

1.0 PURPOSE AND SCOPE

The purpose of this policy is to outline EACH Housing Limited's (EHL's) process for responding to anti-social, destructive, or dangerous behaviour. It aims to balance the rights of renters with the rights of neighbours to create positive relationships and build strong, safe communities.

This policy applies to all long-term tenancies managed by EHL. It does not apply to crisis or temporary accommodation programs.

2.0 POLICY STATEMENT

EHL is committed to promoting a safe and secure environment for renters, neighbours, staff, and contractors. Anti-social, destructive, or dangerous behaviour is not tolerated. EHL's approach is person-centred, aiming to sustain tenancies where possible, and always treats eviction as a measure of last resort.

EHL will:

- Prioritise early intervention and person-centred decision-making
- Apply consistent, fair, and trauma-informed processes
- Ensure compliance with legal and regulatory obligations
- Consider renters' human rights as outlined in the Charter of Human Rights and Responsibilities Act 2006 (Vic)
- Engage support services to assist renters wherever appropriate

2.1 Behaviour types and legal context

2.1.1 Nuisance or Interference with Peace

Unreasonable disruption of neighbours' peace or comfort including:

- Excessively loud or prolonged noise
- Unpleasant odours from rubbish
- Poorly managed animals

Such behaviours contravene Section 60 of the Residential Tenancies Act 1997 (Vic).

2.1.2 Damage to Property

Includes intentional or negligent damage beyond fair wear and tear, including broken fixtures or vandalism. Relevant legislation: Sections 61 and 91ZI of the RTA.

2.1.3 Dangerous Behaviour or Violence

Includes physical violence, threats, and conduct that endangers others. Covered by Section 91ZK of the RTA.

2.1.4 Illegal Use of Premises

Renters must not permit illegal activities at the property. EHL may act under Section 91ZO of the RTA where such use is substantiated.

2.2 Investigation process

EHL staff will:

- Notify the renter of the alleged breach and provide evidence
- Give the renter a chance to respond and present their own evidence
- Consider all information, including context such as family violence, before deciding on action.

2.2.1 Response to Substantiated Breaches

EHL considers the nature, impact, and circumstances of behaviour before determining an appropriate response, which may include:

- Breach of Duty Notice
- VCAT application for Compliance or Compensation Order
- Notice to Vacate
- Immediate Notice to Vacate for serious breaches
- Application for Order or Warrant of Possession

Refer to the *Ending Tenancies Policy* for more detail.

2.2.2 Support Services

Where suitable, EHL will refer renters to:

- Community legal services
- Financial counselling
- Tenancy support services
- Mental health or disability supports

3.0 DEFINITIONS

Anti-social behaviour:	Conduct that causes nuisance or annoyance or poses a risk to others' wellbeing
Breach of duty:	Failure to meet responsibilities under the RTA
Notice to Vacate (NTV):	A formal written notice issued by a landlord or housing provider under the Residential Tenancies Act, informing the renter that they are required to vacate the property by a specific date. NTVs must meet legal criteria and provide valid reasons for termination of the tenancy.
Compliance Order:	VCAT order mandating compliance with obligations
Warrant of Possession:	A document authorising eviction
VCAT	Victorian Civil and Administrative Tribunal
RTA:	Residential Tenancies Act 1997 (Vic)

4.0 DOCUMENT OWNER

The Manager Housing Services, EHL is the subject matter expert and person responsible for this document review.

5.0 REFERENCES AND RELATED DOCUMENTS

- Charter of Human Rights and Responsibilities
- Ending of Tenancy Policy
- Ending of Tenancy Procedure
- Residential Tenancies Act 1997 (Vic)
- Housing Registrar (Vic) Performance Standards