



COMMUNITY HOUSING
Industry Association Victoria

Antisocial Behaviour Practice Guidance

A guide to responding to antisocial behaviour for
Community Housing Organisations



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1. Introduction

1.1 Purpose of this guide

This Practice Guidance has been developed to support Community Housing Organisations (CHOs) to respond to antisocial behaviour (ASB) in a way that is clear, fair and aligned with Victorian tenancy law.

It is intended to support staff to make informed decisions in real situations, using practical tools, clear processes, and a shared understanding of how to manage behaviour that affects individuals, neighbours, or the wider community.

The guidance recognises that community housing providers operate within a unique context: delivering long-term, secure housing for people who may experience multiple barriers, while also ensuring the safety, wellbeing, and quiet enjoyment of all residents. This guidance supports staff to navigate that balance, with a focus on early engagement where possible and timely escalation where behaviour continues or risk increases.

Should you have any questions or comments on any of the information in this guide, please email leadingpractice@chiavic.com.au.

1.2 Scope and Application

This guidance is designed for use by community housing staff and applies to all community housing properties and programs operating under the **Victorian Residential Tenancies Act 1997 (RTA)**. It covers:

- General tenancies
- Rooming house accommodation
- Transitional and crisis housing where the RTA applies
- All residents, renters, household members, and authorised visitors

The guidance does **not** replace legal advice or organisational policies. Instead, it provides a best-practice framework to support consistent decision making that reflects legislative requirements.

1.3 Guiding Principles

Responses to ASB in community housing should be grounded in a set of principles that guide decision-making across different contexts and levels of risk. These principles apply to early engagement, formal tenancy action, and high-risk matters alike.

- **Human rights and dignity**

Responses should uphold the Victorian Charter of Human Rights and Responsibilities and ensure residents are treated fairly, respectfully, and without discrimination.

- **Person-centred and trauma-informed practice**



Many residents have experienced trauma, disadvantage, or structural barriers. Engagement should seek to understand contributing factors and support housing stability where possible, without minimising the impact of behaviour on others.

- **Safety for all residents**

Providers have a duty of care to protect the safety and wellbeing of individuals, the community, and staff. Serious risk requires timely and effective action.

- **Early intervention and prevention**

Issues are often easier to resolve before they escalate. Clear communication, early engagement, and timely referral can prevent behaviour from becoming entrenched.

- **Fair and consistent decision making**

Responses should be based on evidence, applied consistently, and follow the requirements of the RTA, including providing clear information and appropriate opportunities to respond

- **Balancing individual needs with community impact**

Supporting renters to sustain their housing must be weighed alongside the rights of others to feel safe and enjoy their homes without unreasonable disruption.

1.4 How to use this guidance

This guidance is designed to be used as a practical reference in day-to-day work. Staff may draw on it to:

- understand relevant obligations and processes under the RTA
- assess seriousness, risk, and appropriate response pathways
- apply early intervention strategies consistently
- ensure records and documentation support decision-making
- prepare for formal action, including VCAT, where required

The guidance is designed to be practical and accessible.



1.5 Key Steps

Key steps for responding to suspected or alleged ASB are tabled below. Further details on each stage are outlined in the following sections of this guide.

Responding to Suspected or Alleged ASB

1.

Investigate

- Record the allegation and details provided.
- Gather relevant information and evidence.
- Speak with those involved to understand the circumstances.

2.

Assess

- Assess whether the allegation is reported to be evidence.
- Consider the quality of the information collected.
- Decide whether the allegation is substantiated, requires further investigation, or cannot be assessed.

3.

Identify Available Responses

- If the allegation is substantiated, consider informal, supportive, and formal responses.
- Consider the range of responses available: support services, repayment or repair plans, formal notices, or applications to VCAT.

4.

Assess the Most Appropriate Response

- Consider the seriousness, frequency, and impact of the behaviour.
- Review the renter's history and any risks to safety, property, neighbours, staff, or the community.
- Ensure the response is fair, proportionate, and consistent with policy and legal requirements.

5.

Respond

- Implement the chosen response promptly and appropriately.
- Document actions taken, communications, and follow-up steps.
- Communicate clearly and respectfully with the renter.
- Monitor outcomes and determine whether further action or support is required.



2. Definitions

The definitions for common terms used in this guide are set out below.

Term	Definition
ASB	Antisocial Behaviour
CAV	Consumer Affairs Victoria, or the Director of Consumer Affairs
CHO	A registered community housing association or provider managing residential tenancies and/or rooming houses
NTV	A notice to vacate issued in accordance with the RTA
Prescribed form	The style of form required to be used when issuing a notice or providing information to renters and residents
Renter	A person (formerly tenant) who occupies a rental premises under a rental agreement
Resident	In relation to a rooming house, means a person who occupies a room in a rooming house. The term can also be used to refer more generally to anyone who lives in a home on a long-term basis
Rental provider	A residential rental provider (formerly landlord) who manages a residential tenancy
Rental agreement	A residential rental agreement or a rooming house agreement (formerly tenancy agreement) which sets out rights and duties in accordance with the RTA
RTA	The Residential Tenancies Act 1997 (Vic). The principal legislation governing rental housing in Victoria
Rooming house	A building where 4 or more people can live in rented rooms, some of which might be shared with communal facilities, or which has been declared a Rooming House under s19 of the RTA
RHO	A Rooming House Operator (formerly owner) who runs a rooming house
VCAT	Victorian Civil & Administrative Tribunal. A legal institution set up to administer several Acts. For residential tenancies, the Tribunal administers the Residential Tenancies Act 1997



3. Understanding Antisocial Behaviour

3.1 Definition of Antisocial Behaviour in Community Housing

In Victorian community housing, antisocial behaviour (ASB) refers to unreasonable behaviour by a renter, resident, household member, or visitor that causes or is likely to cause nuisance, harassment, alarm, distress or safety risks to others, or interferes with their peaceful enjoyment of their home.

It can include, but is not limited to:

- noise or nuisance caused by pets
- noise or nuisance caused by vehicles
- loud noise, particularly in the evening
- vandalism
- abuse, intimidation or harassment
- aggressive and threatening language and behaviour
- any type of criminal activity

ASB is not limited to extreme or criminal conduct. It can include a wide range of behaviours, depending on their nature, frequency, and impact. What matters most is how the behaviour affects others, rather than how it is labelled.

3.2 Common Misunderstandings and Bias Risks

Incorrectly identifying ASB can lead to unfair or ineffective outcomes. Staff should remain alert to common pitfalls when assessing reports or concerns.

Behaviour may be misunderstood due to unconscious bias, cultural difference, stigma or assumptions about particular groups. For this reason, assessments should be based on observable behaviour and evidence, rather than personal judgement or reputation.

Some behaviour may also be influenced by trauma, disability, mental ill-health or physical illness. While these factors do not remove the impact on others, they are relevant to how a response is framed and whether support or adjustments could reduce escalation.

Neighbour complaints can provide valuable information, but they may also reflect personal conflict or incompatible living styles. Complaints should always be tested against other evidence and not treated as determinative on their own.



Finally, vulnerability should not be confused with risk. A renter's personal circumstances do not automatically mean their behaviour is dangerous or antisocial. Risk arises from what is happening and the effect it has on others, not from diagnosis or background.

3.3 Behaviour and Contributing Factors

ASB is rarely driven by a single cause. More often, it develops through a combination of personal stressors, social factors, and environmental pressures that may change over time.

Contributing factors may include:

- **Stress, family conflict, or relationship issues**, including separation, family violence, or household breakdown, which can increase tension and conflict within or around the home.
- **Mental health challenges**, including periods of acute distress or reduced capacity to regulate behaviour, particularly where supports are limited or disrupted.
- **Substance use**, which may increase impulsivity, reduce inhibition, or exacerbate existing behaviours, especially during periods of instability.
- **Social isolation**, loneliness, or lack of community connection, which can contribute to frustration, disengagement, or inappropriate attempts to seek interaction.
- **Environmental triggers**, such as poor sound insulation, high density, overcrowding, shared facilities, or unsafe or highly stressed neighbourhood environments, which may heighten conflict or reduce tolerance.
- **Lack of support or inadequate service coordination**, including disengagement from services, long wait times, or fragmented supports, which can allow issues to escalate without early intervention.

Understanding these underlying factors helps staff choose the most effective response. In some cases, support and referral may be sufficient. In others, early intervention, structured tenancy management, or safety-focused action may be required.



4. Legislative and Regulatory Framework

Community housing organisations must respond to ASB within a clearly defined legal framework. This section outlines the key legislation, duties, and legal principles that inform how ASB is identified, assessed, and managed in practice.

4.1 Residential Tenancies Act 1997 (Victoria) and Regulations

The primary legislative framework governing community housing tenancies in Victoria is the Residential Tenancies Act 1997 (Act), supported by the Residential Tenancies Regulations 2021. Together, the Act and Regulations set out renter obligations, conduct standards, and the lawful processes for responding to behaviour that impacts others.

While the Act does not expressly define *antisocial behaviour*, it regulates conduct through:

- Renter duty provisions.
- Rooming house conduct standards.
- Enforcement mechanisms such as breach notices and notices to vacate.
- Prescribed procedures and forms under the Regulations.

Community housing organisations must ensure that all responses to ASB are:

- **Lawful and authorised**, using the correct powers, notice types, and processes under the Act and Regulations.
- **Evidence-based and procedurally fair**, relying on objective information and providing renters with clear communication and opportunities to respond where required.
- **Reasonable and proportionate**, with responses escalating appropriately based on the seriousness, impact, and persistence of the behaviour.

4.2 The Charter of Human Rights and Responsibilities Act 2006 (Vic)

The community housing sector has a strong commitment to ethical and client-focused decision making and ensuring eviction is the avenue of last resort.

There are also recognitions and commitments to uphold obligations under the *Charter of Human Rights and Responsibilities Act 2006 (Vic)* (the Charter) when making decisions that affect the lives of renters, including the requirements to consider and act compatibly with the human rights of renters.



The Charter enshrines a set of rights derived from the International Covenant on Civil and Political Rights and applies to all processes and decisions made by Victorian Government departments and other bodies exercising functions of a public nature.

Although the Charter does not explicitly name CHOs, the Victorian Civil & Administrative Tribunal (VCAT) has determined that CHOs are bound by the Charter, and the sector has established policies and processes that promote fairness and recognise and protect the human rights of renters.

Section 38 Conduct of public authorities states that:

“it is unlawful for a public authority to act in a way that is incompatible with a human right or, in making a decision, to fail to give proper consideration to a relevant human right.”

What rights are engaged will depend on the individual circumstances of the renter. For those in community housing, the relevant rights generally include:

1. Recognition and Equality before the law (s8)

Everyone is entitled to equal and effective protection against discrimination, and to enjoy their human rights without discrimination.

Renters are entitled to fair and consistent treatment by CHOs, and for decisions to be made without undue discrimination. Section 6 of the *Equal Opportunity Act 2010* sets out the attributes which must not be discriminated against.

Potential consideration:

Has the breach and its possible implications been explained to the renter in a way they understand?

2. Protection from torture and cruel, inhuman or degrading treatment (s10)

Everyone is entitled to protection from cruel, inhuman or degrading treatment.

Eviction into homelessness may amount to cruel, inhuman or degrading treatment.

Potential consideration:

Would this decision expose the renter to a real risk of homelessness or other serious harm?

3. Privacy and Reputation (s13)

Everyone has the right not to have their privacy, family, home, or correspondence unlawfully or arbitrarily interfered with.

While the Charter does not outline a right to housing, s13 of the charter supports certain rights to a home. Any decision to bring an action against a renter must not be arbitrary and should be proportionate.

Potential consideration:

Is the proposed action proportionate, having regard to its impact on the renter's home, privacy and reputation?

4. Protection of families and children (s17)

Families are the fundamental group unit of society and are entitled to be protected by society and the State. Every child has the right, without discrimination, to such protection as is in his or her best interests and is needed by him or her by reason of being a child.



CHOs should take all reasonable steps to support family tenancies. This means that if there are children connected with the tenancy, workers must be very careful to detail and consider the consequences of eviction for them and take all reasonable steps to support family tenancies

Potential considerations:

What impact would this decision have on any children connected with the tenancy?

5. Right to protection of cultural rights (s19)

All persons with a particular cultural, religious, racial or linguistic background must not be denied the right, in community with other persons of that background, to enjoy his or her culture, to declare and practise his or her religion and to use his or her language.

Aboriginal persons hold distinct cultural rights and must not be denied the right, with other members of their community to enjoy their identity and culture.

Potential considerations:

Have the renter's cultural and religious practices been considered? What are the possible implications of eviction on the renter's cultural and religious circumstance, and are these justifiable in context?

4.3 Interaction with Other Legal and Regulatory Obligations

Responses to ASB may also intersect with other legal frameworks, including:

- Family Violence Protection Act 2008
- Equal Opportunity Act 2010
- Housing Act 1983
- Owners Corporation Act 2006
- Occupational Health and Safety Act 2004
- Community Housing Organisation's own Policies and Procedures



5. Responding to Reports of Antisocial Behaviour

5.1 Receiving a Report

How a CHO responds when a concern is first raised can significantly influence whether a matter escalates or resolves. A calm structured and transparent approach promotes trust in the process and reinforces that concerns are taken seriously.

Reports of ASB may be received from renters, neighbours, staff, contractors or external agencies. Reports may range from minor concerns to serious incidents requiring an urgent response and should be triaged accordingly.

When receiving a report, staff should:

- Listen actively and allow the person to describe the concern in their own words
- Clarify the nature, frequency and duration of the behaviour
- Explore the impact of the behaviour on the reporter
- Identify whether there are immediate safety concerns
- Explain the organisation's role and next steps

Staff should avoid making assumptions or forming early conclusions. At this stage, the focus is on understanding the issue rather than determining fault.

5.2 Assessing Risk and Urgency

Once a report of ASB has been received, an early assessment should be undertaken to determine whether the situation presents any immediate risks or requires urgent action. The initial assessment does not need to determine the full circumstances of the matter but should focus on identifying whether there are safety concerns that require immediate attention.

In community housing settings, some behaviours may escalate quickly or may already involve significant risks to individuals or property. For this reason, staff should carefully consider the nature of the report and whether immediate protective or safety measures are necessary before undertaking further investigation.

During the initial assessment, staff should consider whether the report involves:

- Immediate risk to personal safety, such as situations where a person has been assaulted, threatened with harm, or where individuals report feeling unsafe remaining in their home.
- Threats, violence, or criminal conduct, including physical assaults, intimidation, harassment, stalking, or conduct that may require police involvement.
- Damage to property, particularly where damage may affect safety, habitability, or the security of the premises. This may include deliberate damage to common areas, fire risks, or vandalism.
- Vulnerable persons, including children, elderly residents, or individuals with a disability who may be particularly affected by the behaviour or exposed to harm.



- Family violence or coercive control, where behaviour within or around a tenancy may indicate family violence dynamics or risks to victim-survivors.
- Escalating patterns of behaviour, such as repeated incidents that appear to be increasing in seriousness or frequency.

If any of these risk indicators are present, the situation may require immediate escalation or additional safety planning.

Where there is an immediate threat to safety, the person reporting the behaviour should be encouraged to contact emergency services. CHOs should also follow their internal critical incident procedures and consider whether staff attendance, engagement, or communication methods need to be adjusted to maintain safety.

For example, staff may need to:

- avoid attending a property alone
- delay engagement until the risk has been stabilised
- involve supervisors or managers in decision-making
- record the incident as a critical event within organisational systems

It is important to recognise that not every report will involve urgent risk. Many concerns arise from neighbour conflict, noise complaints, or lifestyle differences. However, even where immediate safety risks are not present, timely engagement remains important. Addressing concerns early can prevent misunderstandings from escalating into more entrenched disputes.

Early assessment therefore supports both safety management and effective tenancy management, ensuring that urgent situations receive prompt attention while less serious matters are addressed through appropriate engagement.

5.3 Clarifying Expectations

Following the initial report of ASB, it is important to communicate clearly with the person who has raised the concern about how the organisation will assess and respond to the matter. Setting clear expectations at this stage helps build trust in the process and reduces the likelihood of frustration or misunderstanding later.

Reports of ASB often arise in situations where neighbours are experiencing stress, conflict, or frustration. Individuals may expect immediate intervention or assume that the housing provider can resolve disputes quickly. In practice, the organisation must balance these concerns with the requirements of evidence, fairness, and the Residential Tenancies Act.

When speaking to people reporting ASB, it may be helpful to clarify that:

- ***Not all neighbour disputes meet the threshold of antisocial behaviour.*** Many concerns relate to everyday living situations such as noise, lifestyle differences, or misunderstandings between neighbours. While these matters may still require engagement or mediation, they may not justify formal tenancy enforcement.
- ***Evidence is required before formal tenancy action can be taken.*** This may involve gathering incident records, CCTV footage, statements, observations, or other supporting material.
- ***Privacy obligations limit the information that can be shared.*** Even where action is taken, staff may not be able to disclose details about another renter's circumstances, tenancy actions, or personal information.



- ***The organisation's role is to assess concerns and respond proportionately.*** This means that responses will be based on the seriousness of the behaviour, the evidence available, and the impact on others.

Providing this information early can help people reporting ASB to understand the process and reinforces that concerns are being handled responsibly and fairly.

Staff may also encourage reporters to support the process by:

- keeping an incident diary to record dates, times, and details of behaviour
- reporting incidents promptly so patterns can be identified
- avoiding confrontation with neighbours where they feel unsafe

Where appropriate, staff may also discuss informal resolution options, such as respectful communication between neighbours or mediation services. However, these approaches should not be suggested where they are inappropriate due to safety concerns or power imbalances.

By setting realistic expectations and maintaining open communication, CHOs can reduce tension between parties and support a more constructive approach to resolving concerns within housing communities.



6. Investigating and Substantiating

Once a report of ASB has been received and any immediate safety concerns have been assessed, the next step is to investigate the allegation and determine whether the reported behaviour has occurred. Investigations are an essential part of ensuring that responses are fair, evidence-based, and proportionate.

Investigations help organisations determine what has occurred, assess the impact of the behaviour, and decide whether any response is necessary.

Investigations should be conducted in a methodical, objective, and transparent way. Decisions about ASB can have serious consequences for renters, including potential tenancy enforcement or eviction. For this reason, investigations must be undertaken carefully and in accordance with the principles of procedural fairness.

A structured investigation process also helps ensure that organisations can clearly explain their decision-making if a matter is later reviewed by VCAT or another oversight body.

6.1 Conducting a Fair Investigation

A fair investigation requires staff to approach the matter impartially and avoid conclusions before all relevant information has been considered. In practice, this means ensuring that:

- **The renter is informed of the substance of the allegation.**
The renter should be told what behaviour has been reported or observed, including relevant dates, times or circumstances where available.
- **The renter has a genuine opportunity to respond.**
Renters should be able to provide their account of events, clarify misunderstandings, or explain any contributing factors.
- **Relevant evidence is considered.**
Decisions should be based on the available evidence rather than assumptions, reputation, or pressure from other parties.
- **The decision-maker acts impartially**
Staff conducting the investigation should approach the matter with an open mind and avoid forming conclusions before all relevant information has been considered.

