

Management of Antisocial Behaviour Policy (New Zealand)

1. Purpose

To define HOME in PLACE (New Zealand) Limited (HOME in PLACE NZ) position on the management of antisocial behaviour within the HOME in PLACE portfolio.

2. Scope

This Policy applies to HOME in PLACE NZ and its directors, Governance Committee and Advisory members and Employees (or Workers) engaged to carry out business activities on behalf of HOME in PLACE.

3. Policy Statement

HOME in PLACE NZ is committed to successful tenancies and sustainable communities and will utilise a range of early intervention strategies to assist tenants to maintain their tenancies.

HOME in PLACE NZ manages tenancies in accordance with the provision of the [Residential Tenancies Act 1986](#) and associated *Regulations*. Reports of alleged antisocial behaviour are managed as tenancy issues and will be referred to branch staff to action in the first instance. Actions taken by HOME in PLACE NZ will be dependent on the severity and frequency of the alleged behaviour and the impact on the health and safety of neighbours and the community.

HOME in PLACE NZ recognises that the majority of tenants are good neighbours and members of their communities. Tenants who continue to meet their obligations under their tenancy agreements will not be affected by this policy.

However, HOME in PLACE NZ will not tolerate continued antisocial behaviour that interferes with the peace, comfort, privacy or safety of neighbours and community. Where tenants engage in unacceptable behaviour, HOME in PLACE NZ will take action to assist tenants to address and cease the behaviour. Where behaviour is considered to be dangerous, severe or illegal, HOME in PLACE NZ will take immediate action to seek to end the tenancy.

HOME in PLACE NZ aims to support vulnerable tenants and families by addressing antisocial behaviour that places them at risk. HOME in PLACE NZ will refer tenants, with their consent, to appropriate support services.

HOME in PLACE NZ will endeavour to balance the needs and rights of other tenants, neighbours and the broader community with the need to support their tenants to sustain their tenancies. It is not the role of HOME in PLACE NZ to conduct criminal investigations, such matters are the responsibility of the police.

What is Antisocial Behaviour

In accordance with [Residential Tenancies Amendment Act 2020](#) antisocial behaviour means:

- Harassment; or
- Any other act or omission (whether intentional or not), if the act or omission reasonably causes alarm, distress, or nuisance that is more than minor.

Examples of antisocial behaviour that may fit this description include the following, however, this is not an exhaustive list:

- Loud aggressive behaviour by tenant towards the neighbours or to each other if it reasonably causes alarm or distress to others;
- Parking across a shared driveway repeatedly, especially if someone is not readily available to move the vehicle;
- Leaving rubbish in shared areas/pathways;
- Noise control callouts where a problem has been found;
- Any intimidating behaviour including hate speech expressing hate or behaviour that encourages violence towards someone based on race, religion or sexual orientation;
- Invasion of privacy including via CCTV, loitering on someone's property;
- Graffiti or other damage to a neighbour's property or public property.

More serious types of antisocial behaviour may include, but is not limited to:

- Physical assault;
- Damage to property;
- Illegal use of property.

Principles

HOME in PLACE NZ will be guided by the following principles in the implementation of this policy:

- Tenants are provided with clear information on their rights and responsibilities pursuant to their tenancy agreement at the commencement of their tenancies;
- Reports of alleged antisocial behaviour will be taken seriously and actioned appropriately;
- The process for managing/investigating reports of alleged antisocial behaviour will ensure the principles of procedural fairness are applied;
- Tenants will be given the opportunity to respond to reports of alleged antisocial behaviour;
- Action will be taken when reports of antisocial behaviour are substantiated;
- When reports are substantiated, tenants are given the opportunity to remedy the breach;
- Tenants will be provided with information on complaints, appeals processes, and
- Tenants will be provided with contact details of legal/tenancy advice services.

4. Definitions and Acronyms Glossary

For clarification of any definitions or acronyms contained within this document, please click on the [Glossary](#) for information.

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