

1. Introduction

This policy outlines the position of Wayss with regard to renter and neighbour relationships and provides associated guidelines for instances where there may be disputes or disagreements between renters and neighbours. The policy promotes effective communication and co-operation between renters and their neighbours as well as a philosophy of discussion and cooperation for solving issues or concerns that may arise from time to time.

Wayss is a Child Safe organisation and child safety is at the forefront of our program delivery. Our policies ensure that child safety is a primary part of everyday thinking and practice. All employees, contractors and volunteers have an obligation to ensure we keep children safe from harm and abuse.

We're committed to upholding the rights of all of our stakeholders and creating a workplace that fosters inclusion and diversity. We believe that by bringing our authentic selves to Wayss, we can contribute to building strong teams, cultivating leaders, and creating an organisation that is well-suited for every individual. It's essential to us that we establish an environment where everyone, regardless of their background, can be themselves and feel safe, valued and respected. Regardless of whether you identify as an Aboriginal or Torres Strait Islander or LGBTIQ member, are from a culturally and linguistically diverse background, or a person living with a disability, as an individual associating with Wayss, you have the right to participate and engage in an environment that is free from discrimination and bias, and we strive to create a workplace that honours that commitment.

2. Scope

This policy applies to all Wayss renters and personnel of Wayss involved in managing and resolving neighbour relationships and complaints.

3. Policy Statement

3.1. Policy Principles

Wayss is committed to:

- promoting a safe and secure environment for all residents
- responding promptly to allegations of anti-social behaviour to ensure the safety of all residents
- working in line with the *Residential Tenancies Act 1997 (Vic)* and the *Victorian Charter of Human Rights and Responsibilities Act 2006 (Vic)*
- transparent decision making
- confidentiality – all renter/neighbour disputes will be treated as confidential in accordance with Wayss' **Client Privacy Policy**.

Wayss will inform new renters of the importance of establishing and maintaining open, positive and respectful relationships with their neighbours.

Wayss will advise new renters that the following are considered unacceptable behaviour:

- excessive and/ or repeated noise
- intimidation, abuse or harassment
- aggressive and threatening language or behaviour

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- vandalism
- nuisance caused by vehicles, such as where they are parked or the way repairs are being carried out
- nuisance caused by pets

Wayss personnel will investigate when reports of incidents are received and will gather evidence from witnesses as required. Where a renter's behaviour places other renters, Wayss personnel or contractors in danger, Wayss will take action under the Residential Tenancies Act. In considering action, Wayss will prioritise the safety of others. Renters are given the opportunity to respond to allegations against them and their account of an incident will be given consideration. Resolving disputes and responding to challenging behaviours is a collaborative process between the renter (and their supports, where applicable), Wayss and the other parties involved.

3.2. Complaint Referral

Where Wayss personnel are unable to resolve neighbour complaints to the satisfaction of either or both parties, they may be referred to appropriate external organisations that deal with neighbour disputes e.g., Department of Families, Fairness and Housing, Dispute Settlement Centre, Victorian Legal Aid, Victorian Civil and Administrative Tribunal etc. The Housing Registrar may investigate complaints from renters, if not resolved satisfactorily by Wayss within 30 days. Wayss are not able to deal with renter/neighbour complaints dealing with criminal matters. Such matters should be referred to Victoria Police.

Wayss will provide clear information and direction to all parties involved in neighbour disputes and complaints.

4. Renter Transfers

4.1. Transfer Eligibility

Wayss cannot support all renters to transfer between properties, given the increased pressure placed on resources and the limited availability of housing stock to facilitate this process.

Where a renter has genuine need for a transfer, such as an extreme or high-level neighbourhood issue or issues concerning family and domestic violence, Wayss will ensure they are supported to complete the transfer application. Wayss will ensure renters understand the obligations and responsibilities that they may be expected to undertake for this process to occur (such as removalist costs, vacate cleaning requirements for the property they are leaving, requirements to ensure regular reviews of transfer applications are conducted, and that renter is contactable).

4.2. Transfer Eligibility Criteria

It is important that Wayss maintain clear transfer eligibility criteria, which is readily communicated to renters wishing to transfer, so that decisions regarding approvals of transfer applications are transparent to all parties involved.

To qualify for a transfer, a renter must have had no substantial breaches of tenancy. The renter must be the primary renter of a Wayss owned or managed property.

A substantial breach of tenancy includes the following:

- rental arrears debt more than 14 days whereby no payment plan is in place

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- non-tenancy related debt more than \$200.00 (being for expenses other than rental debt, i.e. water usage owing) whereby no payment plan is in place
- The renter has been subject to complaints of antisocial or disruptive behaviour that have been validated (that are not related to family violence)
- The renter has been breached for unacceptable property standards or property damages that have not been rectified in accordance with the Residential Tenancy Act and where the renter has been appropriately informed of the concern and provided with an opportunity to remedy the issue

5. Rights and Responsibilities

5.1. Rights and Responsibilities of Renters

Renters are entitled to the “quiet enjoyment” of their property and its surrounding neighbourhood but have a responsibility to ensure that they and/or their visitors offer the same “quiet enjoyment.” If their rights are infringed, Wayss will respond with an action appropriate to the issue.

5.2. Rights and Responsibilities of Neighbours

Neighbours and associated neighbourhoods have a right to the quiet enjoyment of their neighbourhood but also have a responsibility to ensure that they and/or their visitors offer the same “quiet enjoyment.” They also have a responsibility to report any neighbourhood issue without malice and with an understanding where practicable that Wayss, as a Rental Provider, has limited control over neighbourhood issues.

Wayss staff have a responsibility to ensure that when they receive a complaint by a neighbour that the complainant is informed of their rights and the complaints process. The neighbour will be informed of Wayss’ responsibilities and the limits of any action it is able to take. Neighbours will be informed that the privacy of all those involved in the complaint process will be respected and the complaint will be dealt with in a timely fashion.

5.3. Rights and Responsibilities of Wayss Personnel

Wayss personnel will be respectful and listen to all the neighbour’s concerns. Staff should recognise that neighbours may have had to endure the issue they are complaining about for a long period of time. Wayss personnel will endeavor to resolve the issue as quickly and as effectively as possible with the appropriate course of action. Wayss will keep the neighbours informed of the progress of their complaint.

When neighbours of properties that Wayss manages make a complaint, it is the responsibility of personnel to inform the neighbour of Wayss’ complaints process as per the Residential Tenancies Act ,in a timely and appropriate manner.

Any neighbourhood issue that is of the extreme or high level should involve the Operations Manager Property Services.

6. Collection Statement

All personal information Wayss collects will be done in accordance with our **Client Privacy Policy**.

7. Review

Wayss will review this policy every three years or sooner if there are legislative changes, or Wayss receives feedback or complaints about service delivery that may impact on this policy.

8. Related Resources

8.1. Standards and Frameworks

Performance Standards for Registered Housing Agencies

Victorian Charter of Human Rights and Responsibilities 2006

8.2. Legislation

Housing Act 1983 (Vic)

Privacy Act 1988 (Cth)

Privacy and Data Protection Act 2014 (Vic)

Residential Tenancies Act 1997 (Vic)

Residential Tenancies Amendment Act 2018 (Vic)

Victorian Civil and Administrative Tribunal Act 1998 (Vic)

8.3. Wayss Related Policies and Documents

Client Feedback and Complaints Policy

Client Privacy Policy

9. Change History

Date	Version	Summary of changes	Approver
31/03/2023	1.0	Initial Draft	General Manager, Homelessness and Housing
24/04/2023	1.0	Draft Approved	CEO