Investigations should also be proportionate to the seriousness of the allegation. Not all complaints require the same level of inquiry. For example:

- Minor neighbour disputes or one-off noise complaints may require limited investigation and early engagement.
- Repeated complaints, property damage, threats, or intimidation may require a more detailed and structured investigation process.

Where allegations involve serious behaviour such as violence, threats, illegal activity or significant property damage, investigations should be undertaken promptly and may involve consultation with managers or external agencies.



Regardless of the seriousness of the allegation, all actions and decisions should be documented in accordance with Chapter 9.

6.2 Gathering and Assessing Evidence

A sound investigation relies on the careful gathering and assessment of relevant evidence. Evidence helps establish what has occurred and allows organisations to make decisions based on objective information rather than speculation or assumptions.

Evidence in antisocial behaviour matters may take many different forms, including:

- written incident reports from neighbours or other residents
- incident diary entries documenting dates, times and details of behaviour
- statements from witnesses or affected parties
- photographs or CCTV footage where available
- police reports or attendance records
- staff observations or inspection notes
- maintenance reports relating to damage or property conditions

In some cases, multiple pieces of information may be required to establish a pattern of behaviour over time.

When assessing evidence, staff should consider:

- whether the information is consistent and credible
- whether it comes from multiple sources or independent observations
- whether the behaviour appears to be isolated or part of an ongoing pattern
- whether the reported behaviour has had a demonstrable impact on others

It is also important to distinguish between direct evidence and reported information. Staff should record clearly whether information was personally observed or reported by another party.

During this stage, staff should also remain aware of contextual factors that may be influencing behaviour. ASB may sometimes be associated with:

- mental health challenges
- disability or reduced capacity
- substance use
- family conflict or family violence
- trauma or social stressors

While these factors do not remove the impact of behaviour on others, they may influence how the situation should be addressed and whether support or referral options should be considered alongside tenancy management responses.

6.3 Discussing Alleged Behaviour with the Renter

Engaging with the renter alleged to have engaged in ASB is an important part of the investigation process. This engagement allows the renter to respond to the concerns raised and ensures that decisions are not made based solely on one perspective.



Communication should be conducted in a neutral and respectful manner. Staff should focus on describing the behaviour that has been reported rather than making accusations or assumptions about the renter's intent.

When contacting the renter, staff should aim to:

- outline the concerns that have been raised
- provide relevant information about the reported behaviour
- invite the renter to explain their perspective
- clarify the renter's obligations under the Residential Tenancies Act
- explore whether there are underlying issues contributing to the situation
- discuss possible steps that could address the behaviour

Engagement may occur through phone calls, meetings, written communication, or property visits, depending on the circumstances. Any potential risks to staff should be carefully considered to ensure engagement is conducted in a safe manner. In some situations, the renter may acknowledge the behaviour and agree to address the issue immediately. In others, the renter may dispute the allegation or provide additional context that helps clarify what has occurred.

These conversations can often be constructive and may resolve issues before escalation becomes necessary. Even where the matter cannot be resolved immediately, engagement helps demonstrate that the organisation has acted fairly and transparently.

All engagement should be documented, including the renter's response and any agreed next steps.

6.4 Determining Whether Behaviour is Substantiated

Once the available information has been gathered and relevant parties have been consulted, the organisation must decide whether the allegation of ASB has been substantiated.

Substantiation does not require proof beyond doubt. Instead, decisions are generally based on an assessment of the credibility of the evidence, and whether it is more likely than not that the allegation is true.

If the allegation cannot be substantiated, the matter should still be documented, including the reasons why the evidence was insufficient. This ensures that the organisation has a clear record of the issue and the steps taken to assess it.

Unsubstantiated matters may still be monitored over time, particularly where further complaints are received that may indicate a developing pattern of behaviour.

Clear documentation of the assessment process is essential. Records should demonstrate:

- what information was considered
- how the evidence was assessed
- the reasoning behind the decision

This documentation is particularly important if the matter later progresses to tenancy enforcement or is reviewed by VCAT.



7. Identifying Available Responses

Once an investigation has been completed and a determination has been made about whether ASB has occurred, the next step is to consider what response, if any, is appropriate. CHOs should avoid moving automatically to enforcement action. Instead, staff should consider the full range of available responses and determine which option is most suitable based on the seriousness of the behaviour, the impact on others, and the circumstances of the renter.

ASB responses exist along a spectrum, ranging from early engagement and support through to formal tenancy enforcement. Selecting the most appropriate response requires careful judgement and should consider the severity of the behaviour, whether it is a one-off or repeated occurrence, and whether earlier interventions have been attempted.

Where possible, responses should aim to resolve behaviour concerns while maintaining tenancy stability. However, where behaviour continues to pose risks to others or significantly interferes with the safety or wellbeing of the community, stronger responses may be necessary.

7.1 Informal and Early Interventions

For lower-level concerns or first-time incidents, informal responses are often the most appropriate starting point. Early intervention can help address behaviour before it escalates and may prevent the need for more formal tenancy action.

These approaches focus on communication, clarification of expectations, and encouraging renters to adjust behaviour in ways that reduce impacts on others. In many situations, renters may not be aware that their behaviour is affecting neighbours or may not understand how their actions are being perceived.

Informal responses may include:

- Verbal discussions to clarify expectations, where staff speak directly with the renter about the concern and outline relevant tenancy obligations.
- Written advisory or reminder letters, which confirm concerns in writing and provide clear guidance about expected behaviour.
- Behaviour agreements, where renters agree to specific actions or commitments aimed at resolving the issue.
- Facilitated conversations or mediation, particularly where behaviour concerns arise from neighbour disputes or interpersonal conflict.
- Increased tenancy check-ins or monitoring, allowing staff to remain engaged with the situation and support early resolution.

These approaches provide an opportunity for renters to adjust their behaviour without the immediate pressure of formal enforcement processes.

In many cases, informal interventions can successfully resolve concerns when implemented early and supported by clear communication.



7.2 Support Oriented Strategies

In some situations, ASB may be linked to complex personal circumstances. Factors such as mental health challenges, substance use, social isolation, trauma, or financial stress can sometimes influence behaviour and contribute to conflict within housing communities.

Where these circumstances are identified, support-oriented strategies may help reduce the likelihood of ongoing behaviour concerns. These strategies focus on addressing underlying factors that may be contributing to the behaviour while reinforcing tenancy expectations.

Support-based responses may include:

- Referrals to appropriate support services, including community support agencies or tenancy support programs such as Tenancy Plus.
- Engagement with existing support workers, where renters are already connected with case managers or service providers.
- Coordination with NDIS providers, particularly where behaviour may be linked to disability-related needs.
- Referrals to mental health or alcohol and other drug services, where these issues appear to be contributing to the behaviour.
- Engagement with family violence services, where behaviour concerns arise in the context of family violence or safety risks.

Support strategies should be considered as part of a broader response that aims to address ASB and reduce harm while supporting the renter to sustain their housing.

In many cases, combining engagement with appropriate support services can significantly improve outcomes for both the renter and the broader community.

7.3 Formal Tenancy Action

Where ASB is serious, persistent, or has not improved despite earlier interventions, formal tenancy action may be required.

Formal tenancy action is governed by the Residential Tenancies Act and must comply with the requirements of the legislation, including prescribed forms, notice periods, and procedural requirements.

Examples of formal tenancy responses include:

- Breach of Duty Notices, which formally notify renters that their behaviour has breached a duty under the Residential Tenancies Act.
- Notices to Vacate, which may be issued where serious breaches have occurred or where behaviour continues despite earlier action.
- Applications to the Victorian Civil and Administrative Tribunal (VCAT), including applications for compliance orders or possession orders.
- Applications for compensation, where property damage or financial loss has occurred.

Before taking formal action, CHOs should ensure that there is sufficient evidence to support the decision and that all procedural steps have been followed correctly. Errors in process or documentation can undermine enforcement action and may result in matters being dismissed by VCAT.



7.4 Multi-Agency Collaboration

Some ASB matters involve risks or complexities that require collaboration with external agencies. Working with other organisations can assist with managing risk, coordinating supports, and ensuring that responses are appropriate to the circumstances.

Depending on the nature of the situation, collaboration may involve:

- Victoria Police, particularly where behaviour involves violence, threats, or criminal activity.
- Local councils, where issues relate to environmental health, nuisance complaints, or regulatory matters.
- Specialist support services, including mental health services, family violence services, or substance use support providers.
- Community corrections, where a renter may be subject to supervision or court-ordered conditions.
- Child protection services, where there are concerns about the safety or wellbeing of children.

While collaboration can assist in managing complex situations, CHOs remain responsible for tenancy management decisions. External agencies may provide important information or support but do not determine tenancy outcomes under the Residential Tenancies Act.

As Information Sharing Entities under the MARAM Framework¹, CHOs must comply with relevant information-sharing and privacy obligations. Information should only be shared where permitted by law and where it is necessary, relevant and proportionate to assessing or managing risk or coordinating appropriate support.

Effective collaboration can improve responses to ASB by ensuring that risks are addressed holistically and that renters receive the support they may need to stabilise their situation.

¹ Further information on MARAM Framework and responsibilities available on [the Victorian Governments website](#)



8. Deciding on the appropriate response

Once ASB has been investigated and the available response options have been identified, the next step is to determine which response is most appropriate in the circumstances. This requires careful judgement.

CHOs must balance their role in supporting renters to sustain their tenancies with their responsibility to maintain safe, respectful, and stable housing environments for all residents.

8.1 Applying a Structured Decision-Making Framework

In deciding how to respond to ASB, staff should apply a structured approach that weighs all relevant factors before determining a course of action. This helps ensure that decisions are not made reactively, impulsively or in response to pressure from affected parties.

At its core, a decision-making framework should reflect a balance between two key responsibilities. On one hand, CHOs should aim to support renters to maintain stable housing wherever possible, particularly where behaviour may intersect with vulnerability, mental health, support needs, trauma, disability, substance use or family violence. On the other hand, CHOs must protect the safety of staff and neighbours and uphold the rights of other residents to the quiet enjoyment of their homes. Before proceeding with any action, staff should consider whether the proposed response is:

- **Reasonable in the circumstances.**
The response should reflect the nature of the behaviour, the context in which it occurred, the level of impact or risk and any relevant vulnerability or support needs. A reasonable response helps avoid unnecessary escalation.
- **Proportionate to the conduct.**
More serious, repeated or high-risk behaviour may justify stronger responses, while lower-level concerns may be better addressed through engagement, support, communication or early intervention.
- **Consistent with previous practice.**
Similar situations should generally lead to similar responses, unless there is a clear reason to take a different approach. Consistency supports fairness and reduces the risk of perceptions of bias or unequal treatment.
- **Supported by available evidence.**
Any action taken should be based on credible, relevant and documented information gathered during the investigation process, rather than assumptions, frustration or untested complaints.
- **Likely to address the behaviour.**
The chosen response should be reasonably expected to reduce, resolve or manage the behaviour. Action that is unlikely to change the situation may not be effective or appropriate.

Applying a structured decision-making framework supports more consistent, fair and defensible outcomes. It also reduces the risk of decisions being influenced by frustration, urgency, external



pressure or incomplete information. This is particularly important where the matter may later be reviewed by VCAT, The Housing Registrar or the Ombudsman.

8.2 Factors Relevant to Proportionality

Determining whether a response is proportionate requires consideration of a range of factors. These factors help staff assess the seriousness of the behaviour and determine what level of intervention may be appropriate.

Relevant considerations may include:

- **Severity and nature of the behaviour.**
Behaviour involving threats, violence, significant damage, or illegal activity require immediate or stronger responses compared with lower-level disturbances.
- **Frequency and duration.**
A one-off incident may warrant a different response than behaviour that has been occurring repeatedly over an extended period.
- **Impact on neighbours or the community.**
The effect of the behaviour on others is an important consideration. Distinguish quiet enjoyment impacts from safety and wellbeing risks, as these may require different responses.
- **Previous attempts to resolve the matter.**
Staff should consider whether earlier engagement, warnings, or support interventions have already been attempted and whether those efforts have been successful.
- **Support engagement and compliance.**
If a renter is actively engaging with supports or demonstrating efforts to change their behaviour, this may influence the response.
- **Risk of harm or escalation.**
Situations that involve safety risks or escalating behaviour may require more immediate intervention.
- **Vulnerability factors.**
Personal circumstances such as disability, mental health challenges, family violence, or social disadvantage may be relevant when determining how best to respond.
- **Risk of homelessness.**
Where enforcement action could result in housing loss, staff should carefully consider the potential consequences and whether alternative responses may be available.

Balancing these factors can be complex. In some cases, the safety and wellbeing of other residents may require decisive action. In others, a more supportive or gradual response may be more appropriate and effective.

8.3 Communicating the Outcome

Once a decision has been reached, the outcome should be communicated clearly to the renter involved. Clear communication helps ensure that expectations are understood and provides renters with an opportunity to adjust their behaviour where necessary.

In most cases, the outcome should be confirmed in writing and should also be explained verbally where appropriate. Communication should aim to be respectful, clear, and focused on behaviour rather than judgement.



When communicating the outcome, staff should:

- explain the concerns that were investigated
- refer to the renter's obligations under the tenancy agreement and relevant legislation
- outline any actions that will be taken by the organisation
- clearly describe expectations moving forward
- identify potential consequences if the behaviour continues
- provide information about available support services where appropriate

Clear communication can help reduce misunderstandings and reinforce that the organisation is acting fairly and consistently.

Where a complaint has been raised by another renter or neighbour, staff may acknowledge that the matter has been addressed. However, due to privacy obligations, organisations must not share personal details about another renter's tenancy or circumstances.

Maintaining appropriate confidentiality while still acknowledging concerns helps preserve trust with affected residents while respecting the privacy of all parties involved.

Further advice on managing neighbour complaints and communication is outlined in section 14.3.

8.4 Decision-Making Checklist – Responding to Antisocial Behaviour

Before deciding on a response to ASB, staff should take a moment to consider the following questions. This checklist can help ensure that decisions are balanced, evidence-based, and consistent with organisational policy and legislative obligations.

Understanding the behaviour

- ☐ What behaviour has been reported or observed?
- ☐ Has the behaviour been clearly described using objective information?
- ☐ Is the behaviour a one-off incident or part of a repeated pattern?

Evidence and investigation

- ☐ Has sufficient information been gathered to understand what occurred?
- ☐ Have relevant parties been given the opportunity to provide their account?
- ☐ Is there credible evidence supporting the allegation?

Impact and risk

- ☐ What impact has the behaviour had on neighbours, staff, or the housing community?
- ☐ Does the behaviour present any immediate safety risks?
- ☐ Has the risk increased, reduced, or remained stable over time?

Previous engagement



- ☐ Has the renter previously been spoken to about the behaviour?
- ☐ Have early intervention steps been attempted (e.g. conversations, warnings, mediation)?
- ☐ Has the renter demonstrated willingness to address the issue?

Support considerations

- ☐ Are there underlying factors that may be contributing to the behaviour (e.g. mental health, disability, family violence, substance use)?
- ☐ Are appropriate support services involved or available?
- ☐ Could additional support reduce the likelihood of the behaviour continuing?

Proportionality of response

- ☐ Is the proposed response reasonable and proportionate to the behaviour?
- ☐ Are there less restrictive options that could effectively address the issue?
- ☐ Is the response consistent with how similar matters have been handled previously?

Documentation and communication

- ☐ Has the decision-making process been clearly recorded?
- ☐ Can the reasoning behind the decision be explained if reviewed by VCAT or another body?
- ☐ Has the outcome been communicated clearly to the renter?



9. Documentation and Record-Keeping

Accurate, timely, and objective documentation is central to effective ASB management. Records underpin sound decision-making, support consistency across cases, and are critical if actions are later reviewed by VCAT or another oversight body.

For community housing organisations, documentation is more than an administrative task. It is a core practice requirement that supports lawful, fair, and defensible tenancy management under the Residential Tenancies Act.

9.1 Purpose of Documentation in ASB Matters

Good documentation provides a clear and continuous record of how ASB concerns were identified, assessed, and addressed over time. It supports continuity when staff change and ensures decisions can be understood in context.

In ASB matters, effective records:

- show how concerns were identified and assessed
- record engagement, support, and intervention steps
- demonstrate compliance with legislative and procedural requirements
- support proportionate escalation where behaviour continues
- allow decisions to be clearly explained and justified if reviewed

Poor or inconsistent record-keeping can undermine otherwise appropriate responses and weaken an organisation's position if matters progress to VCAT.

9.2 What Should Be Recorded – The Who, What, Where, When, Why and How

Case notes should be clear, factual, and focused on observable behaviour and actions taken, rather than assumptions or conclusions. Using a consistent “Who, What, Where, When, Why and How” framework helps ensure records are complete, objective, and defensible.

Who

Records should identify:

- who was involved in the incident or behaviour
- who observed the behaviour



- who made the report or complaint
- which staff members responded or were involved

What

Records should clearly describe:

- what behaviour occurred or was alleged
- what was observed directly by staff
- what was reported by others (and by whom)
- what actions were taken such as engagement, referrals or tenancy action

Descriptions should be factual and avoid labels or assumptions.

Where

Records should note:

- where the behaviour occurred, for example, within the renter's property, common areas, nearby locations
- where impacts were experienced, for example, neighbouring properties, shared spaces

When

Records should include:

- the date and time of the incident or behaviour
- when it was reported
- when staff responded or took action
- any relevant follow up or review timeframes

Why

Records should explain:

- why the behaviour is of concern, including its impact
- why particular actions were taken
- why certain options were considered or not pursued

This is particularly important where decisions may later be reviewed.

How

Records should document:

- how the issue was managed
- how engagement occurred, for example, phone call, visit, written communication
- how information was obtained (observation, report, external agency)
- how outcomes were monitored or reviewed

Records should clearly distinguish between information observed directly by staff and information reported by others.

9.3 Recording Behaviour Objectively

Objective recording is particularly important in ASB matters. VCAT will generally place greater weight on clear factual descriptions than on emotive or subjective language.

Good practice includes:

- describing behaviour in specific, observable terms



- recording when and where incidents occurred
- describing impact in practical terms (for example, loss of sleep or inability to use shared spaces)
- avoiding labels such as “aggressive” or “antisocial” without supporting facts
- avoiding speculation about intent, diagnosis, motivation, or character

Clear, neutral records support fair assessment and reduce the risk of bias influencing decisions.

Poor example of case notes	Good example of case notes
15/01/2026 The renter was seen acting aggressive and out of control and kicked and punched the lift.	: At 9am on 15 January 2026, Housing Officer Jane Smith observed the renter in the foyer of Building A near the lift. The renter shouted loudly, "This is ridiculous," before kicking the lift door once with their right foot and striking the lift wall twice with a closed fist. Two other residents were waiting nearby and stepped back from the area. No injuries were observed. Photographs were taken of a dent in the lift door where it had been kicked.



10. Engagement and Early Intervention

Early and effective engagement is often the most important factor in preventing ASB from escalating. In many cases, timely and respectful intervention can reduce harm, resolve issues, and support renters to sustain their tenancy.

CHOs should treat early intervention as a deliberate and structured practice, rather than an informal or reactive step taken only once problems have escalated.

