

PROTOCOLS FOR DEALING WITH ANTISOCIAL BEHAVIOUR AND BREACHES OF THE TENANCY AGREEMENT IN COMMUNITY HOUSING PROPERTIES

The following guidelines and principles are to be adopted in Community Housing properties (CHP, CAP, JVHP, CDHP, Lodging Houses and Head Leased properties).

The underlining principle is that the Department of Housing and Works (State Housing Commission) as owner or part owner of these properties requires that the community agency complies with the Residential Tenancies Act, the Department of Housing and Work's Regional Recoveries Procedures in respect to tenants who are in breach of the their tenancy agreement, code of conduct and customer service charter.

- The basis for this principle is that the accommodation is provided with funding made available from the Department of Housing and Works for 'Social Housing'. Whilst it is social housing and the Department is essentially the "houser of last resort" there are rights and responsibilities that go with the provision of tax payer funded social housing. These rights and responsibilities require tenants to comply with the general policies and procedures of the Department and the Residential Tenancies Act. There is an obligation on the Department and Community Housing organisations to take into account the general community and the impact some dysfunctional tenants may have on their neighbours.
- Having established these principles it is also accepted that in many community housing properties (particularly CAP and Head Leased residences) that we are dealing with families who have been assisted previously by the Department and have difficulty coping in their tenancy. The reason they are assisted through these programs is because of the support, which is provided to them, and some tolerance does need to be taken in respect to how these families are supported and assisted under the agreement.
- In dealing with any complaints from neighbours regarding breaches of the Tenancy Agreement it must be clearly established that the complaints and breaches are proven before any action is taken under the Residential Tenancies Act.
- In terms of the processes for dealing with complaints, which come to the Department regarding community-housing tenants, the Department accepts that the community-housing organisation is principally responsible for dealing with those complaints and with the tenant. However community-housing organisations need to be aware that the Department, as the owner of the property, is expected by the community and Government to ensure that complaints are dealt with in accordance with the principals set out above.
- To streamline the process, all correspondence/contacts relating to CAP, CHP and JVHP properties will be directed through the Manager Community Housing, who will coordinate a response with the community-housing provider. This includes enquiries from Members of Parliament, Police, other agencies and the public. Where appropriate the respective Regional Manager will be consulted and may be required

to assist, particularly in country areas. Regional Managers should refer enquiries they receive to the Manager Community Housing, who will investigate the matter.

- All enquiries relating to CDHP properties will be referred to the Regional Manager who will coordinate a response with the community housing provider and Manager Community Housing as appropriate.
- It is accepted that members of the community, Members of Parliament, other agencies etc, have a right to lodge complaints in accordance with the Department's and the Government's overall customer service charter and that a response should be provided within 14 days.

In terms of "disputes" regarding issues affecting community housing tenants and the Residential Tenancies Act, these should be conciliated between the Manager Community Housing and the respective community housing provider.

JEFF MOULD
MANAGER COMMUNITY HOUSING

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