

Neighbourhood Issues Policy

KEY POLICY AREA: PROPERTY MANAGEMENT

POLICY: NEIGHBOURHOOD ISSUES

APPROVED DATE: 6th JUNE 2005

MODIFIED DATE: 29th JUNE 2011

STANDARDS, PROTOCOLS & POLICY LINKAGE

NATIONAL COMMUNITY HOUSING STANDARDS 3.1, 3.6

CLIENT COMPLAINTS POLICY

CLIENT PRIVACY POLICY

DUTY OF CARE POLICY

QUALITY ASSURANCE POLICY

NEIGHBOURHOOD ISSUES PROCEDURES

POLICY– RESOLUTION OF NEIGHBOURHOOD COMPLAINTS

Wayss upholds the rights of tenants to occupy rented premises within the “quiet enjoyment” provisions of the Residential Tenancies Act / Owner’s Corporation Rules but is beholding of the tenant and their associates to extend that obligation of “quiet enjoyment” to the neighbouring surrounds of their rental property. This policy applies to all the management of properties, tenants’, surrounding neighbourhoods’, neighbours and Owner’s Corporation issues.

DEFINITION

A complaint is to be regarded as an expression of dissatisfaction by, or on behalf of an individual regarding any aspect of issues occurring in a neighbourhood. Complaints can be categorised into the following:

Low Level

Incidents concerning breaches of basic neighbourhood amenity or Owner’s Corporation rules i.e. parking in the wrong place, bins backwards, visitors parking.

Medium Level

Complaints which are repeated breaches of low level complaints or incidents that are in breach of the tenancy agreement.

High Level

Threats of violence, obvious illegal activity, drug use and/or abuse or allegations of the former.

Extreme Level

Actual violence that is likely to continue to affect the neighbourhood and actual demonstrable illegal activity.

RIGHTS AND RESPONSIBILITIES OF TENANTS

Tenants 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.

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 that Wayss, as a Landlord has limited control over neighbourhood issues.

Neighbourhood Issues Policy

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.

RESPONSIBILITY

Staff will be respectful and listen to all the neighbours concerns. Staff should recognise that neighbours may have had to endure the issue they are complaining about for a long period of time. Staff will endeavour 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 staff to inform the neighbour of Wayss complaints process in a timely and appropriate manner.

Any neighbourhood issue that is of the extreme or high level should involve the General Manager People, Places and Quality and the Chief Executive Officer who will take responsibility for liaising with the neighbours.

PRIVACY

All Wayss staff must comply with the **Client Privacy Policy** which is based on the *Information Privacy Act 2000* and the *Health Records Act 2001*. Wayss cannot release client information without the informed consent of the client. The exemptions to upholding client privacy apply to suspected child abuse, risks of serious harm to any persons and where required by law. Before information is released about a client without their consent this should be discussed with the General Manager People, Places and Quality.

USE AND DISCLOSURE

All information collected by Wayss will be used for the purpose it was collected for, that is to meet the obligations of safety and amenity of all neighbourhoods associated with Wayss' property portfolio. In providing such services, Wayss may provide minimal information to individuals/parties involved in the complaint process ensuring the disclosure of this information is not in breach of the Wayss **Client Privacy Policy**.

ACTIONS

All actions in relation to properties that Wayss manages will be undertaken within the *Residential Tenancies Act 1997*. Wayss will amend its policies and procedures based on changes to the Act. Wayss will undertake appropriate action within the legal framework to rectify any issues provided the full support of the complainant is available.

Wayss undertakes to address issues when

- The physical safety of a neighbourhood/property or individual is threatened.
- The perceived safety of a neighbourhood/property or individual is expressed.
- The history and circumstance of a property/neighbourhood or individual warrants it.

Wayss will not divulge sensitive information that may disadvantage or threaten the complainant's:

- Racial or ethnic origin
- Religious beliefs or affiliation
- Sexual preferences or practices
- Criminal record

Neighbourhood Issues Policy

Low Level Issue

These will be addressed within a 7 day time period, the main resolution being discussions with the tenant's support agency to rectify neighbourhood misdemeanours.

Medium Level Issue

Require the issue of 14-day Remedy Breach notices.

High and Extreme Issues

If a tenant and or their associates are initiating behaviour that is a threat, actual or real that affects neighbouring properties or people, an immediate *Notice to Vacate* will be served on the tenant with an immediate application to the *Victorian Civil and Administrative Tribunal*.

RECEIVING AND REPORTING A COMPLAINT

Wayss will adopt a neighbourhood complaints procedure that is designed to ensure adequate investigation and satisfactory resolution of complaints. All relevant Wayss staff will be familiar with the procedure and how to deal with a complaint.

RECORDING

Wayss will collect and record information as describe in the Wayss Neighbourhood Issues Procedures. This information may include:

- Name
- Contact details
- Date of incident/s
- Address of the property concerned in the complaint
- Letters detailing complaints

PROPERTY SERVICES' ROLE

The Property Services Worker will be considered the expert on tenancy issues and the actions that can be taken legally. The Property Services Worker may have relevant knowledge on the neighbourhood and history of the property. The Property Services Worker will work in co-operation with the support service to reach the best solution for the tenant and the neighbourhood.

SUPPORT SERVICE'S ROLE

The support service will be considered the expert on the current circumstances of the tenant and what the consequences of any actions will be on the tenant. The Case/Support Worker may have relevant knowledge on the neighbourhood and history of the property. The support service will work in co-operation with Property Services to reach the best solution for the tenant and the neighbourhood.

ROOMING HOUSE ADMINISTRATOR ROLE

The Rooming House Administrator will be considered the expert on the current circumstances of the rooming house tenants, and the actions that can be taken legally/or likely impacts on the tenant. The Rooming House Administrator is best placed to have knowledge and history of the neighbourhood and property. The Rooming House Administrator will work in conjunction with the support service to reach the best solution for the tenant and the neighbourhood.

DISPUTE RESOLUTION

Where there is disagreement on the actions that should be taken to resolve a neighbourhood issue the Program Coordinator/Manager and the Property Services Coordinator/Manager or the Rooming House Administrator will attempt to reach a solution. If the issue still cannot be resolved then the Program Coordinator/Manager and the Property Services Coordinator/Manager or the

Neighbourhood Issues Policy

Rooming House Administrator will discuss the issue with the General Manager People, Places and Quality for a solution.

MONITORING

This policy will be monitored through:

- Client comments/complaints
- Feedback from other agencies
- Observations by Wayss staff
- Auditing of the Complaints Register

EVALUATION AND REVIEW

This policy will be reviewed as part of a formal evaluation process or as legislation or government policy changes.