10.1 Principles of Engagement

Engagement should be calm, respectful, and focused on problem-solving. The aim is to address behaviour, clarify expectations, and explore solutions before enforcement becomes necessary.

Effective engagement involves:

- raising concerns in a non-judgemental way
- clearly explaining the behaviour of concern and its impact
- listening to the renter's perspective
- reinforcing tenancy obligations in plain language
- focusing on achievable steps to reduce or stop the behaviour

Engagement should always be documented, including what was discussed and any agreed actions.

10.2 Supportive Conversations and Early Contact

Initial responses to emerging ASB should prioritise early contact. These conversations often resolve issues before they become entrenched.

Supportive conversations may include:

- informal check-ins or welfare focused conversations
- clarification of house rules or tenancy obligations
- discussion of about noise, visitors, or shared spaces
- identifying immediate stressors or support needs
- conversations about appropriate support referrals (see section 8.2 for further details)

Where appropriate, follow-up communication should confirm expectations and next steps in writing.

10.3 Written Warnings and Behaviour Expectations



Where behaviour continues or where clarity is needed, CHOs may issue written warnings or expectation letters.

Written communication should:

- describe the behaviour of concern using objective language
- explain the impact on others
- reference relevant tenancy obligations or house rules
- clearly state what behaviour is expected going forward
- outline possible next steps if behaviour does not improve

Written warnings are not enforcement action, but they provide an important record and support procedural fair process.

10.4 Behaviour Agreements

In some cases, a behaviour agreement can support change by setting out clear, shared expectations.

Behaviour agreements may:

- identify specific behaviours to stop, reduce or change
- outline practical steps the renter agrees to take
- include timeframes for review
- link to supports or referrals where appropriate

Agreements should be voluntary, realistic, and regularly reviewed. They are not a substitute for formal processes where serious risk is present.

10.5 Mediation and Conflict Resolution

Where ASB involves neighbour disputes or interpersonal conflict, mediation may assist.

Mediation may be suitable where:

- both parties are willing to participate
- there is no immediate safety risk
- the issue relates to communication, expectations, or shared space use

Mediation is not appropriate where there is family violence, serious threats or significant power imbalances.

The Dispute Settlement Centre of Victoria (DSCV) provides free dispute resolution services across Victoria, including advice, negotiation support and mediation. DSCV can help people talk through a conflict in a structured way, understand the issues, explore options and where suitable, take part in mediation with a neutral mediator. The service is commonly used for neighbour disputes, community disputes, owner's corporation disputes, fences, trees, noise and similar local issues. It is not a court or tribunal and does not make binding legal decisions in the way VCAT would.

Victorian Legal Aid has further information and resources on neighbour disputes, which can be found [here](#).



10.6 Environmental and Practical Interventions

In some cases, behaviour is influenced by environmental factors rather than intent. Practical changes can reduce triggers and conflict.

Examples include:

- addressing property issues such as poor sound insulation or lighting
- adjusting access to shared spaces
- reviewing waste management arrangements
- improving signage or communication in common areas
- considering transfer options where appropriate

Environmental interventions should be considered alongside engagement and support.

10.7 Monitoring and Review

Early intervention is not a one-off action. Behaviour and responses should be monitored and reviewed over time.

This includes:

- checking in with the renter and affected parties
- reviewing whether behaviour has improved or escalated
- updating case notes and records
- adjusting responses as circumstances change

Where early intervention is unsuccessful or behaviour escalates, escalation to formal tenancy management action may be required.



11. Formal Tenancy Management Responses

Formal tenancy management responses play an important role in addressing ASB, but they are also some of the most impactful actions a CHO can take. Because these steps can affect a renter's housing security, they should be used thoughtfully and only where they are genuinely required.

11.1 When Formal Tenancy Management is Appropriate

Before moving to formal action, CHOs should ensure that concerns have been properly investigated, information is reliable, and the process followed is fair. Even once formal tenancy management has commenced, each step should still be approached as an opportunity to stabilise behaviour and, where possible, sustain the tenancy.

Formal tenancy management responses may be appropriate where:

- behaviour continues despite engagement and early intervention
- behaviour is escalating in frequency, seriousness, or impact
- there is a clear breach of renter duties or conduct standards
- others are placed at risk of harm or fear
- the behaviour significantly interferes with peace, comfort, or safety

11.2 Breach of Duty Notices – When and How

A Breach of Duty Notice is usually the first formal enforcement step where ASB involves a breach of obligations under the Residential Tenancies Act. It serves both a practical and procedural purpose.

A breach notice:

- formally notifies the renter of the alleged breach
- clearly identifies what behaviour must stop or change
- provides an opportunity to remedy the breach where this is possible
- creates a clear record if the behaviour continues

When issuing a breach notice, CHOs must ensure the notice:

- is in writing and uses the correct prescribed form
- clearly identifies the duty that has been breached
- describes the loss, damage, or impact caused
- specifies the timeframe for remedy or compensation (where applicable)
- advises the renter not to commit a similar breach again



- explains that further action, including an application to VCAT, may follow if the breach is not addressed

Correct service of the breach notice is essential. Errors in content or service can undermine later enforcement action.

Importantly, a breach notice should never come as a surprise. It should be accompanied by clear communication with the renter about what is expected and what may happen next if the behaviour does not change.

See appendix F and G for breach of duty reasons.

11.3 Compliance and Follow-Up

Issuing a breach notice is not the end of the process. CHOs must actively monitor compliance and decide whether further action is needed. Failing to review or respond to what happens after a breach notice is issued can weaken later enforcement and raise concerns about consistency.

Monitoring may include:

- observing whether the behaviour has stopped or improved
- checking in with affected neighbours or staff where appropriate
- maintaining contact with the renter
- recording any further incidents or positive change
- documenting any support or engagement offered

If the breach is remedied and behaviour improves, no further enforcement may be required. Where the breach is not remedied, or where the behaviour continues or reoccurs, an application to VCAT for a Compliance Order should be considered.

A Compliance Order allows VCAT to formally direct the renter to comply with their obligations. It sits between a breach notice and more serious action such as a Notice to Vacate and can be an effective way of reinforcing expectations.

A Compliance Order:

- requires compliance with a specific duty under the Act
- provides a clear and enforceable Tribunal direction
- strengthens the CHOs position if behaviour continues
- demonstrates that measured steps have been taken before escalation

When applying for a Compliance Order, CHOs should ensure:

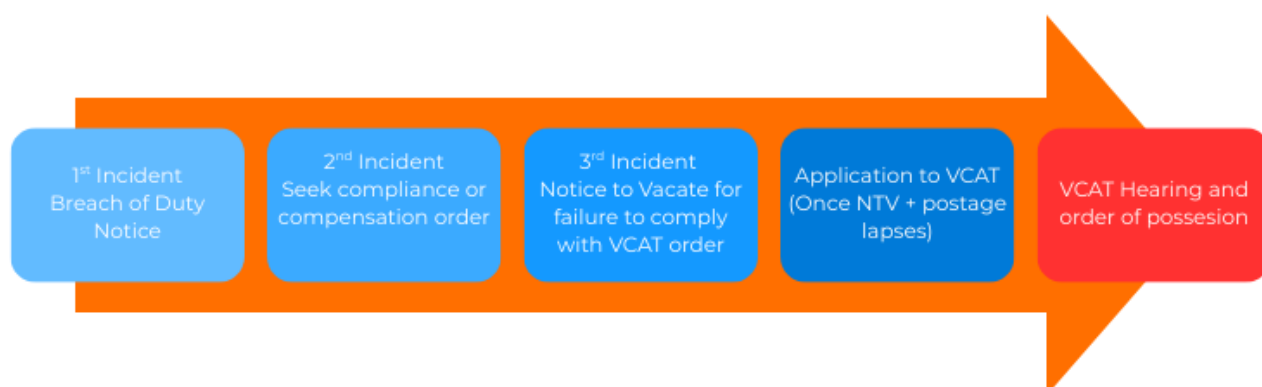
- the original breach notice was valid and correctly served
- the ongoing behaviour is of the same nature
- there is evidence the breach was not remedied or has reoccurred
- less formal responses have been attempted or considered

After a Compliance Order is made, CHOs should:

- explain the order and expectations to the renter in writing and verbally (where safe to do so)
- continue to monitor behaviour
- document any changes or further incidents
- maintain engagement with the renter and relevant supports



The following flowchart shows how a breach of duty can be escalated to VCAT if behaviour continues. Throughout each stage of this escalation process, CHOs should seek to understand the reasons for any breach and link renters with support services.



11.4 Successive Breaches

The Residential Tenancies Act allows a community housing organisation to issue a Notice to Vacate where a renter or resident has repeatedly breached the same duty provision, despite earlier breach notices being issued. This is commonly referred to as the successive breach or “three breach” pathway.

This approach is intended for situations where behaviour continues over time and earlier warnings have not resulted in lasting change. It recognises a pattern of non-compliance, rather than a single incident.

To rely on successive breaches, the organisation must be able to show that:

- The renter has breached a duty provision of the RTA.
- The renter has breached the same duty on two previous occasions.
- A breach of duty notice was given to the renter for each of those previous breaches.
- The relevant timeline for complying with each previous breach has passed before the next breach occurred.

Different duties cannot be combined to form a successive breach pathway.

In ASB matters, this pathway may be appropriate where repeated behaviour continues despite clear warnings and engagement, and further intermediate steps are unlikely to be effective.

To address ongoing ASB, CHOs may need to choose between the options of: 1) seeking a compliance order; or 2) applying for possession for successive breaches. Applying for a compliance order first is often the preferable option as it provides an opportunity for VCAT to intervene at an earlier stage.



The escalation pathway to VCAT for a possession application on the basis of successive breaches is outlined below.



11.5 Notices to Vacate

Issuing a Notice to Vacate is one of the most serious actions available to a CHO. It directly affects a renter's housing security and should only be used where other options have been exhausted or where the level of risk makes continued occupation untenable.

Notices to Vacate based on ASB must strictly comply with the Residential Tenancies Act. Errors in grounds, content, or service may result in the notice being declared invalid, delaying outcomes and undermining the organisation's position.

Common grounds for issuing a Notice to Vacate in ASB matters include:

- repeated breaches where behaviour continues despite earlier action
- not complying with a Tribunal ordered Compliance order
- serious damage to property
- dangerous acts that place others at risk
- threats, intimidation, or serious violence

The Act also provides for immediate notices to leave in cases involving serious violence on managed premises (s368). A Notice to Leave is different to a Notice to Vacate as, once a Notice to Leave is given, it is an offence for the person receiving it to remain on the premises. The use of Notices to Leave is subject to strict conditions and guidance on their use is outlined in the CHIA Vic Notices to Leave Practice Guide.

See appendix H and I for notice to vacate reasons.

For guidance on preparing matters for VCAT and considering Human Rights impacts, refer to CHIA's VCAT Practice Guidance

12. Serious and High-Risk Incidents

Serious and high-risk incidents sit at the most acute end of ASB. These matters may involve immediate safety concerns, criminal conduct, or behaviour that creates a real risk of harm to residents, neighbours, staff, or the wider community.

These situations often require urgent action. While the Residential Tenancies Act provides pathways for termination in cases involving serious ASB, decisions made in high-risk contexts are frequently examined closely by VCAT. Clear evidence, careful timing, and well-reasoned decision-making are therefore critical.

12.1 Violence, Threats and Emergency Response

Violence or threats of violence require immediate assessment and response. This includes physical assaults, credible threats of harm, use or threatened use of weapons, and behaviour that causes others to reasonably fear for their safety.

In these situations, safety must take priority over all other considerations. This may mean taking urgent steps before any tenancy management response is contemplated.

Key considerations include:

- whether there is an immediate or ongoing risk to any person
- whether emergency services need to be contacted
- whether staff engagement should be limited, delayed, or altered
- whether temporary safety measures are required

Where emergency services are involved, the organisation's role is not to investigate criminal conduct. Instead, the focus should be on stabilising risk, recording what is known, supporting staff and residents, and considering appropriate tenancy responses.

Not all incidents involving violence or threats will justify termination. VCAT will assess whether the risk remains current at the time of hearing and whether ending the tenancy is appropriate in the circumstances. This means that both the seriousness of the incident and what has changed since it occurred are highly relevant.

12.3 Significant Property Damage

Significant or deliberate property damage may amount to serious ASB, particularly where it compromises safety, habitability, or causes repeated disruption.

This may include:

- intentional or reckless damage to the rented premises or common areas
- damage that creates safety hazards, such as fire damage or exposed services
- repeated damage indicating disregard for tenancy obligations



In responding to damage, organisations should consider whether the conduct was intentional, reckless, or accidental, the impact on safety and amenity, and whether the behaviour forms part of a broader pattern.

A Notice to Vacate for damage may be appropriate in cases of serious damage. However, not all damage will justify termination. VCAT will consider the seriousness of the damage, whether the damage has been repaired by the renter, whether the behaviour is ongoing, and whether the renter has demonstrated capacity and willingness to comply, including through payment arrangements or behavioural change.

12.4 Safety Planning for Staff and Residents

High-risk ASB requires proactive and ongoing safety planning. Plans should be reviewed as circumstances change and should consider both staff and resident safety.

Safety planning may include:

- risk assessments before visits or engagement
- changes to engagement methods, such as joint visits or remote contact
- clear escalation and emergency response pathways
- coordination with specialist services
- access to debriefing and supervision following incidents

Organisations should also consider the impact on other residents and whether temporary measures are needed to reduce distress or risk.

Supporting staff wellbeing is essential. Serious incidents can be confronting, and access to supervision, debriefing, EAP, and organisational support is critical to maintaining safe and consistent practice.

12.5 Communication Plans for Unsafe or Unreasonable Contact

In some ASB matters, the behaviour of concern may be directed towards CHO staff or contractors. This may include abusive phone calls or emails, threatening language, repeated attendance at the office, refusing to leave, excessive or unreasonable contact, or behaviour that impacts staff safety and service delivery.

Where this occurs, CHOs should consider whether a communication plan is appropriate. This is a documented arrangement setting clear expectations and boundaries for future contacts. A communication plan can set clear expectations about how the renter will communicate with the organisation, who they should contact, what contact methods are appropriate, when office attendance is permitted, and what behaviour will not be accepted.

Communication plans can be used to support safe, respectful and consistent engagement. They should not be punitive and should be tailored to the circumstances of the renter, including any known support needs, disability, trauma, family violence, mental health concerns or communication barriers.



CHOs should have an organisational policy or procedure governing the use of communication plans. This should identify who may approve a plan, the circumstances in which it may be introduced, how the renter will be notified, review timeframes, record-keeping requirements and any internal escalation process. Approval from a senior manager or executive should be required.

Where there are immediate safety concerns, staff should follow internal safety procedures and escalate the matter to a manager. Police or emergency services may be contacted where there is a risk of harm.

Communication plan resources are added at Appendix R-T.

12.6 VCAT Decision Making

A review of recent relevant VCAT decisions (including those tabled below) provides insights into VCAT's approach in determining applications for possession due to ASB, including:

1) Danger must exist at the time the notice is given

For certain Notices to Vacate, the threshold question is whether danger existed when the notice was given. This goes to the validity of the notice itself. If the danger did not exist at the notice date, the notice may be found invalid, regardless of what later occurs.

2) Ongoing risk at the hearing is relevant to whether possession is reasonable and proportionate.

Even where the notice was validly issued, VCAT must still consider whether making a possession order is reasonable and proportionate at the time of the hearing. Current circumstances can carry significant weight, including whether the renter is engaging with supports, whether rehabilitation is underway, who still lives nearby, what safety measures are in place, and what risk remains.

3) Evidence quality matters a lot, especially for “endangerment” of other neighbours.

If CHOs rely on broad “community fear and impact”, they'll likely need direct witness evidence.

4) VCAT will look for alternatives to eviction, even in danger cases.

The Tribunal has indicated that a compliance order may not always neatly apply to danger-based notices, because “endangerment” is not framed the same way as an ordinary breach of duty.

However, the key message is that VCAT will still look for an alternative to eviction where it considers possession too harsh. This could include an adjournment with conditions, particularly where the renter is engaging with rehabilitation, supports are in place, or the risk can be managed in another way.

5) The Reasonable and Proportionate Test Creates a very high threshold.

VCAT's approach to the s330A Reasonable and Proportionate test means that most possession applications will be dismissed, even where the grounds for issuing the notice are proven.

CHOs must therefore prepare and provide compelling evidence demonstrating the reasonableness and proportionality of a possession order in the circumstances if this is the outcome sought. It may be helpful to prepare a written submission addressing each element of the test and be prepared to provide relevant evidence.

A submission template is available in CHIA's VCAT Practice Guidance



Case	Details
<u>Homes Victoria v Marsden (Residential Tenancies) [2025] VCAT 690 (31 July 2025)</u>	VCAT found that the renter's conduct had endangered the safety of a neighbour and that the s91ZJ danger notice was valid. However, VCAT decided it was not reasonable and proportionate to make a possession order at that time, given the renter's rehabilitation, Community Corrections Order, risk of homelessness, and the role of stable housing in reducing future risk. The application was adjourned with conditions, rather than possession being granted.
<u>Homes Victoria v Mantzalas (Residential Tenancies) [2025] VCAT 293 (3 April 2025)</u>	VCAT found the illegal use notice under s91ZQ was valid and the grounds were proven, after drug trafficking, drug possession, weapons and stolen goods were linked to the premises. However, possession was refused because the conduct was not shown to be continuing, there was limited evidence of current impact on neighbours, and eviction would likely cause homelessness.
<u>South Port Community Housing Group Inc v Ng (Residential Tenancies) [2022] VCAT 614 (3 June 2022)</u>	VCAT found the renter's visitor had endangered a neighbour and the s91ZJ danger notice was valid. However, possession was not reasonable and proportionate because the renter was vulnerable, had also experienced violence from the visitor, and eviction would likely disrupt essential supports. The matter was adjourned with conditions preventing the visitor, or any other dangerous person, from entering the building.
<u>Director of Housing v 'M' [2002] VCAT 456 (15 April 2002)</u>	VCAT dismissed a danger-based possession application, finding that abusive and threatening language was intimidating and distressing, but did not amount to "endangering" conduct. The case is useful because it confirms that danger requires a real risk to safety, not just antisocial, offensive or nuisance behaviour. It also reinforces that danger must still exist when the notice is given.
<u>Valentine v Thomas (Residential Tenancies) [2025] VCAT 866 (24 September 2025)</u>	VCAT dismissed two possession applications. The s91ZJ danger notice was found invalid because it relied on broad, generalised allegations and did not give enough detail for the renter to understand or respond to the claims. The s91ZI damage notice was valid in relation to property damage, but the rental provider did not prove the damage-causing conduct was ongoing when the notice was given. The case reinforces the need for clear



	particulars in notices and a current connection between the conduct and the notice.
<u>Lodden Mallee Housing Services Ltd v OBG (Residential Tenancies) [2021] VCAT 1388 (17 November 2021)</u>	VCAT found the renter's conduct endangered neighbouring occupiers and the s91ZJ danger notice was valid. The notice was issued around 11 months after the most serious incident, but VCAT held that delay alone did not prevent a finding of ongoing danger. The key question was whether the danger still existed when the notice was given. Possession was not reasonable and proportionate at that time because the renter was receiving mental health treatment and stable housing supported rehabilitation. The application was adjourned with conditions, including treatment compliance and no contact with the affected neighbours.



