded from registering, receiving offers of housing, or being re-housed with Cornerstone for 12 months if:

- The tenancy ended because of anti-social behaviour
- They left the property before an order for possession could be issued or served
- Their lease agreement wasn't renewed or extended because of anti-social behaviour
- They left the property with an active substantiated complaint.

Anti-social Behaviour Factsheet

What is Anti-social Behaviour?

Anti-social behaviour disrupts the peace, comfort, or privacy of neighbours and residents. This includes, but is not limited to, threats, harassment, offensive language, assault, property damage, and excessive noise. Routine activities like children playing do not qualify as anti-social behaviour and can often be resolved by speaking with the neighbour or using mediation services.

Handling a Dispute

The following guidelines can help you approach disputes calmly and constructively, ensuring a respectful interaction with your neighbour. Avoiding escalation can often lead to a quicker and more amicable resolution.

- Stay reasonable and open to compromise; both you and your neighbour have a right to peaceful living.
- Avoid arguments, threats, or aggression towards neighbours or their visitors.
- Refrain from illegal actions like trespass or vandalism.

If safety is a concern, contact the police on 131 444 (or 000 in emergencies).

Cornerstone Tenant Responsibilities

Cornerstone tenants must respect their neighbours' rights and privacy and ensure that visitors behave responsibly. Tenants must not:

- Make excessive noise
- Damage property or common areas
- Threaten or abuse others
- Engage in illegal activities on the property.

How to Lodge a Complaint

If a Cornerstone tenant's behaviour is of concern, you can lodge a complaint with Cornerstone. Cornerstone cannot action any complaint about privately rented properties not under Cornerstone's management.

You can lodge a complaint in several ways:

- Through the online form on the Cornerstone website at https://csh.ltd/complaints or via the QR code on the right
- By calling (08) 8259 3500, speaking directly to any staff member
- In person during an inspection
- By visiting our office at 73 Nelson Street, Stepney 5069 Monday to Friday between 9:00am and 4:00pm (appointments preferred)
- In writing via complaints@csh.ltd, or a letter marked 'Complaints' to our office address (above).

SDA Tenancies

In addition to the above, SDA tenants can also lodge a complaint directly to the NDIS Commission by:

- Phoning 1800 035 544 (free call from landlines) or TTY 133 677. Interpreters can be arranged.
- Using the National Relay Service and ask for 1800 035 544

Completing the online complaint contact form at https://ndiscommission.gov.au/about/complaints

How Cornerstone Handles Complaints

Investigation

Upon receiving a complaint, Cornerstone assesses if the lease agreement was breached. This may involve contacting the tenant to gather relevant information, such as steps taken to prevent the behaviour or any mitigating circumstances like domestic abuse. Cornerstone may also consult:

- The complainant
- Neighbours and other witnesses
- Agencies like the police or support services

Only pertinent information is considered.

Decision

If a breach is confirmed, Cornerstone may:

- Issue a verbal or formal warning and support strategies to resolve the issue.
- Take steps to end the tenancy.

If a tenancy is terminated, the tenant will be ineligible for 12 months to:

- Register interest in Cornerstone properties
- Reside in a Cornerstone property as a visitor or occupant
- Act as a caretaker at a Cornerstone property.

Appealing a Decision

Tenants can appeal if they disagree with Cornerstone's handling or decision. For assistance, contact RentRight SA on 1800 060 462, or visit https://www.syc.net.au/services/housing-homelessness-support/rentright-sa

If you disagree with how Cornerstone has handled a complaint about anti-social behaviour, you can request a formal review by lodging an appeal.

The appeal will be reviewed by an independent Appeal Panel that was not involved in the original decision. The Panel will consider whether Cornerstone's response was fair, consistent with policy, and based on reasonable evidence.

Appeals must be submitted in writing within 30 days of the decision, using the Application for Appeal form available at https://csh.ltd/appeal.

Related Documents

- Complaints, Appeals, and Compliments Policy

Acceptance

I

have read and understood this policy and its associated documents.

Information

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