



COMMUNITY HOUSING LTD  
GROUP OF COMPANIES

## FACT SHEET 3

### PROBLEMS WITH NUISANCE AND ANNOYANCE

#### What is Nuisance and Annoyance?

Nuisance and annoyance is a term used to describe a disturbance or behaviour by a neighbour that is unreasonable, usually because it is serious or happens often.

Children playing during the day or the occasional disturbance are not nuisance and annoyance. You need to accept that sometimes you will be able to hear your neighbours or they may have opinions and ways of doing things that are different from your own. It is best to avoid complaining unless the disturbance is unreasonable.

Tenants should try not to disturb others, particularly when living in units where any noise is easily heard. It is your responsibility to see that you, your children and your visitors don't do anything that will disturb the peace or privacy of your neighbours.

#### What is unreasonable?

Violence against neighbours or carrying out illegal activities from the home should be reported to the police and your Area Manager.

Other unreasonable disturbances include:

- Making a lot of noise with loud music, lawn mowers or other equipment at times when it is not allowed
- Allowing pets to make a lot of noise or attack people, not cleaning up after them or keeping them in conditions that attract rats or fleas
- Harassment such as continued verbal abuse or threats

Ask your Area Manager for the Fact Sheet on noise, pets or harassment for information on what to do about these problems.

#### What about common areas?

Just because someone is in a common area and not in their own unit does not mean that they can create a disturbance. If you harass people in the stairwell or play loud music in the car park after midnight you are creating a disturbance the same as if it happened inside your home.

All tenants may use common areas and cannot claim a particular clothes line or patch of grass as their own. Some families may choose to use common areas more often than other people or in different ways, there is nothing wrong with this.

#### What can be done about Nuisance and Annoyance?

Most types of serious disturbance are against the law or council regulations and should be reported to the police or local council. The people responsible for the problem may be charged, fined or forced to make changes.

In some cases CHL may ask the NSW Civil & Administrative Tribunal to order the person to stop causing the problem. In very serious cases we may ask that the tenant be evicted although this would only happen if no other solution could be found.

The Tribunal can only act if a person does something where they live, in the common area or next door. If your neighbour does something further away then this, the Tribunal can do nothing about it.

CHL cannot fine people, force them to change the way they behave or make them move to another property.

#### What should I do if my neighbour is causing a problem?

Generally it is best to try to solve minor problems by talking them over with your neighbour. You can do this by yourself or with the help of the Community Justice Centre. For more serious problems you may need to speak to the police or council.

There should be information in your local office with the contact numbers for people who can help like the Community Justice Centre and Chamber Magistrate. You can also ask your Area Manager for advice.

#### Any Questions

If you have any questions about the information in this Fact Sheet or on any other housing related matter, please contact your nearest Community Housing Limited Office or visit our website

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