13. Complex Cases

ASB matters are often challenging, but some cases involve additional layers of complexity due to vulnerability, overlapping legal frameworks, or competing risks. These cases require careful assessment, strong professional judgement, and coordinated responses, and will often benefit from senior management oversight.

Complexity does not remove a renter's obligations under the Act, nor does it diminish the rights of others to safety and quiet enjoyment. What it does require is a more considered approach, one that responds to behaviour and risk while also taking proper account of the circumstances contributing to the situation.

13.1 Behaviour Linked to Mental Health

Some antisocial behaviour may be linked to mental ill-health, particularly during periods of acute distress, disengagement from treatment, or crisis. This may include behaviour such as yelling, agitation, paranoia, withdrawal, or conflict with neighbours or staff.

Mental ill-health is an important contextual factor when deciding how to respond. In these cases, organisations should consider whether the behaviour is:

- episodic or ongoing
- connected to a temporary deterioration or crisis
- responsive to treatment or support
- within the renter's capacity to manage

Engagement should be calm, measured, and focused on stabilisation where possible. Coordination with treating teams, referral to mental health services, or involvement of specialist supports may help reduce risk and prevent escalation.

13.2 Substance Use and Dual Diagnosis

Substance use can contribute to ASB particularly where it increases impulsivity, reduces inhibition, or leads to unsafe or disruptive conduct. Dual diagnosis, where mental health and substance use issues co-exist often adds further complexity.

In complex cases, assessment should consider whether the behaviour is ongoing or situational, escalating or stable, and whether it responds to engagement and support.

Where substance use contributes to ASB, harm-reduction approaches, referral to specialist services, and clear expectations may be effective. However, where substance-related behaviour places others at risk, formal tenancy responses may still be necessary.



13.3 Cognitive Impairment and Reduced Capacity

Some renters may experience cognitive impairment, acquired brain injury, intellectual disability, or neurodiversity that affects their ability to understand, remember, or comply with tenancy obligations.

In these situations, organisations should consider:

- whether expectations have been clearly understood
- whether information has been communicated in an accessible way
- whether reasonable adjustments could support compliance
- whether a support person, advocate, or guardian should be involved

Reduced capacity does not remove tenancy obligations, but it is highly relevant to how organisations engage, communicate, and escalate responses. VCAT will closely examine whether reasonable steps were taken to support understanding before serious enforcement action was pursued.

13.4 Managing Behaviour associated with Trespassers and third parties

Not all ASB concerns arise solely from the conduct of the renter. In many community housing settings, issues may be caused or influenced by visitors, former household members, family members, former partners, friends, associates, carers, or other third parties who attend the property or surrounding area. In some cases, these individuals may no longer live at the premises, may have no lawful right to be there, or may be attending in a way that creates disruption, fear, nuisance, or safety risks for others.

These matters can be particularly complex because the person engaging in the behaviour may not be a party to the rental agreement, while the impacts are often experienced by neighbours, staff, or the broader housing community. They can also raise difficult questions about the extent to which the renter is responsible for the conduct, what practical control they have over the person's attendance, and what response is fair and effective in the circumstances.

Examples may include:

- former partners repeatedly attending the premises and causing conflict
- visitors using common areas for gatherings, noise, intimidation, or drug-related activity
- friends or associates staying long-term without approval and contributing to disruption
- family members damaging property or threatening neighbours
- excluded persons returning to site after previous incidents
- unknown persons being allowed access to secure buildings by a renter
- third parties exploiting a vulnerable renter's home for shelter, storage, or criminal activity
- persons sleeping in common areas, stairwells, laundries, or vacant units



Understanding the Renter's Circumstances

It is important not to assume that the renter supports or can control the behaviour of the third party. In some situations, the renter may themselves be experiencing harm, intimidation, or coercion.

For example, the renter may:

- fear the person and feel unable to ask them to leave
- be experiencing family violence, coercive control, or stalking
- have limited capacity due to disability, mental ill-health, trauma, or cognitive impairment
- be socially isolated and vulnerable to exploitation
- rely on the person for informal care, transport, or support
- feel pressure from family or cultural obligations
- not fully understand their rights or available options
- be actively trying to stop the behaviour but struggling to do so

A careful assessment of the renter's circumstances is therefore essential before deciding on taking formal steps to trespass a person.

Formal Trespass Action

In some circumstances, a CHO may consider formally trespassing a person from a property or site. This may occur where a third party's attendance is contributing to ongoing ASB, safety risks, intimidation, criminal activity, or significant disruption, and less restrictive responses have not been effective or are not appropriate. Trespass action is not a remedy available under the Residential Tenancies Act 1997 (Vic). Instead, it arises under the Summary Offences Act 1996 (Vic) and is directed at the attendance of the third party, rather than the tenancy itself.

Trespass action may be appropriate where:

- the person is not lawfully residing at or attending the property
- their attendance creates ongoing risk to residents, staff, or the community
- there is a repeated pattern of concerning behaviour
- the renter has requested assistance to stop the person attending
- the person continues to return after being directed to leave
- the behaviour involves violence, threats, intimidation, property damage, or drug-related activity

Before taking formal trespass action, CHOs should carefully assess the seriousness of the behaviour, the available evidence, the renter's circumstances and capacity to control the person's attendance, and whether alternative responses could appropriately manage the risk.

CHOs should avoid placing sole responsibility on renters who are themselves experiencing harm, intimidation, coercive control, or exploitation. In these situations, support, safety planning, and referrals may be more appropriate alongside, or instead of, enforcement responses.

Where a decision is made to trespass a person, the process should be clearly documented and procedurally fair. This may include:

- issuing a written trespass notice outlining the location, reasons for exclusion, commencement date, and any review arrangements
- ensuring the notice is appropriately served
- maintaining records of incidents, service, CCTV, witness accounts, and further attendances
- informing relevant staff and onsite security of the exclusion
- periodically reviewing whether the trespass remains necessary and proportionate



Some CHOs may work with onsite security and/or Victoria Police where there are repeated breaches of the trespass notice or ongoing safety concerns. Clear records of each occasion the person attends the site, is directed to leave, or refuses to comply may assist if police intervention becomes necessary.

Importantly, the existence of a trespass notice does not automatically make tenancy enforcement against the renter appropriate. CHOs should continue to assess:

- whether the renter encouraged or facilitated the behaviour
- whether they took reasonable steps to prevent the person attending
- whether they were capable of exercising control in the circumstances
- whether the risks can be managed through alternative responses

VCAT may place significant weight on whether the behaviour is primarily being caused by a third party rather than the renter themselves, and whether reasonable alternative responses, such as excluding the third party, were available before possession proceedings were pursued.

In high-risk situations involving violence, threats, weapons, or serious criminal activity, immediate escalation to police may still be required. CHOs should ensure staff follow internal critical incident and safety procedures in these matters.

See appendix U for trespass procedure and appendix V for template trespass notice.

13.5 Family Violence

ASB may arise in the context of family violence, either within the household or through behaviour that impacts neighbours or staff. These cases require particularly careful handling.

Organisations must remain alert to:

- the risk of misidentifying victim-survivors as perpetrators
- the presence of coercive control or intimidation
- safety risks associated with engagement or enforcement

Responses should prioritise safety and align with family violence frameworks. Where possible, actions that could increase risk to victim-survivors, such as inappropriate enforcement or pressure to resolve matters informally, should be avoided.

Coordination with specialist family violence services and internal escalation are critical where family violence is suspected or identified.

Further information and resources on responding to family violence can be found in CHIA Vic's Family Violence Toolkit and on the Consumer Affairs Victoria website.

13.6 Hoarding and Squalor

Hoarding and squalor may give rise to ASB concerns where conditions create health, safety, or amenity impacts for others. This can include increased fire risk, pest infestation, structural damage to the property, blocked exits, odour or impacts on neighbouring residents through shared spaces.

These cases are often complex, long-term, and closely linked to vulnerability, including mental ill-health, trauma, or cognitive impairment. As a result, they typically require sustained, coordinated, and multi-disciplinary responses, rather than short-term or enforcement-led action.

When assessing hoarding or squalor-related behaviour, organisations should consider:



- the level and immediacy of risk to residents, neighbours, staff, and emergency services
- whether conditions are stable, deteriorating, or escalating
- the renter's insight into the issue and capacity to engage
- whether staged clean-ups, adjustments, or practical supports could reduce risk
- the availability of specialist hoarding and squalor services

Engagement should focus on building trust, setting clear but realistic expectations and prioritising risk reduction. Incremental improvements, such as clearing exits, addressing fire hazards, or managing pests may significantly reduce risk even where full resolution is not immediately achievable.

VCAT will generally favour gradual, supported approaches where renters are engaging and risks can be managed. Abrupt enforcement, in the absence of clear and immediate danger, may be viewed as disproportionate.

Due to the increased fire risk associated with hoarding, CHOs should register properties with hoarding concerns to atriskgroups@frv.vic.gov.au.

Further information on responding to hoarding is available in the DFFH “Make Safe” Guide, available on the [DFFH website](#) .



14. Working with Stakeholders

Responding effectively to ASB often requires collaboration beyond the CHO alone. Engagement with health, support, emergency, and community services can help clarify behaviour, manage risk, coordinate supports, and improve safety for everyone involved.

While collaboration supports informed responses, CHOs remain responsible for tenancy decision-making under the Residential Tenancies Act. Stakeholder engagement should assist, not replace or delay necessary tenancy action.

14.1 Working with Support Services and Case Managers

Support services and case managers often play a key role where ASB is linked to vulnerability, including mental ill-health, disability, substance use or social isolation.

Engagement may involve:

- sharing concerns about behaviour and impact (when consent or authority exist)
- coordinating consistent messaging and expectations
- framing expectations in a way that the renter understands
- supporting engagement with treatment or support plans
- clarifying what supports can and cannot address

It is important to recognise that support services cannot enforce tenancy obligations and may have limited capacity. Responsibility for managing tenancy risk remains with the organisation.

14.2 Working with Neighbours and Other Residents

Neighbours and other residents are often directly affected and may provide important information. Engagement should balance responsiveness with privacy and realistic expectations

Good practice includes:

- acknowledging concerns and impacts experienced by neighbours
- explaining the organisation's role and limitations
- avoiding disclosure of personal or confidential information
- being clear and managing expectations about timeframes and outcomes



Neighbours should not be positioned as decision-makers. Their experiences inform assessment, but tenancy decisions must be made in line with evidence and legal requirements.

14.3 Managing Frustrated Neighbours and Complainants

Reports of ASB are often made by neighbours who are experiencing ongoing disruption, stress, or fear in their home environment. By the time concerns are raised, individuals may already feel frustrated, unheard, or overwhelmed.

Effectively managing these interactions is a critical part of antisocial behaviour practice. How CHOs engage with neighbours can influence not only the progression of a case, but also broader perceptions of safety, fairness, and trust in the organisation.

Understanding the experience of neighbours

Neighbours reporting ASB may be:

- experiencing loss of sleep, anxiety, or fear
- frustrated by repeated incidents or lack of immediate resolution
- expecting immediate action or enforcement
- concerned that nothing is being done
- worried about retaliation or ongoing conflict

While not all concerns will meet the threshold for formal tenancy action, the impact on the individual is often real and should be acknowledged.

Acknowledging concerns while maintaining boundaries

Staff should aim to strike a balance between validating the person's experience and maintaining clear and realistic expectations about what can be done. This includes:

- acknowledging the impact of the behaviour
- avoiding dismissive language
- clearly explaining the organisation's role
- reinforcing that decisions must be evidence-based and lawful

For example:

"I understand this has been really frustrating and is affecting your sleep. We are taking this very seriously and investigating all complaints and taking appropriate action in line with the Residential Tenancies Act."

And

"Just like [we/your rental provider] keep all your information confidential, we can't share confidential information about your neighbour and what is happening with their tenancy".

Supporting neighbours to contribute effectively

Neighbours can play an important role in resolving antisocial behaviour matters.

Staff should support them to:

- keep an incident diary (dates, times, what occurred, impact) **see appendix B**
- report incidents as they occur or shortly after



- provide statements or statutory declarations where appropriate
- encourage attendance at VCAT as a witness, with the explanation that this is the most powerful type of evidence

Clear guidance improves the quality of the evidence and supports more effective responses.

Managing expectations about outcomes

It is important to be clear that:

- not all cases will result in eviction
- some matters are resolved through engagement, support or behaviour change
- VCAT may not grant orders even where behaviour is proven

Staff should avoid promising outcomes, suggesting that eviction is likely or escalating expectations beyond what can be delivered.

14.4 Working with Police and Emergency Services

Police and emergency services may be involved where behaviour involves violence, threats, serious safety risks, property damage, fire, medical emergencies or suspected criminal activity. Their role can be critical in responding to immediate risk, but their involvement does not determine the tenancy outcome.

When working with police or emergency services, CHOs should:

- record information received accurately and objectively
- distinguish between police attendance, allegations, charges and proven conduct
- avoid assumptions based on arrests, investigations or criminal proceedings
- comply with privacy and information sharing obligations
- continue to assess tenancy issues independently against RTA requirement, available evidence and the impact on others

VCAT will assess tenancy matters separately from any criminal process. Police involvement, charges or pending proceedings will not, on their own, justify tenancy enforcement. Any action must be supported by evidence and assessed against the relevant tenancy law thresholds, including whether the response is reasonable and proportionate.

14.5 Information Sharing and Privacy

Collaboration must occur within privacy and information-sharing obligations. Organisations should be clear about what information can be shared, with whom, and for what purpose.

In practice, this means:

- sharing only information that is relevant and necessary
- obtaining consent where required or appropriate



- documenting what information is shared and why
- ensuring records are accurate and factual

Improper information sharing can undermine trust, expose organisations to risk, and compromise proceedings if matters progress to VCAT.

Housing Organisations are prescribed information sharing entities under the Child Information Sharing Scheme (CISS) and Family Violence Sharing Scheme (FVISS). Under CISS, prescribed information sharing entities may share relevant information without consent to promote the wellbeing or safety of a child or identify and respond to risks of harm to a child. Similarly, under FVISS prescribed information sharing entities may share relevant information without consent to assess or manage family violence risk or to support the safety and wellbeing of victim-survivors, including children.

Further information and resources on the MARAM Framework can be found [here](#).

Further information and resource on the CISS and FVISS information sharing schemes can be found [here](#).

14.6 Managing Differing Views and Expectations

Stakeholders may hold different views about risk, seriousness, or appropriate responses. Organisations must navigate these differences while retaining decision-making responsibility.

This includes:

- acknowledging differing perspectives respectfully
- clearly explaining tenancy obligations and thresholds
- providing general information without breaching privacy
- resisting pressure to escalate or delay action without justification

Decisions should be guided by the evidence, risk assessment and legislative requirements, not by external pressure or stakeholder preference alone.



15. Training, Supervision and Organisational Policies

Effective responses to ASB rely not only on individual decision-making, but on strong organisational systems, shared understanding, and consistent practice. CHOs must ensure staff are appropriately trained, supported, and guided by clear policies and procedures so that antisocial behaviour is managed lawfully and consistently across the organisation.

15.1 Staff Skill Requirements

Managing ASB requires a mix of technical knowledge, professional judgement, and interpersonal skills. Staff involved in tenancy management should have the capability to identify, assess, and respond to ASB appropriately.

Key skill areas include:

- understanding tenancy obligations and enforcement pathways under the Residential Tenancies Act
- distinguishing ordinary residential behaviour from antisocial behaviour
- assessing risk, impact, and seriousness
- applying early intervention and escalation pathways
- communicating clearly, respectfully, and without judgement
- maintaining objective and defensible records

Staff should also have a working understanding of trauma-informed practice and cultural safety, while also being able to uphold tenancy obligations and community safety. Training should be ongoing and refreshed regularly, particularly when legislation, policy, or Tribunal practice changes.

15.2 Reflective Practice and Debriefing

ASB matters often involve complexity, competing rights, and heightened stress. Reflective practice, supervision, and debriefing are essential to support sound decision-making and reduce the risk of reactive or inconsistent responses.

Reflective practice supports staff to:

- test assumptions and identify potential bias
- consider alternative responses
- ensure decisions remain evidence-based
- learn from challenging or complex cases

Debriefing should be encouraged following:

- serious or high-risk incidents



- matters involving threats, violence, or police attendance
- matters progressing to VCAT
- situations that have caused distress or safety concerns

Supervision and peer discussion provide important safeguards against isolated decision-making.

15.3 Supporting Staff Safety and Wellbeing

Staff safety and wellbeing are critical considerations in antisocial behaviour work. Repeated exposure to conflict or high-risk situations can have cumulative impacts if not properly managed.

Organisations should actively support staff by:

- maintaining clear safety and escalation protocols
- encouraging early reporting of safety concerns
- providing guidance on safe engagement and property visits
- ensuring access to supervision, debriefing, and employee support services

Staff should never feel expected to manage high-risk matters alone. A culture that prioritises safety supports both staff wellbeing and consistent practice.

15.4 Policy and Procedure Alignment

Consistency in ASB management depends on well-aligned organisational policies, procedures, and tools. These should clearly set out expectations and pathways so staff can apply them confidently and consistently.

Organisations should ensure:

- antisocial behaviour policies reflect current legislation and Tribunal practice
- procedures clearly outline early intervention, escalation, and enforcement steps
- templates and tools support objective documentation
- guidance materials are accessible and regularly reviewed

Misalignment between policy and practice can undermine decision-making and increase organisational risk. Regular review supports continuous improvement and ensures responses remain lawful, fair, and effective.



16. Resource Toolkit

CHOs can use these tools in the way they consider appropriate and customise them to their needs.

This section provides a generic explanation of the way CHOs may want to use these resources. For instance, it includes templates to support CHOs to:

- establish policy
- undertake processes in the ASB response journey such as investigations, risk assessments, and tenant notices
- design factsheets for tenants to include in their new tenancy packs or when a housing worker needs to convey information to tenants
- design factsheets for staff that provide a snapshot of information around specific topics, and
- design forms to undertake specific tasks when responding to the ASB

NAME OF RESOURCE	Explanation of how to use template	Document
Antisocial, Destructive or Dangerous Behaviour Policy	The Antisocial, Destructive or Dangerous Behaviour Policy has been developed in a generic manner so CHOs can modify the information to suit their organisation. The intention of the policy is to outline a CHOs process for responding to ASB.	Appendix A
Incident Diary Sheet	The Incident Diary Sheet can be given to complainants to assist them to record incidents of antisocial behaviour. It may also be used as evidence during a VCAT hearing.	Appendix B
Natural Justice Letter	The template letter is intended for CHOs to inform the renter that an allegation of antisocial behaviour has been made.	Appendix C
Warning Letter	The template letter is provided as an example to guide a written warnings to renters.	Appendix D
Behaviour Agreement	The Behaviour Plan helps CHOs set clear, practical expectations with a renter where behaviour needs to change, including agreed actions, supports, timeframes, and review points.	Appendix E
Breach of Duty Reasons Residential Rental Agreements	A quick reference guide of duty provisions and corresponding section numbers for renters in a general tenancy.	Appendix F
Breach of Duty Reasons Rooming House Agreements	A quick reference guide of duty provisions and corresponding section numbers for renters in a rooming house tenancy.	Appendix G
Notice to Vacate Reasons Residential Rental Agreements	A quick reference guide of notice to vacate reasons with corresponding section numbers for renters in a general tenancy.	Appendix H
Notice to Vacate Reasons Rooming House Agreements	A quick reference guide of notice to vacate reasons with corresponding section numbers for renters in a rooming house tenancy.	Appendix I
Breach of Duty Letter	The template letter is intended for CHOs to use alongside the prescribed Breach of Duty.	Appendix J



Breach/Compliance Flow Chart	Outlines the process from issuing a Breach of Duty Notice to applying to VCAT for a Compliance Order if the breach continues.	Appendix K
Compliance Letter	This template letter is intended for CHOs to use where a renter has not remedied a Breach of Duty Notice and a VCAT Compliance Order is sought. This letter should accompany the VCAT application sent to the renter.	Appendix L
Notice to Vacate Letter – Breach of Compliance	Intended for CHOs to use alongside the prescribed Notice to Vacate for failure to comply with a Tribunal order and explains the notice, next steps, and support options	Appendix M
Application for Possession Letter – Breach of Compliance	Intended for CHOs to use when applying to VCAT for a Possession Order after a Notice to Vacate for failure to comply with a Tribunal order is sent and explains the next steps and support options.	Appendix N
Successive Breach Flow Chart	Outlines the process from issuing a Breach of Duty Notice to applying to VCAT when there have been successive breaches.	Appendix O
Notice to Vacate Letter – Successive Breaches	Intended for CHOs to use alongside the prescribed Notice to Vacate for successive breaches by renter and explains the notice, next steps, and support options	Appendix P
Application for Possession Letter – Successive Breaches	A template letter for CHOs when applying to VCAT for a Possession Order after a Notice to Vacate for successive breaches by renter is sent and explains the next steps and support options.	Appendix Q
Communication Plan Procedure	Developed to support CHOs in managing communication where a renter, resident, applicant, complainant or other service user's contact has become unsafe, unreasonable or difficult to manage. The procedure provides a framework for assessing, approving, implementing and reviewing Communication Plans while maintaining access to services and support.	Appendix R
Communication Plan Approval Form	A template approval form for CHOs to document the assessment, approval and review of a Communication Plan. The form supports consistent decision-making and ensures appropriate consideration of risks, support needs, reasonable adjustments and communication arrangements.	Appendix S
Communication Plan	Developed to assist CHOs to set clear and consistent communication expectations where contact with a renter has become difficult, frequent, or conflictual	Appendix T
Trespass Procedure	The Trespass Procedure has been developed in a generic manner so CHOs can modify the information to suit their organisation. The	Appendix U



	intention of the policy is to outline a CHOs process for formally trespassing a person who is not a renter or authorised occupant.	
Trespass Template	The Trespass Template helps CHOs formally advise a person who is not a renter or authorised occupant that they are not permitted to attend the property or common areas.	Appendix V
Antisocial Behaviour in Social Housing Fact Sheet	The Antisocial Behaviour in Social Housing fact sheet could be included in the tenant's lease sign up pack. It can also be sent to tenants along with a warning letter, breach letter and/or strike notice relating to antisocial behaviour complaints against them. The fact sheet may be given to tenants during tenant information sessions and/or tenant forums.	Appendix W
Renter Support Services Information Sheet	The Renter Support Services Information Sheet provides renters with details of legal, advocacy, tenancy, financial and support services they can contact for help with their tenancy.	Appendix X



Appendix A: Antisocial, Destructive or Dangerous Behaviour Policy

[Note: This is a template policy for community housing organisations and should be tailored to the specific needs of the organisation and linked to appropriate policies and procedures.]

Anti-social, Destructive or Dangerous Behaviour Policy

Date created	
Review date	
Reviewed by	

Purpose

The purpose of this policy is to outline [CHOs] process for responding to anti-social, destructive or dangerous behaviour. This policy intends to balance the rights of renters with the rights of neighbours to create positive relationships and build strong communities.

Scope

This policy applies to all long-term properties owned or managed by [CHO].

This policy does not apply to the following housing programs managed by [CHO] [delete or add as appropriate]:

- Temporary or crisis accommodation.

Guiding principles

In applying this policy [CHO] will ensure:

- Eviction is a measure of last resort;
- Decision making is person-centred, and tenancies are sustained where possible;
- Where tenancies are at risk, intervention will occur as early as possible to attempt to rectify any issues;
- Proper consideration is given to the human rights of renters that may be impacted by decisions around evictions, in accordance with the Charter of Human Rights and Responsibilities 2006 (Vic);
- Consistent, fair, and accountable processes are followed, and renters are provided with information about processes that impact their tenancy;
- A commitment to respond to matters that may be family violence related, that is trauma informed and promotes the safety and wellbeing of renters and their families;
- All contractual, legal and regulatory duties are met.



What is anti-social behaviour?

Antisocial behaviour refers to unreasonable behaviour by a renter, resident, household member, or visitor that causes or is likely to cause nuisance, harassment, alarm, distress or safety risks to others, or interferes with their peaceful enjoyment of their home.

Damage to property

Damage can mean defacing, marking, removing a fixed object or safety feature or causing it to be broken. Renters have an obligation to notify [CHO] of any damage to the premises.

Section 61 of the RTA prohibits renters or their visitors from intentionally or negligently damaging rented premises or associated common areas.

Under s91ZI of the RTA, a Notice to Vacate may be served where renters intentionally or recklessly cause serious damage to the premises.

Damage is distinct from 'fair wear and tear', which is deterioration caused by the reasonable use of the property and the impact of natural forces.

[CHO] will investigate responsibility for damage in accordance with the [Renter Related Damage Policy] and [Family Violence Policy].

Dangerous behaviour and serious acts of violence

Serious acts of violence or behaviour which endangers the safety of neighbours, others on the premises, or the rental provider or rental provider's agent, are in breach of the RTA and are behaviours that warrant an immediate response.

Threats and intimidation

Intimidation refers to any act that creates fear of physical or mental harm and can include physical as well as non-physical acts such as yelling, screaming, ridiculing, insulting and hostile physical posturing. It can also include threats of future harm.

Renters have a duty not to threaten or intimidate [CHO] or its staff or contractors. Section 91ZK of the RTA permits the rental provider to issue a Notice to Vacate to a renter where this occurs.

Illegal use

Renters must not use the rented premises or permit their use by any other person for any purpose that is illegal at common law or under an Act.

Section 91ZO of the RTA permits rental providers to issue a Notice to Vacate to a renter where the property is used for an illegal purpose. There must be a connection between the illegal activity and the property, for example, if a property is altered to support illegal drug growth or manufacture.

How is anti-social, destructive or dangerous behaviour investigated?

Investigation and substantiation

To ensure procedural fairness, [CHO] staff will:

1. Notify the renter, either in writing or verbally, of the nature of the alleged breach that may result in a notice or action being taken by [CHO].



2. Inform the renter of the information and evidence gathered that will be used in the making of the decision in relation to their tenancy.
3. Provide the renter with an opportunity to refute the alleged breach or provide a response to the alleged breach, including reasons why a notice should not be issued and allowing the renter to provide supporting evidence, including any evidence related to family violence.
4. Fairly consider any material or information provided by the renter when making a decision.

What actions are taken if allegations are substantiated?

Where [CHO] confirms that a renter has breached their tenancy through behaviour that is anti-social, destructive, or dangerous, all relevant circumstances will be considered to decide the most appropriate response. This includes the safety and quiet enjoyment of neighbours and the community, and the potential impact on any property that may be at risk of damage or being used inappropriately. Considerations include the impact on the renter and their household and each individual's human rights (see [Ending Tenancies Policy] for discussion of relevant human rights). Competing interests will be carefully considered before action is taken in response to a substantiated breach.

Possible responses include:

- Issuing a Breach of Duty notice;
- Applying to VCAT for a compliance or compensation order;
- Issuing a Notice to Vacate;
- Issuing an immediate Notice to Vacate;
- Applying to VCAT for an Order of Possession; or
- Applying to VCAT for a Warrant of Possession.

Breach of Duty notices

Where a renter has breached a duty provision of the RTA, [CHO] may decide to issue a breach of duty notice. The notice is a formal written warning to the renter that their obligations under the RTA have not been met. The notice provides a timeframe for the renter to rectify the breach. If the breach is not fixed within the timeframe, [CHO] can apply to VCAT for a compliance or compensation order.

Successive breaches

Where a renter has breached the same duty provision three times and has been issued with breach of duty notices on the first two occasions, [CHO] may issue a Notice to Vacate on the third breach of that duty. Please refer to the [Ending Tenancies Policy] for further guidance.

Compensation or compliance order

Where a breach notice has not been complied with, [CHO] may make an application to VCAT for a compensation or compliance order.

A compensation order will require the renter to pay for any costs associated with remedying the breach. A compliance order requires the renter to comply with their duties under the RTA. If the renter fails to comply with the terms of either order, this may be grounds to issue a Notice to Vacate.



Notice to Vacate

Where there are grounds under the RTA and [CHO] has considered the relevant human rights impacts, [CHO] may issue a Notice to Vacate to a renter. Each Notice to Vacate will specify the grounds for termination of the tenancy agreement and provide a notice period for the renter to vacate the property.

Eviction is treated as a measure of last resort and may often be avoided by providing early intervention and referring renters to appropriate support services. Refer to the [Ending Tenancies Policy] for further guidance.

Support services

When responding to anti-social, destructive or dangerous behaviour, [CHO] will assess what appropriate support services may assist renters to prevent tenancy breaches, respond to allegations, and provide support to sustain their tenancy.

This may include referrals to:

- Community legal centres;
- Specialist tenancy support and advocacy services;
- Financial counselling services;
- Community based mental health services; or
- Disability support services.

A list of relevant services and contact details are available [\[here\]](#).

Related policies

[Insert a description of relevant policies, for example those relating to ending tenancies, privacy and information sharing, family violence, human rights].

Legislation and standards

This policy implements [CHOs] obligations under the:

- Residential Tenancies Act 1997 (Vic)
- Housing Act 1983 (Vic)
- Charter of Human Rights and Responsibilities Act 2006 (Vic)
- Performance Standards for Registered Housing Agencies.

Transparency and accessibility

This policy is made available on the [CHO] website [\[www.cho.org.au/policy\]](http://www.cho.org.au/policy).

Definitions

In this policy:



Breach of duty	Failure to meet a requirement of the RTA that is classed as a duty provision (a provision which has specific legislative requirements and consequences for either the renter or rental provider).
Breach of duty notice	A notice served to a renter or rental provider to inform them that their behaviour has caused them to breach one of more of the duty provisions of the RTA.
Compliance order	A VCAT order directing the renter or rental provider to comply with the specified provision of the RTA or rental agreement within a specified period of time.
Notice to Vacate (NTV)	A legal notice to a renter advising that the rental provider wants them to vacate the property by a certain date.
Order of possession	An order granted by VCAT giving the rental provider the right to obtain a warrant to regain possession of the property.
Rental agreement	A lease agreement under the RTA, which sets out the rights and duties of the renter and the rental provider.
RTA	The Residential Tenancies Act 1997 (Vic). The principal legislation governing rental housing in Victoria.
VCAT	The Victorian Civil & Administrative Tribunal. A legal institution set up to administer several Acts. For residential tenancies, the Tribunal administers the Residential Tenancies Act 1997.
Warrant of possession	A legal document issued by VCAT authorising the police to proceed with the eviction of a renter from a property.



Appendix B: Incident Diary Sheet

Incident Diary Sheet

Use this diary to record when and how you are affected by each incident

Case reference number (if known):

Person responsible for nuisance/incident (if known):

Your name:

Your address:

Your email address:

Address where nuisance/incident occurred:

Your telephone number:

Consent and Declaration

I have completed this diary truthfully and to the best of my knowledge. I understand that this diary may be shared with relevant partners, legal representatives and agree to provide a witness statement in support of any legal proceedings to address the issues raised.

Signed (Name):

Date:



WHEN? <i>Date & time incident occurred</i>				
DATE	TIME STARTS	TIME FINISHES		
<i>Example: 10.01.26</i>	<i>17:30</i>	<i>23:00</i>	WHO and WHAT and WHERE? (Including address) <i>Very loud music coming from my neighbour's garden at 123, Mary Smith St Smithtown. Bass beat is prominent in every room of my house.</i>	WHY and HOW does this affect you? <i>I can't hear my own TV over the music or escape from the noise anywhere in my house. My son is unable to get to sleep.</i>
<i>Example: 10.01.26</i>	<i>10:05</i>	<i>10.10</i>	<i>When waiting for the lift on my level, the renter from unit 2 came from their unit and was screaming profanities and appeared heightened. The renter kicked the lift doors and shouted "what are you looking at" in my face, before they exited down the stairwell. The renter from unit 4 witnessed the incident.</i>	<i>The incident caused me to feel unsafe and intimidated in my own building. Being shouted at close range and seeing the lift doors kicked made me fear the situation could become physically violent, and I was shaken for the rest of the evening.</i>



WHEN? <i>Date & time incident occurred</i>				
DATE	TIME STARTS	TIME FINISHES		
			WHO and WHAT and WHERE? (Including address)	WHY and HOW does this affect you?



Appendix C: Natural Justice Letter

[Note: This is a template letter for community housing organisations and should be tailored to the specific needs of the organisation and linked to appropriate policies and procedures.]

[Date]

[Renter name]

[Postal address]

[Suburb, State, Postcode]

Dear [Renter name]

Please contact [insert Housing Organisation] to discuss antisocial behaviour allegation

As you may be aware, the following allegation about antisocial behaviour happening at or near your home has been made to [insert Housing Organisation]. The allegation is that on [insert date of allegation]:

[Insert incident details]

To ensure a fair process, we would like to discuss this complaint with you, so you have an opportunity to explain what happened and show us any supporting evidence or other information. You can have a witness or support person attend this discussion with you. If you do not feel comfortable meeting with us and would prefer to be supported by a support worker or an advocate, please refer to information provided at the end of this letter about how you can contact such support services and / or advocacy services. Please let us know if you need assistance to contact these services.

Please contact us on [insert contact number] so we can organise a time with you to have a discussion.

We will take into account your explanation of what happened before we make a decision on whether to take any action against your tenancy. We will let you know what action we may be taking.

You also have legal rights in relation to this allegation. For independent and free advice, you can contact Tenants Victoria Social Housing advice line on 1800 068 860.

If you need help

If you require support or advice, attached is a list of services you can contact. If you need help with a referral, please contact your Tenancy Manager.

[Attach list of services – refer to the CHIA Vic Renter support services information sheet Appendix T]

For more information on antisocial behaviour and your responsibilities as a social housing renter please see the enclosed facts sheet.

[Attach Antisocial Behaviour in Social Housing and Getting Along with Neighbours Fact Sheets– refer to Appendix U and V]

If you have any questions about this letter, please contact your [Tenancy Manager], [Name] on [contact number].

Yours sincerely,

[Insert your name]



[Insert HOUSING ORGANISATION]

*If you have difficulty understanding English, please contact the Translating and Interpreter Service (TIS National) on 131 450 and they will telephone **[insert Housing Organisation]** for you at no cost.*



Appendix D: Warning Letter

[Note: This is a template letter for community housing organisations and should be tailored to the specific needs of the organisation and linked to appropriate policies and procedures.]

[Date]

[Renter name]
[Postal address]
[Suburb, State, Postcode]

Dear [Renter name]

RE: Antisocial Behaviour Warning Notice

On [insert date] we discussed an allegation that the following antisocial behaviour took place at or near your home. We have completed an investigation into this allegation, and we are satisfied that the following incident/s did occur:

[Insert incident details]

This incident is a breach of the following section/s of the Residential Tenancies Act:

[insert RTA section number, eg Section 60 Renter must not cause nuisance or interference]

What this warning notice means

The warning notice is to provide you with the opportunity to change your behaviour. If there are no further incidents of anti-social behaviour over the next 12 months, no further action will be taken.

What you need to do

- To prevent any further action being taken against your tenancy, you need to stop the unacceptable behaviour outlined above.

Any further incidents of antisocial behaviour at your home may result in a Breach of Duty Notice being issued or action being taken through the Victorian Civil and Administrative Tribunal to end your tenancy. We do not want this to happen and would like to assist you to be able to continue with your tenancy.

If you need help

If you require support or advice, attached is a list of services you can contact. If you need help with a referral, please contact your Tenancy Manager.

[Attach list of services – refer to the CHIA Vic Renter support services information sheet Appendix X]

For more information on antisocial behaviour and your responsibilities as a social housing renter please see the enclosed facts sheet.

[Attach Antisocial Behaviour in Social Housing and Getting Along with Neighbours Fact Sheets– refer to Appendix U and V]

If you have any questions about this letter, please contact your [Tenancy Manager], [Name] on [contact number].

Yours sincerely,



[Insert your name]

[Insert HOUSING ORGANISATION]

*If you have difficulty understanding English, please contact the Translating and Interpreter Service (TIS National) on 131 450 and they will telephone **[insert Housing Organisation]** for you at no cost.*



Appendix E: Behaviour Agreement

[Note: This is a template for community housing organisations and should be tailored to the specific needs of the organisation and linked to appropriate policies and procedures.]

BEHAVIOUR AGREEMENT

This Behaviour Agreement is made between:

Housing Provider:

[Community Housing Organisation Name]

Renter:

[Full name/s of renter/s]

Property address:

[Address]

Date of Agreement:

[Date]

Purpose of this agreement

The purpose of this Behaviour Agreement is to clearly outline expectations regarding behaviour at the property and to support the renter to sustain their tenancy while ensuring the safety, wellbeing, and quiet enjoyment of neighbours, visitors, staff, and the wider community.

This agreement has been developed with the renter in response to reported and investigated concerns about behaviour at or near the property. It is intended to support positive change and prevent further issues.

Behaviour of concern

The following behaviours have been identified as causing concern:

- [Brief factual description of behaviour – e.g. repeated loud noise late at night]
- [e.g. swearing and intimidating behaviour towards contractors]
- [e.g. graffiti to common areas]

Expected Behaviour Going Forward

The renter agrees to:

- [Insert desired behaviour – e.g. ensure noise levels are reasonable and do not interfere with others' quiet enjoyment]
- [e.g. avoid behaviour that causes fear, intimidation distress or harm to others]
- [e.g. take reasonable steps to prevent household members or visitors from engaging in antisocial behaviour]
- [e.g. comply with all tenancy obligations and house rules]

Support and Actions

The Housing Provider agrees to:



- Discuss concerns openly with the renter
- Provide information about relevant supports where appropriate, including:
- [e.g. support services, mediation, referrals]
- Review progress with the renter during the agreement period

The renter agrees to engage with the following actions or supports (where applicable):

- [e.g. referral to support service]
- [e.g. attend mediation]
- [e.g. limit visitors / change routine]

Monitoring and Review

- This referral will be reviewed on or before: [review date]
- Behaviour during this period will be monitored through reports, observations or further contact
- The agreement may be updated by mutual agreement if circumstances change

Consequences of Non-Compliance

The renter understands that:

- This agreement does not replace tenancy obligations under the Residential Tenancies Act
- If the behaviour continues or escalates, [insert CHO name] may take further action, which may include:
- Issuing a formal Breach of Duty Notice, or
- Applying to VCAT for Compliance, or
- Sending a Notice to Vacate and applying to VCAT to end the tenancy
- Any action taken will be proportionate and based on evidence

Acknowledgement

This Behaviour Agreement has been discussed and developed with the renter. The renter understands the expectations outlined and has been given the opportunity to ask questions.

Signing this agreement does not mean that the renter agrees with all allegations but confirms that they understand the expectations moving forward.

Signatures

Renter:

Name: _____

Signature: _____

Date: _____

[Insert CHO Name] Representative:

Name: _____

Position: _____

Signature: _____

Date: _____



Appendix F: Breach of duty Reasons – Residential rental agreements

'Duty Provisions' under [s208](#) of the Residential Tenancies Act 1997 (Vic) (RTA) are specific duties renters must meet. Where there is a breach of these provisions, the other party may issue a Breach of Duty Notice which serves as a formal warning and if the issue is not rectified it can enable either party to apply to the Victorian Civil & Administrative Tribunal (VCAT) to obtain a compliance order, compensation order, or both.

Where successive breaches have occurred, on the third occasion a rental provider may issue a Notice to Vacate under [s91ZP](#).

A breach of duty notice must be in writing and specify:

- Which duty was breached;
- The loss or damage caused by the breach;
- The required time for the breach to be remedied or to compensate for the loss or damage;
- That a similar breach must not happen again;
- That if the notice is not complied with, an application can be made to VCAT for a compliance or compensation order.

A [Notice of breach of duty to renter/s of rented premises](#) is available for download from the Consumer Affairs Victoria (CAV) website.

Rental providers can only issue a breach for certain reasons. Below provides a summary of the reasons and the required timeframes to remedy the breach.

RTA section	Reason	Timeframe to remedy the breach
s60(1)	Nuisance You have used the premises or permitted their use in a way that caused a nuisance.	7 days
s60(2)	Interference with peace You have used, or permitted others to use, the premises or common areas in a way that caused interference with the reasonable peace, comfort or privacy of neighbours.	7 days
s61(1)(a)	Damaged premises You or your visitor have intentionally or negligently caused damage to the premises. Note: This does not include fair wear and tear.	14 days



<u>s61(1)(b)</u>	Damaged common areas You or your visitor have intentionally or negligently caused damage to the common areas.	14 days
<u>s63</u>	Unclean premises You have not kept the premises reasonably clean.	14 days
<u>s63A(1)</u>	Safety device You have removed, deactivated or interfered with a safety device, which was not reasonable in the circumstances to do. <i>Note: The prescribed safety devices are listed at r 25 of the Residential Tenancies Regulations 2021, and include smoke alarms, pool barriers, fire equipment and emergency lighting.</i>	14 days
<u>s63A(2) and (3)</u>	Safety device You have not undertaken the safety-related activities required in your rental agreement, and/or you have not used a suitably qualified person <i>Note: This obligation will only apply if the 'safety-related activities' clause under s 27C is in the terms of the rental agreement you signed after 29 March 2021.</i>	14 days
<u>s64(1A)(a)</u>	Fixtures without consent You have installed fixtures on the premises without my written consent.	14 days
<u>s64(1A)(b)</u>	Alterations without consent You have made alterations, renovations or additions to the premises that are not prescribed modifications under the Act without my written consent. <i>The alterations that do not require consent are listed at r 26 of the Residential Tenancies Regulations 2021, and include picture hooks on some wall surfaces, LED light globes, blinds, doorbells, child safety locks, etc with some restrictions. You can access the list here: Renters making changes to the property - Consumer Affairs Victoria.</i>	14 days
<u>s64(2)</u>	Failure to restore premises	14 days



- | | | |
|--|--|--|
| | <ul style="list-style-type: none">• 86(1)(f)–you did not permit a person exercising a right of entry to enter the premises to inspect them, where entry for that purpose has not been made within the last 6 months. | |
|--|--|--|

Please note – the required time within which the renter must comply is 14 days after this notice is received. You must circle the 14 day row in section 4 above for this notice to be valid.

Further Assistance

Should you have any questions or comments in relation to the information in this resource please email leadingpractice@chiavic.com.au.

This resource will be periodically reviewed and continually updated based on sector feedback.



Appendix G: Breach of duty reasons - Rooming house agreements

'Duty Provisions' under [s208](#) of the Residential Tenancies Act 1997 (Vic) (RTA) are specific duties renters must meet. Where there is a breach of these provisions, the other party may issue a Breach of Duty Notice which serves as a formal warning and if the issue is not rectified it can enable either party to apply to the Victorian Civil & Administrative Tribunal (VCAT) to obtain a compliance order, compensation order, or both.

Where successive breaches have occurred, on the third occasion a rooming house operator may issue a Notice to Vacate under [s142ZH](#).

A breach of duty notice must be in writing and specify:

Which duty was breached;

The loss or damage caused by the breach;

The required time for the breach to be remedied or to compensate for the loss or damage;

That a similar breach must not happen again;

That if the notice is not complied with, an application can be made to VCAT for a compliance or compensation order.

A [Notice of breach of duty to rooming house resident](#) is available for download from the Consumer Affairs Victoria (CAV) website.

Rooming house operators can only issue a breach for certain reasons. Below provides a summary of the reasons and the required timeframes to remedy the breach.

RTA section	Reason	Timeframe to remedy the breach
s110	Non-residential use You have used the room for a purpose other than a residential purpose.	3 days
s112	Unpaid rent You have not paid the rent on the due date and/or in the agreed manner.	3 days



<u>s113</u>	Interference with peace You have interfered, or allowed your visitor to interfere with, the privacy and peace and quiet of other residents or their proper use and enjoyment of the rooming house.	3 days
<u>s114(1)</u>	Room in poor condition You have not kept the room in a reasonably clean condition.	3 days
<u>s114(2)</u>	Room left in poor condition You did not leave your room reasonably clean and in the same condition as when you entered into occupation of the room, taking into account fair wear and tear.	3 days
<u>s114A</u>	Interference with a safety device You have removed, deactivated or interfered with a prescribed safety device in the rooming house, which was not reasonable to do so in the circumstances.	3 days
<u>s115</u>	Modifications without consent You have installed a fixture in the room or rooming house without my prior written consent.	3 days
<u>s116(1)</u>	Unreported damage caused by resident You or your visitor caused damage other than fair wear and tear to the room or the rooming house, and you did not notify and compensate me.	3 days



<u>s116(2)</u>	Unreported damage or breakdown You did not report damage to a room or damage to, or breakdown of, facilities, fixtures, furniture or provided equipment of which you had knowledge.	3 days
<u>s117</u>	Animal without consent You kept an animal at the rooming house without my consent.	3 days
<u>s118</u>	Failure to supply key You failed to give me a key to the door of your room to allow access as permitted by the Act.	3 days
<u>s119</u>	Failed to observe house rules You failed to observe house rules made in accordance with the Act. The house rule(s) you did not observe is/are: Note: write the rule in section 4 or attach to this notice.	3 days
<u>s140</u>	Refusal to permit entry 137(a)–you did not permit a person exercising a right of entry to enter the room to show the room to a prospective resident. 137(b)–you did not permit a person exercising a right of entry to enter the room to show the rooming house to a prospective buyer or lender.	3 days



	137(c)–you did not permit a person exercising a right of entry to enter the room to enable the rooming house operator to carry out their duties under the Act or any other Act. 137(d)–you did not permit a person exercising a right of entry to enter the room upon believing on reasonable grounds that you had failed to comply with your duty as a resident. 137(e)–you did not permit a person exercising a right of entry to enter the room to inspect the room, where entry for that purpose has not been made within the last 4 weeks. Note – the rooming house operator should refer to section 137 to ensure that you have a right of entry.	
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Further Assistance

Should you have any questions or comments in relation to the information in this resource please email leadingpractice@chiavivc.com.au.

This resource will be periodically reviewed and continually updated based on sector feedback.



Appendix H: Notice to vacate reasons – Residential rental agreements

A notice to vacate (NTV) must be in the prescribed form as detailed in [Regulation 37](#), Schedule 1 [Form 6](#) for general tenancies. A [Notice to vacate to renter of rented premises](#) is available for download from the Consumer Affairs Victoria (CAV) website.

Under [s91ZZO](#) of the Residential Tenancies Act 1997 (Vic) (RTA), a NTV is not valid unless it is:

- Addressed to the renter (minor spelling mistakes have been found to invalidate the NTV);
- Signed by the rental provider;
- Specifies the reason/s for giving the notice;
- Provided in accordance with the required notice period;
- Specifies a termination date.

Notices issued under certain provisions must also be accompanied by documentary evidence. If a NTV requires specific evidence that is not provided, the notice will be invalid.

Rental providers can only give notice for certain reasons. Below provides a summary of the reasons, minimum notice periods, and documentary evidence requirements.

RTA section	Reason	Minimum notice period
s91ZX	Repairs or renovations I intend to repair, renovate or reconstruct the premises immediately after you vacate. This work cannot be done while you are living there. I have all the necessary permits and consents. Note: This notice cannot be used to shorten the length of your fixed term agreement.	90 days



	Documentary evidence is required to support this notice Both of the following: • Photographic proof that repairs are required; and • Contract with, or quotation from, a suitably qualified tradesperson for carrying out planned repairs, stating: 1. the nature of the repairs required, 2. the reasons why the premises need to be vacated by the renter in order to carry out the repairs, and 3. an estimate of the length of time it will take to complete the repairs. Or the following: • Building permit for repairs or renovation.	
s91ZY	Demolition I intend to demolish the premises immediately after you vacate. This work cannot be done while you are living there. I have all the necessary permits and consents for the demolition. Note: This notice cannot be used to shorten the length of your fixed term agreement. <i>The rental provider must not re-let the premises to a person for use primarily as a residence before the end of 6 months after the date on which notice was given, unless approved by VCAT.</i>	90 days



	Documentary evidence is required to support this notice Both of the following: • Building permit for demolition; and • Contract with a suitably qualified Builder-demolisher, stating the date that demolition will occur.	
s91ZZ	Change of use I intend to use the premises for the purposes of a business or some other purpose. Note: This notice cannot be used to shorten the length of your fixed term agreement. Documentary evidence is required to support this notice The following: • A witnessed <u>Statutory Declaration</u> of intention to use the premises for business purposes, including details of the particular business and stating that the premises will not be re-let as a residence before the end of 6 months after the date the notice was given. And one or more of the following: • the ABN of the business; or • Business registration or license; or • Council planning permit.	90 days
s91ZZB	Premises to be sold	90 days



	The premises are to be sold or offered for sale with vacant possession, or I have entered into a contract of sale for the premises. Under the Act I am required to provide you with this notice within 14 days of the contract being entered into, or the last of the conditions of the sale being finalised (if it is a conditional contract). Note: This notice cannot be used to shorten the length of your fixed term agreement. <i>The rental provider must not re-let the premises to a person for use primarily as a residence before the end of 6 months after the date on which notice was given, unless approved by VCAT.</i> Documentary evidence is required to support this notice One of the following: • Contract of sale, signed by the vendor and purchaser and dated; or • Contract of engagement/authority to sell with a licensed estate agent; or • Preparation of a contract of sale prepared by a conveyancer or an Australian legal practitioner.	
s91ZZC	Required for public purposes The premises which you are occupying are the property of a public statutory authority and they are required for public purposes immediately after the termination date. Note: This notice cannot be used to shorten the length of your fixed term agreement. Documentary evidence is required to support this notice One of the following:	90 days



	• Provision of acquisition details (public information); or • Compulsory letter of acquisition from the government.	
s91ZZK	Mortgagee's possession I am the mortgagee of the rented premises and I am entitled to possession of the rented premises and intend to exercise a power of sale.	60 days
s91ZI	Damage to the premises You or your visitor have (by act or omission) intentionally or recklessly caused serious damage to the premises, including any safety equipment, or to any common areas.	Immediate
s91ZJ	Danger to others You or your visitor have endangered the safety of neighbours, myself, my agent, my contractor or my employee.	Immediate
s91ZK	Threats and intimidation You or another person occupying the premises has seriously threatened or intimidated me, my agent, my contractor or my employee.	14 days
s91ZL	Condition of premises The premises are unfit for human habitation, destroyed totally, or destroyed to the extent that they are unsafe.	Immediate



<u>s91ZM</u>	Non-payment of rent You now owe at least 14 days rent. The amount owing is: [insert amount owing] At the date of this notice your rent is paid up to: [insert date] This is notice number If this is notice 1, 2, 3 or 4 and you pay your rent before the termination, then this notice will have no effect. If this is notice number 5 or you do not pay your rent then you must vacate on or before the termination date or your rental provider may apply to VCAT to evict you.	14 days
<u>s91ZN</u>	Unpaid bond You have not paid the bond required under the rental agreement.	14 days
<u>s91ZO</u>	Failure to comply with a VCAT order You have failed to comply with a compliance order of the VCAT under s212 of the Act.	14 days
<u>s91ZP</u>	Successive breaches of your duty as a renter You have breached a duty owed under a duty provision within Part 5 of the Act. This is a duty that you have previously breached two or more times, and you have been given a breach of duty notice for each breach.	14 days
<u>s91ZQ</u>	Use for illegal purposes You have used the premises, or permitted their use, for an illegal purpose.	14 days



<u>s91ZT</u>	Child residing on premises You have allowed a child under 16 years to live on the premises contrary to the rental agreement. As stated in the rental agreement under 'List of additional terms', the premises are not to be occupied by a child under 16 years.	14 days
<u>s91ZV</u>	Assignment or subletting without consent You have assigned or sublet part or all the premises without my permission (or purported to do so).	14 days
<u>s91ZZG</u>	Pet kept on premises You are keeping a pet on the premises without consent. VCAT made an order excluding the pet from the premises on 14 or more days have passed since that order was in effect and you have not complied with that order.	28 days
<u>s91ZZEA</u>	Renter no longer meets eligibility for National Rental Affordability Scheme You are in rented premises under the National Rental Affordability Scheme (NRAS) however you no longer meet the eligibility criteria for NRAS.	90 days
<u>s91ZZEB</u>	Renter no longer meets eligibility for Victorian Affordable Housing Programs You are in rented premises provided under the Victorian Affordable Housing Programs (VAHP) however you no longer meet the eligibility criteria for VAHP.	90 days
<u>s91ZR</u>	Drug related conduct in public housing	14 days



	You have used the premises (or common area) to engage in drug related activity. This provision is not applicable to community housing <i>This reason relates to public housing and cannot be used by community housing organisations.</i>	
<u>s91ZS</u>	Prescribed indictable offences in public housing You have committed a prescribed indictable offence on the rented premises (or common area). This provision is not applicable to community housing <i>This reason relates to public housing and cannot be used by community housing organisations.</i>	14 days
<u>s91ZU</u>	False statement to housing authority You knowingly gave false or misleading information relating to eligibility to rent the premises from a public statutory authority. This provision is not applicable to community housing <i>This reason relates to public housing and cannot be used by community housing organisations.</i>	14 days
<u>s91ZZE</u>	Transitional housing refuses alternative accommodation You are in transitional housing and you are required to seek alternative housing according to the requirements of the Director of Housing, published on You have unreasonably refused to seek alternative housing or refused a reasonable offer of alternative accommodation. This provision is not applicable	30 days



	For this section to be used, Homes Victoria must publish the criteria in the Government Gazette for renters of transitional housing to seek alternative accommodation. These criteria have not been published therefore <u>a notice cannot be served</u> under this section.	
s91ZZE	Renter no longer meets eligibility for public housing You are in public housing however you no longer meet the eligibility criteria for public housing. This provision is not applicable to community housing <i>This reason relates to public housing and cannot be used by community housing organisations.</i>	90 days

Further Assistance

Should you have any questions or comments in relation to the information in this resource please email leadingpractice@chiavic.com.au.

This resource will be periodically reviewed and continually updated based on sector feedback.



Appendix I: Notice to vacate - Rooming house agreements

A notice to vacate (NTV) must be in the prescribed form as detailed in [Regulation 52](#), Schedule 1 [Form 11](#) for rooming houses. A [Notice to vacate to resident/s of a rooming house](#) is available for download from the Consumer Affairs Victoria (CAV) website.

Under [s142ZT](#) of the Residential Tenancies Act 1997 (Vic) (RTA), a NTV is not valid unless it is:

- Addressed to the resident (minor spelling mistakes have been found to invalidate the NTV);
- Signed by the rooming house operator;
- Specifies the reason/s for giving the notice;
- Provided in accordance with the required notice period;
- Specifies a termination date.

Notices issued under certain provisions must also be accompanied by documentary evidence. If a NTV requires specific evidence that is not provided, the notice will be invalid.

Rooming house operators can only give notice for certain reasons. Below provides a summary of the reasons, minimum notice periods, and documentary evidence requirements.

RTA section	Reason	Minimum notice period
s142ZA	End of fixed term rooming house agreement We have a fixed term rooming house agreement which ends on or before the termination date outlined below. This fixed term rooming house agreement is not being renewed. You must vacate the premises on or before that date. Note: This notice cannot be used to shorten the length of your fixed term agreement.	28 days
s142ZB	Damage	Immediately



	You or your visitor have act or omission intentionally or recklessly caused or allowed serious damage to the rooming house or a common area.	
s142ZC	Danger You or your visitor have caused by act or omission danger to: • another resident in the rooming house • an occupier of a neighbouring property • me/my manager/my manager's contractor/my manager's employee. Note: This notice may not be given if a notice to leave under s368 has been given in respect of the same act or omission.	Immediately
s142ZD	Threats and intimidation You or your visitor have seriously threatened or intimidated me, my manager, my contractor or my employee.	14 days
s142ZE	Disruption of peace You or your visitor have seriously disrupted the quiet and peaceful enjoyment of the rooming house by other residents.	Immediately
s142ZF	Non-payment of rent You owe at least 7 days rent.	2 days



	Rent is \$..... per week Money on account is Date rent paid to Amount you owe	
<u>s142ZG</u>	Failure to comply with a VCAT order You have failed to comply with a compliance order of the VCAT under s212 of the Act.	2 days
<u>s142ZH</u>	Successive breaches of your duty You have breached a duty owed under a duty provision within Part 5 of the Act. This is a duty that you have previously breached two or more times, and you have been given a breach of duty notice for each breach.	2 days
<u>s142ZI</u>	Use for illegal purposes You have used the room, or permitted its use, for an illegal purpose.	2 days
<u>s142ZJ(1)</u>	Premises to be sold The rooming house is to be sold or offered for sale with vacant possession immediately after the termination date. Note: This notice cannot be used to shorten the length of your fixed term agreement. Documentary evidence is required to support this notice	90 days



	One of the following: • Contract of sale, signed by the vendor and purchaser and dated; or • Contract of engagement/authority to sell with a licensed estate agent; or • Preparation of a contract of sale prepared by a conveyancer or an Australian legal practitioner.	
s142ZJ(2)	285(1B) Premises to be sold (conditional contract) The last of the conditions of a conditional contract for the sale of the premises was satisfied on: Date Note: This notice must be given within 14 days after the last condition is satisfied. Note: This notice cannot be used to shorten the length of your fixed term agreement. Documentary evidence is required to support this notice One of the following: • Contract of sale, signed by the vendor and purchaser and dated; or • Contract of engagement/authority to sell with a licensed estate agent; or • Preparation of a contract of sale prepared by a conveyancer or an Australian legal practitioner.	90 days
s142ZJ(3)	Premises to be sold (unconditional contract)	90 days



	An unconditional contract for the sale of the premises was entered into on: Date Note: This notice must be given within 14 days after an unconditional contract of sale is entered into. Note: This notice cannot be used to shorten the length of your fixed term agreement. Date Documentary evidence is required to support this notice One of the following: • Contract of sale, signed by the vendor and purchaser and dated; or • Contract of engagement/authority to sell with a licensed estate agent; or • Preparation of a contract of sale prepared by a conveyancer or an Australian legal practitioner.	
<u>s142ZP</u>	Notice by mortgagee I am the mortgagee, entitled to possession of, or to exercise a power of sale in respect of, the rooming house. Note: Notice under this section must expire before the mortgagee can apply to VCAT for a possession order.	90 days
<u>s142ZK</u>	Repairs or demolition	90 days



	The rooming house is to be repaired, renovated, reconstructed, or demolished immediately after the termination date and this cannot be done while you are living there. I have all the necessary permits and consents and the work cannot be carried out unless you vacate. Note: If the proposed repairs will only affect some rooms in a rooming house, the operator must not give a notice to vacate unless the resident has been offered an equivalent room in the rooming house and it has been refused. Note: This notice cannot be used to shorten the length of your fixed term agreement. Documentary evidence is required to support this notice Both of the following: • Planning permit for demolition; and • Contract with a suitably qualified Builder-demolisher, stating the date that demolition will occur.	
s142ZN	Transitional housing – refusal of alternative accommodation You are in transitional housing and you are required to seek alternative housing according to the requirements of the Director of Housing, published on: Date You have unreasonably refused to seek alternative housing or refused a reasonable offer of alternative accommodation. This provision is not applicable <i>For this section to be used, Homes Victoria must publish the criteria in the Government Gazette for renters of transitional housing to seek alternative accommodation. These criteria have not been published therefore <u>a notice cannot be served</u> under this section.</i>	30 days



<u>s142ZO</u>	End of building lease I am the owner of the building, and it is no longer being operated as a rooming house. Note: There are several conditions which must be met in relation to this notice to vacate. Please refer to the Consumer Affairs Victoria website.	45 days or end of building lease
<u>s142ZQ</u>	Tribunal order I am giving you notice to vacate because the VCAT has made an order requiring me to serve the notice. Reason for VCAT order Number of days you have to vacate..... (Please insert the number of days that the VCAT order indicates as the minimum notice period.)	As indicated on VCAT order
<u>s142ZR</u>	No licence to operate I am giving you notice to vacate because I have no licence to operate a rooming house.	120 days

Further Assistance

Should you have any questions or comments in relation to the information in this resource please email leadingpractice@chiavvic.com.au.

This resource will be periodically reviewed and continually updated based on sector feedback.



Appendix J: Breach of Duty Letter

[Note: This is a template letter for community housing organisations and should be tailored to the specific needs of the organisation and linked to appropriate policies and procedures.]

[Date]

[Renter name]

[Postal address]

[Suburb, State, Postcode]

Dear [Renter name]

RE: Breach of Duty - [insert section of RTA]

On [insert date] we discussed an allegation that the following antisocial behaviour took place at or near your home. We have completed an investigation into this allegation, and we are satisfied that the following incident/s did occur:

[Insert incident details]

This incident is a breach of the following section/s of the Residential Tenancies Act:

[insert RTA section number, eg Section 60 Renter must not cause nuisance or interference]

This notice is to inform you that we have issued a Breach of Duty. This is your [insert breach number eg 1st/2nd]

What this means for your tenancy.

If another Breach of Duty for the same reason occurs, we may apply to VCAT for a Compliance Order.

If three successive Breaches of Duty occur for the same reason, we may send you a Notice to Vacate and apply to VCAT to end your tenancy. We do not want this to happen and would like to assist you to be able to continue with your tenancy.

How you can prevent further action being taken

To prevent any further action being taken against your tenancy, you need to:

- stop the unacceptable behaviour outlined above, and
- make sure there aren't any further incidents of any type of antisocial behaviour at your home.

Any further incidents of antisocial behaviour at your home may result in another Breach of Duty Notice being issued or action being taken through the Victorian Civil and Administrative Tribunal to seek compliance. We do not want this to happen and would like to assist you to be able to continue with your tenancy.

If you need help

If you require support or advice, attached is a list of services you can contact. If you need help with a referral, please contact your Tenancy Manager.

[Attach list of services – refer to the CHIA Vic Renter support services information sheet Appendix X]

If you have any questions about this letter, please contact your [Tenancy Manager], [Name] on [contact number].



Yours sincerely,

[Insert your name]

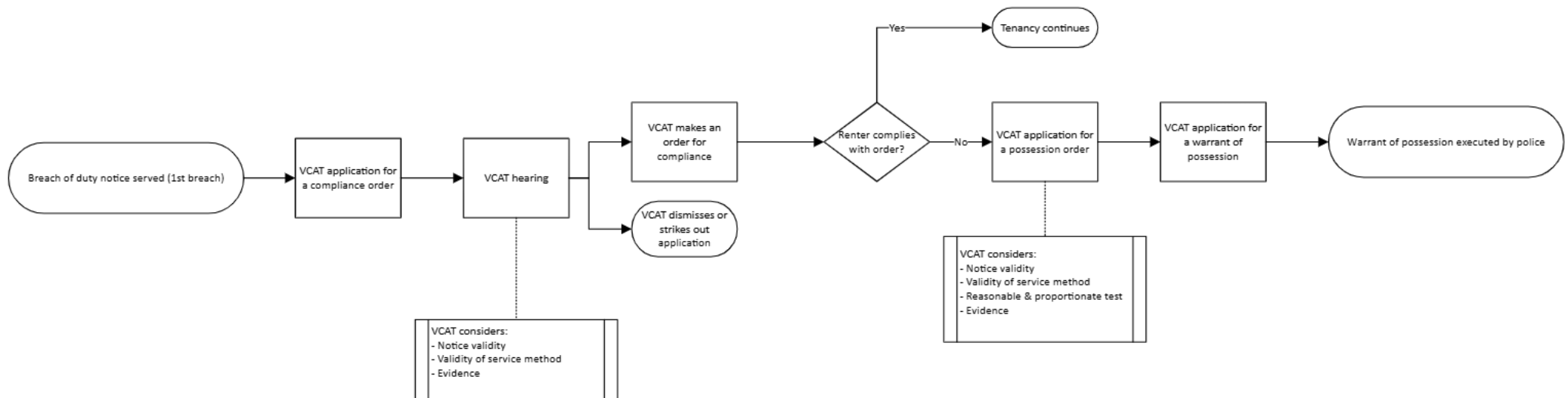
[Insert HOUSING ORGANISATION]

*If you have difficulty understanding English, please contact the Translating and Interpreter Service (TIS National) on 131 450 and they will telephone **[insert Housing Organisation]** for you at no cost.*



Appendix K: Application to VCAT for an order of possession process (breach of compliance)

Below is a flow chart of the process steps for an application to VCAT seeking an order of possession for breach of compliance. Community housing providers seek to sustain tenancies wherever possible, and eviction is always only a measure of last resort.



Appendix L: Compliance Letter

[Note: This is a template letter for community housing organisations and should be tailored to the specific needs of the organisation and linked to appropriate policies and procedures.]

[Date]

[Renter name]

[Postal address]

[Suburb, State, Postcode]

Dear [Renter name]

RE: Application to VCAT for a Compliance Order

On [insert date(s)], we issued you with a Breach of Duty Notice in the relation to the following incident:

[Insert incident of previous breach]

This behaviour was identified as a breach of the following section/s of the Residential Tenancies Act:

[insert RTA section number, eg Section 60 Renter must not cause nuisance or interference]

Why we are taking this step

Since the above incident, there has been another Breach of Duty of **[insert RTA section number, eg Section 60 Renter must not cause nuisance or interference]**.

[Insert incident of new breach]

Based on this information, we are satisfied that the breach has not been remedied and/or the behaviour has continued.

As a result, we have applied to the Victorian Civil and Administrative Tribunal (VCAT) for Compliance Order.

What a Compliance Order Means

A Compliance Order is a direction from VCAT requiring you to comply with your duties under the Residential Tenancies Act.

If VCAT makes this order, you will be required to:

- stop the behaviour outlined above, and
- comply with your tenancy obligations in the future

If the behaviour continues after a Compliance Order is made, we may apply to VCAT for further action, which may include a Notice to Vacate and an application to end your tenancy.

We do not want this to happen and would like to support you to sustain your tenancy.

What happens next

VCAT will review the application and send you a Notice of Hearing, telling you when and where your hearing will take place.



It is important that you attend the hearing so that you can have your say. If you do not attend, VCAT can proceed with making a decision in your absence.

If you need help

If you require support or advice, attached is a list of services you can contact. If you need help with a referral, please contact your Tenancy Manager.

[Attach list of services – refer to the CHIA Vic Renter support services information sheet Appendix X]

If you have any questions about this letter, please contact your [Tenancy Manager], [Name] on [contact number].

Yours sincerely,

[Insert your name]

[Insert HOUSING ORGANISATION]

If you have difficulty understanding English, please contact the Translating and Interpreter Service (TIS National) on 131 450 and they will telephone [insert Housing Organisation] for you at no cost.



Appendix M: Notice to Vacate Renter Cover Letter (breach of compliance)

[Note: This is a template letter for community housing organisations and should be tailored to the specific needs of the organisation and situation and linked to appropriate policies and procedures].

[Date]

[Renter name]

[Postal address]

[Suburb, State, Postcode]

Dear [Renter]

Re: [Reason for notice]

As you are aware, a Compliance Order was made by VCAT on [date] requiring you to [details of compliance requirements].

Unfortunately, this order has not been complied with. As a result, we are now issuing you with a Notice to Vacate, as enclosed with this letter.

We understand that this is a serious and distressing matter. Issuing a Notice to Vacate is always a last resort.

If you believe there are reasons why this matter should be reviewed or reconsidered, or if your circumstances have changed in a way that may affect the situation, please contact us as soon as possible.

What happens next?

We have served this Notice as we intend to apply to the Victorian Civil & Administrative Tribunal (VCAT) for a possession order for the rental premises.

Please contact your [Tenancy Manager] worker to discuss:

- Alternative options to rectify the issue.
- Referral options if you need assistance or other support.
- Any personal circumstances affecting your ability to comply with your tenancy obligations.

You can contact your [Tenancy Manager], [Name] on [contact details].

Yours sincerely,

[Insert your name]

[Insert HOUSING ORGANISATION]

If you have difficulty understanding English, please contact the Translating and Interpreter Service (TIS National) on 131 450 and they will telephone [insert Housing Organisation] for you at no cost.



Appendix N: Application to VCAT for possession renter cover letter (breach of compliance)

[Note: This is a template letter for community housing organisations and should be tailored to the specific needs of the organisation and linked to appropriate policies and procedures].

[Date]

[Renter name]

[Postal address]

[Suburb, State, Postcode]

Dear [Renter]

Re: [Reason for application] – Application to VCAT

We are writing to you about [breach of VCAT compliance order tenancy issue].

You were sent a Notice to Vacate on [date of notice]. A copy of the notice is enclosed.

We are writing to inform you that an application has been made to the Victorian Civil & Administrative Tribunal (VCAT) for a hearing. A copy of the application is enclosed.

What happens next?

VCAT will review the application and send you a Notice of Hearing, telling you when and where your hearing will take place.

It is important that you attend the hearing so that you can have your say. If you do not attend, VCAT can proceed with making a decision in your absence.

If you need help

If you require support or advice, attached is a list of services you can contact. If you need help with a referral, please contact your Tenancy Manager.

[Attach list of services – refer to the CHIA Vic Renter support services information sheet Appendix X]

If you have any questions about this letter, please contact your [Tenancy Manager], [Name] on [contact number].

Yours sincerely,

[Insert your name]

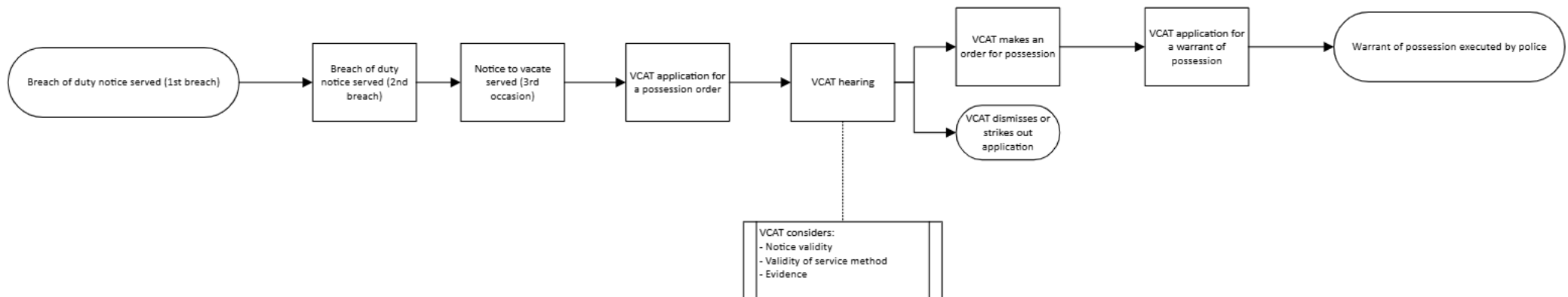
[Insert HOUSING ORGANISATION]

*If you have difficulty understanding English, please contact the Translating and Interpreter Service (TIS National) on 131 450 and they will telephone **[insert Housing Organisation]** for you at no cost.*



Appendix O: Application to VCAT for an order of possession process (successive breaches)

Below is a flow chart of the process steps for an application to VCAT seeking an order of possession for successive breaches. Community housing providers seek to sustain tenancies wherever possible, and eviction is always only a measure of last resort.



Appendix P: Notice to Vacate Renter Cover Letter (successive breaches)

[Note: This is a template letter for community housing organisations and should be tailored to the specific needs of the organisation and situation and linked to appropriate policies and procedures].

[Date]

[Renter name]

[Postal address]

[Suburb, State, Postcode]

Dear [Renter]

Re: [Reason for notice]

As you are aware, you were served with Breach of Duty Notices on [date] and [date]. You were asked to remedy these breaches of your tenancy by [details of compliance requirements].

Unfortunately, the issue has not been remedied. As a result, we are now issuing you with a Notice to Vacate, as enclosed with this letter.

We understand that this is a serious and distressing matter. Issuing a Notice to Vacate is always a last resort.

If you believe there are reasons why this matter should be reviewed or reconsidered, or if your circumstances have changed in a way that may affect the situation, please contact us as soon as possible.

What happens next?

We have served this Notice as we intend to apply to the Victorian Civil & Administrative Tribunal (VCAT) for a possession order for the rental premises.

Please contact your [Tenancy Manager] worker to discuss:

- Alternative options to rectify the issue.
- Referral options if you need assistance or other support.
- Any personal circumstances affecting your ability to comply with your tenancy obligations.

You can contact your [Tenancy Manager], [Name] on [contact details].

[Tenancy Manager]

Yours sincerely,

[Insert your name]

[Insert HOUSING ORGANISATION]

*If you have difficulty understanding English, please contact the Translating and Interpreter Service (TIS National) on 131 450 and they will telephone **[insert Housing Organisation]** for you at no cost.*



Appendix Q: Application to VCAT for possession renter cover letter (successive breaches)

[Note: This is a template letter for community housing organisations and should be tailored to the specific needs of the organisation and linked to appropriate policies and procedures].

[Date]

[Renter name]

[Postal address]

[Suburb, State, Postcode]

Dear [Renter]

Re: [Reason for application] – Application to VCAT

We are writing to you about [successive breaches tenancy issue].

You were sent a Notice to Vacate on [date of notice]. A copy of the notice is enclosed.

We are writing to inform you that an application has been made to the Victorian Civil & Administrative Tribunal (VCAT) for a hearing. A copy of the application is enclosed.

What happens next?

VCAT will review the application and send you a Notice of Hearing, telling you when and where your hearing will take place.

It is important that you attend the hearing so that you can have your say. If you do not attend, VCAT can proceed with making a decision in your absence.

If you need help

If you require support or advice, attached is a list of services you can contact. If you need help with a referral, please contact your Tenancy Manager.

[Attach list of services – refer to the CHIA Vic Renter support services information sheet Appendix X]

For any further information, you can contact your [Tenancy Manager], [Name] on [contact details].

Yours sincerely,

[Insert your name]

[Insert HOUSING ORGANISATION]

*If you have difficulty understanding English, please contact the Translating and Interpreter Service (TIS National) on 131 450 and they will telephone **[insert Housing Organisation]** for you at no cost.*



Appendix R: Communication Plan Procedure

[Note: This is a template procedure for community housing organisations and should be tailored to the specific needs of the organisation and linked to appropriate policies and procedures.]

1. Purpose

This procedure outlines how [CHO name] will use a communication plan to manage situations where a renter, resident, applicant, complainant or other service user engages with [CHO name] in a manner that is unsafe, unreasonable or difficult to manage.

[CHO name] is committed to providing accessible, responsive and respectful services to renters, residents, applicants and other service users. [CHO name] recognises that people may sometimes be frustrated, distressed or experiencing challenging circumstances and is committed to responding fairly and appropriately while maintaining a safe environment for staff, contractors, renters, residents and visitors.

A communication plan is a tool used by [CHO name] to establish clear and consistent arrangements for future contact, including who the person should contact, how contact should occur, when office attendance is permitted, and what behaviour will not be accepted.

[CHO name] will ensure that a communication plan does not prevent a person from raising legitimate tenancy matters, complaints, repair requests, urgent safety concerns, requesting assistance or accessing services. The purpose of a communication plan is to manage communication arrangements, not to remove access to [CHO name] or its services.

2. When a Communication Plan May Be Used

[CHO name] may implement a communication plan where a person's communication is affecting staff safety, wellbeing, service delivery or [CHO name]'s ability to respond effectively. This may include abusive or threatening contact, discriminatory language, excessive contact with multiple staff about the same issue, repeated office attendance without an appointment, refusal to leave when asked, or harassment directed at staff.

Before introducing a plan, [CHO name] will consider whether earlier steps have been attempted, such as verbal reminders, written expectations, redirection to the correct contact point, support referrals or manager involvement. A plan may be appropriate where these steps have not been effective, or where the behaviour is serious enough to require clearer boundaries.

Where there is an immediate risk to safety, staff must follow [CHO name]'s [insert relevant procedure, such as critical incident or workplace safety procedure] incident procedures. Police or emergency services should be contacted where there is a risk of harm.

3. Principles

Communication plans will be reasonable, proportionate and tailored to the circumstances. They will maintain access to essential services while reducing risks to staff, contractors, renters and visitors.

Staff will consider the person's circumstances, including disability, trauma, mental health, family violence, cultural or language needs, support arrangements and communication barriers. Reasonable adjustments will be considered where they may help the person understand and follow the communication plan.

The process will be fair. The person will be informed why the communication plan is being introduced, what behaviour led to the decision, what is expected of them, and when the communication plan will be reviewed.



4. Assessment and Approval

Before recommending a communication plan, [CHO name] staff will assess the nature, frequency and impact of the behaviour, any immediate safety concerns, previous steps taken, and whether the plan is the least restrictive suitable option.

The assessment will be based on objective records such as case notes, emails, phone records, incident reports, office attendance records, staff observations or previous correspondence. Records will describe what occurred, when it occurred, who was involved, what was said or done, and the impact.

A communication plan must be approved by [CEO or other appropriate executive management role] before it is implemented. Where the communication plan significantly restricts contact, involves high safety risk or may have tenancy management implications, approval will be escalated to a [executive position] or other authorised decision-maker.

The approving manager must be satisfied that the communication plan is reasonable and proportionate, maintains access to essential services, considers support needs and reasonable adjustments, includes review timeframes, and aligns with [CHO name]'s organisational policies, procedures and relevant legal obligations.

5. Developing the Plan

The communication plan will clearly explain how future communication will occur. This may include a nominated contact person or team, preferred contact method, limits on office attendance without an appointment, how repairs and urgent repairs should be reported, how complaints can be made, and what will happen if the person contacts staff outside the agreed arrangements.

The communication plan will also explain what staff may do if communication becomes abusive, threatening or inappropriate, such as ending a call, redirecting the person to the agreed contact point, or not responding to correspondence that contains abusive or threatening content.

The communication plan will be practical, easy to understand and capable of being applied consistently.

6. Notifying the Person

The person will be notified in writing when a communication plan is introduced. The notification will explain the concerns that led to the communication plan, the impact of the behaviour, the approved communication arrangements, how urgent matters can still be raised, and when the plan will be reviewed.

Where appropriate and safe, staff may also explain the plan verbally to support understanding.

The person will be invited to nominate a support person, advocate, family member, health professional, case worker or other trusted person to assist with communication. Where an authorised representative is nominated, consent or authority will be recorded before personal, sensitive or tenancy related information is shared.

7. Implementing the Plan

Once a communication plan is approved and issued, relevant staff will be informed of the arrangements and any actions required when responding to contact from the person. Staff will apply the communication plan consistently and in accordance with its approved terms to support clear, respectful and effective communication.

The implementation of a communication plan will not prevent staff from identifying and responding appropriately to urgent repairs, safety concerns, family violence risks or other immediate issues. Staff



will continue to assess and respond to these matters in accordance with [CHO name's relevant policies and procedures].

A communication plan does not remove the person's right to make a complaint, request a review, or access external complaint pathways. While the communication plan may require communication to occur through a particular channel, all complaints must continue to be received, assessed and managed in accordance with [CHO names' complaints policy] process.

8. Record-Keeping

Staff must maintain clear and accurate records relating to the communication plan, including the behaviour that led to the plan being considered, any previous steps taken to address the behaviour, the assessment and approval process, the final communication plan issued, support needs or reasonable adjustments that were considered, subsequent contact following implementation, and any incidents where the communication plan was not followed.

Records must be factual, objective and focused on observable behaviour. Staff must avoid general labels such as "difficult" or "aggressive" or "challenging" unless the specific behaviour giving rise to that description is also documented. All records will be maintained in accordance with [CHO name's privacy policy] requirements and applicable privacy obligations.

9. Review

Communication plans will be reviewed within a set timeframe, usually every three to six months depending on the nature of the behaviour, the level of restriction in place and any identified risks. The purpose of the review is to determine whether the communication plan continues to be necessary, appropriate and effective.

The review will consider whether the communication plan has been followed, whether the communication has improved, whether identified risks have reduced, whether the person's circumstances have changed, and whether the plan should continue, change or end.

[CHO name] may be reviewed earlier if circumstances change, communication improves, a serious incident occurs, or the arrangements are not working effectively. The review outcome will be recorded and communicated in writing.

10. Escalation and Staff Support

If the plan is not followed, or if unsafe or unreasonable behaviour continues, staff will escalate the matter to a manager. [CHO name] will assess whether further action may be needed, including revising the plan, increasing senior oversight, implementing additional safety measures, engaging support services, issuing a written warning, or considering formal tenancy management action where the behaviour also breaches tenancy obligations.

Formal tenancy action will only be considered where there is a clear legal basis, sufficient evidence, and the response is reasonable and proportionate.

Managers will ensure staff are supported through supervision, debriefing, clear escalation pathways and practical safety planning. Staff should not be expected to manage unsafe or unreasonable contact alone.



Appendix S: Communication Plan Approval Form

[Note: This is a template approval memo for community housing organisations and should be tailored to the specific needs of the organisation and linked to appropriate policies and procedures.]

Renter / resident / service user name: [Insert name]
Property / program: [Insert details]
Staff member requesting approval: [Insert name and position]
Date: [Insert date]
Approving manager/executive: [Insert name and position]

REASON FOR REQUEST

A communication plan is requested because the person's contact with [CHO name] has become unsafe, unreasonable or difficult to manage.

Summary of concerns:

[Briefly describe the behaviour, including relevant dates or time period. For example, repeated abusive phone calls, threatening or discriminatory language, excessive contact with multiple staff, repeated office attendance without an appointment, refusal to leave when requested, or harassment directed at staff.]

IMPACT

The communication concerns have impacted:

[Briefly describe impact on staff safety, wellbeing, service delivery, ability to respond effectively, or other renters/visitors.]

PREVIOUS STEPS TAKEN

Before requesting a communication plan, staff have attempted or considered:

[Briefly record any verbal reminders, written expectations, redirection to the correct contact point, support referrals, manager involvement, de-escalation attempts, or safety planning.]

SUPPORT NEEDS AND ADJUSTMENTS CONSIDERED

Relevant support needs, vulnerabilities or communication barriers have been considered, including disability, trauma, mental health, family violence, cultural and language needs.

Relevant considerations or adjustments:

[Insert details, including any support person, advocate or authorised representative involvement. If no relevant information is known, state this.]

PROPOSED COMMUNICATION ARRANGEMENTS

The proposed communication plan will set out:

- nominated contact person, team or email address
- approved contact methods
- arrangements for office attendance
- process for reporting repairs, urgent repairs and safety concerns
- process for making complaints or requesting review



- what staff may do if contact occurs outside the plan or becomes abusive, threatening or inappropriate.

Additional proposed arrangements:

[Insert any specific requirements.]

REVIEW

The communication plan will be reviewed on: [Insert date]

Earlier review may occur if circumstances change, communication improves, a serious incident occurs, or the arrangements are not working effectively.

RECOMMENDATION

Approval is sought to issue a communication plan to [name] and inform relevant staff of the approved arrangements.

APPROVAL DECISION

☐ Approved

☐ Not Approved

☐ Approved with changes

Comments / required changes:

[Insert comments]

Name:	
Position:	
Signature:	
Date:	



Appendix T: Communication Plan

[Note: This is a template for community housing organisations and should be tailored to the specific needs of the organisation and linked to appropriate policies and procedures.]

Dear [name],

Communication Plan

[CHO name] is committed to being accessible and responsive to renters, including where a renter wishes to raise a concern, make a complaint, request repairs or seek assistance with their tenancy.

At the same time, [CHO name] has a responsibility to provide a safe and respectful environment for renters, visitors and staff. This includes making sure staff can carry out their work in a healthy, safe and secure way.

We are writing to confirm the communication arrangements that will apply when you contact [CHO name]. This follows previous concerns about the way some communication has occurred with staff, including:

- [insert example, such as abusive or threatening language]
- [insert example, such as repeated contact with multiple staff about the same issue]
- [insert example, such as personal comments directed at staff]

This type of communication is not acceptable and impacts the wellbeing of staff and [CHO's name]'s ability to respond to matters in a safe and effective way.

To support clear and respectful communication going forward, you are required to follow the communication plan below.

Communication plan

1. General tenancy enquiries, complaints and correspondence

All general tenancy enquiries, complaints and correspondence must be sent by email to [insert desired contact point] at:

[insert email address]

This will help ensure your correspondence is reviewed and responded to by the appropriate person.

2. Office attendance

You must not attend a [CHO name] office or reception area unless you have a confirmed appointment.

Appointments can be requested by email using the address above. An appointment must be agreed to before you attend.

3. Repairs and maintenance

Repairs and maintenance requests should continue to be reported through the usual maintenance process by contacting:

[insert maintenance contact details]

This communication plan does not stop you from reporting repairs, urgent repairs or safety issues.

4. Immediate safety concerns



If you tell staff that you intend to harm yourself or another person, or if staff are concerned there is an immediate risk to safety, [CHO name] may contact emergency services, including Victoria Police or ambulance services.

5. Contact outside this plan

If you contact [CHO name] staff directly by phone or email outside the communication arrangements set out in this letter, staff may redirect you to the agreed contact point.

If a phone call or email includes abusive, threatening or otherwise inappropriate content, staff may end the call or may not respond to that correspondence.

6. Support person or advocate

You may choose to nominate a support worker, health professional, advocate, family member or other trusted person to assist you with communication.

If you would like someone to communicate with [CHO name] on your behalf, please let us know in writing.

Review of this plan

[CHO name] will review this communication plan in six months from the date of this letter. The plan may also be reviewed earlier if circumstances change, communication improves, or the current arrangements are not working effectively.

The review will consider whether the plan should continue, be changed or end.

If the plan is not followed

[CHO name] has obligations under the **Occupational Health and Safety Act 2004** to provide a safe working environment for staff.

If this communication plan is not followed, or if unacceptable behaviour continues, [CHO name] may consider further tenancy management action. This may include issuing a breach of duty notice or applying to VCAT, depending on the circumstances.

[CHO name] remains committed to communicating with you about your tenancy, repairs, complaints and other legitimate concerns. This plan is intended to make communication clear, respectful and manageable for everyone involved.

Sincerely,

[Your name]

[Position]



Appendix U: Trespass Procedure

[Note: This is a template procedure for community housing organisations and should be tailored to the specific needs of the organisation and linked to appropriate policies and procedures.]

Purpose

To outline the steps required to issue, serve, record, and enforce a trespass notice, and to guide staff and security in managing trespassed individuals on site.

1. Issuing a Trespass Notice

1.1 Create the Trespass Notice

- Complete the approved trespass notice template.

1.2 Arrange Service of the Notice

- Attend site with another member of staff.
- If site has onsite security advise them that a trespass notice is ready for service.
- Physically serve the notice to the individual in site of CCTV cameras and advise that they are now trespassed. If there is not CCTV, record the service on a phone.
- Alternatively, if there is onsite security, ask them to physically serve the notice to the individual in sight of CCTV cameras and advise that they are now trespassed.

1.3 Evidence of Service

The staff member or security must provide the following:

- **CCTV footage** of the service or a recording of service.
- **A written Statement** confirming date, time, location, and method of service

1.4 Retain a copy at reception or in the site office for Police to sight if asked

- Put in a folder the:
 - the trespass notice
 - the written statement (or equivalent evidence of service)

1.5 Update staff onsite

- Update the trespassed people table.
- Email an updated table of trespassed people to security (if applicable).
- Print and attach a hard copy of the table and leave at reception or the on site office.

2. Staff Procedure When a Trespassed Person Is Onsite

Staff must follow these steps **immediately upon seeing the trespassed individual**.

Checklist

☐ Identify the person

- Confirm identity matches the trespass record (name, CCTV comparison, description).



☐ **Identify yourself**

- Clearly state: "I am CHO staff."

☐ **Issue direction to leave**

Use clear language:

"You have been trespassed from this property. You must leave immediately. If you refuse, I will contact police."

☐ **If the person refuses to leave: Call 000 immediately.**

☐ **Prepare to provide a verbal account to Police**

- Describe exactly what the person said/did
- Describe what staff member said/did

☐ **When Police arrive**

- Escort them to where the individual is located
- Provide building access if requested
- Follow Police instructions regarding tenancy access (Police determine lawful entry)

3. [CHO] Responsibilities

3.1 Evidence of Service

The evidence of Service (1.3) must be saved on the renter file.

3.2 Record-Keeping

- Save a case note or security report to demonstrate:
 - each occasion the person was directed to leave; and
 - each refusal or failure to comply.

3.3 CCTV Footage

- Ensure CCTV clips are saved showing:
 - the trespassed person entering
 - the trespassed persons movements within the building

3.4 Escalation to Police

- When there are multiple breaches of the trespass notice:
 - Manager will formally escalate to Victoria Police.
 - Police will then request:
 - all case notes or security reports
 - associated CCTV footage
- Police will assess whether they can apply to the Court to charge the individual with trespass.



Appendix V: Trespass Notice Template

[Note: This is a template letter for community housing organisations and should be tailored to the specific needs of the organisation and linked to appropriate policies and procedures].

TRESSPASS NOTICE

DATE: [insert date]

LOCATION: [INSERT BUILDING ADDRESS]

TO: [name of trespassed person]

On [insert the reason for the trespass being issued]

You are hereby **notified** that you are **not permitted to be on the premises (which includes the front steps of the building), enter or remain** on the premises located at [insert building address].

This warning is issued under **Section 9 of the Summary Offences Act 1966 (Vic)**. If you enter or remain on these premises without a lawful excuse after receiving this notice, you may be committing an offence and may be subject to police intervention and prosecution.

Effective Immediately:

You must not return to [insert building address] at any time without written permission [CHO]

Review date

We will review this decision on [insert review date]. A review date does *not* end the ban automatically, it simply means we will look at the situation again to decide whether the trespass notice should stay in place or be changed.

Issued By:

[CHO name]

Contact: [insert contact details]



Appendix W: Antisocial Behaviour in Social Housing Fact Sheet

Antisocial Behaviour in Social Housing

FACT SHEET

WHAT IS ANTISOCIAL BEHAVIOUR?

In Victorian community housing, antisocial behaviour (ASB) refers to unreasonable behaviour by a renter, resident, household member, or visitor that causes or is likely to cause nuisance, harassment, alarm, distress or safety risks to others, or interferes with their peaceful enjoyment of their home.

All renters have the right to the peaceful enjoyment of their home. Neighbours also have the right to feel safe, have privacy and enjoy their own homes.

Renters are responsible for making sure everyone in their household, including visitors, behaves in a way that respects these rights. This includes following the rental agreement, trying to resolve issues with neighbours where possible, and respecting the community.

The majority of social housing renters are good neighbours. However, there are a small number of renters whose antisocial and illegal behaviour puts the safety of neighbours and vulnerable renters at risk and impacts negatively on the local community.

[Insert Housing Organisation] Antisocial Behaviour policy explains how the organisation manages tenancy breaches caused by incidents of antisocial behaviour.

[Insert Housing Organisation] will not intervene in a neighbourhood dispute or investigate allegations unless there is a breach of the Residential Tenancy Agreement.

[Insert Housing Organisation] will encourage renters to resolve neighbourhood problems themselves, or with the assistance of mediation services.

[Insert Housing Organisation] will refer renters to Community Justice Centres for assistance when appropriate and where the parties agree to attend.

It is not the role of **[insert Housing Organisation]** to carry out criminal investigations, as these are the responsibility of Victoria Police.

Where necessary, **[insert Housing Organisation]** may take further action against a tenancy such as issuing a Breach of Duty Notice or applying to the Victorian Civil and Administrative Tribunal (VCAT) to terminate the tenancy.

Adopted from FACS Antisocial Behaviour in Public Housing Fact Sheet, February 2015



What does [insert Housing Organisation] do when a complaint is received?

[Insert Housing Organisation] manages antisocial behaviour using the Antisocial Behaviour policy and process. If **[insert Housing Organisation]** receives a complaint relating to a breach of tenancy for antisocial behaviour, **[insert Housing Organisation]** will investigate the matter.

[Insert Housing Organisation] may contact the complainant to gather evidence of the claims being made and may speak with other witnesses and agencies, including Victoria Police.

The person accused of antisocial behaviour will be provided the opportunity to reply to the allegations made against them and **[insert Housing Organisation]** will determine, based on the investigation and evidence provided, whether or not the complaint is substantiated.

[Insert Housing Organisation] will then respond to both the complainant and the subject of the allegation notifying them of the action **[insert Housing Organisation]** has taken. This may include issuing a Warning Letter, Breach of Duty Notice, or action being taken through the Victorian Civil and Administrative Tribunal (VCAT) to seek compliance or termination of the Residential Tenancy Agreement.

If three Breach of Duty's are issued or a renter does not comply with a Tribunal order **[insert Housing Organisation]** may take action to end the tenancy. If the type of antisocial behaviour is considered severe illegal antisocial behaviour or serious antisocial behaviour, **[insert Housing Organisation]** may take action at VCAT to end the tenancy.

What can a tenant do if a complaint is received about them?

You should:

- contact **[insert Housing Organisation]** immediately
- follow the directions set out in the letter you have received
- organise an appointment to discuss the matter with **[insert Housing Organisation]**
- provide evidence to **[insert Housing Organisation]**, and
- Cease any antisocial behaviour immediately.

You can also find details of support services at your local **[insert Housing Organisation]** office or online at www.askizzy.org.au. Accessing support may assist you to meet your tenancy responsibilities and reduce the risk to your tenancy.

For independent and free advice you can call:

- your local tenant's advisory service
- Consumer Affairs 1300 558 181
- Tenants' Victoria social housing advice line on 1800 068 860 or their website at www.tenants.vic.org.au, or
- Local Community Legal Centres state-wide legal advice line 1300 792 387

How do I report Antisocial Behaviour and what will I need to provide?

[Insert Housing Organisation's process to report antisocial behaviour].

Are all your questions answered?

If all your questions have not be answered in this fact sheet, please contact us on **[insert contact details]**.

Adopted from FACS Antisocial Behaviour in Public Housing Fact Sheet, February 2015



Appendix X: Renter support services information sheet

[Note: This is a template for community housing organisations and should be tailored to the specific needs of the organisation and linked to appropriate policies and procedures.]

Where can I get help with my tenancy?

LEGAL ADVICE AND ASSISTANCE

Tenants Victoria

Social housing advice line: 1800 068 860 (free call), Mon-Fri, 9am- 4pm

Website: www.tenantsvic.org.au

Provides free over the phone legal information, advice, and casework support, and financial counselling support, to private and social housing renters in Victoria. Tenants Victoria is the peak body for renters in Victoria and the specialist rental law community legal centre.

Victoria Legal Aid

1300 792 387, Mon-Fri, 8am-6pm

Website: <https://www.legalaid.vic.gov.au/>

Provides legal information over the phone about a range of issues, including rental problems. They may also be able to provide you with a duty lawyer to help you with a VCAT hearing or provide you with casework support in limited circumstances.

Justice Connect – Homeless Law

03 8636 4408

Website: <https://help.justiceconnect.org.au/homelesslaw/>

If you are homeless or at risk of homelessness, they can provide housing and tenancy assistance with a focus on preventing evictions, for example:

- A notice to vacate has been issued, the rental provider is seeking a possession or compliance order at VCAT, or there is a hearing at VCAT;
- Changes to fixed term rental agreements due to family violence (this includes ending fixed term rental agreements, or transferring the renter to a sole rental agreement);
- Creation and transfer of a tenancy.

Local Community Legal Centres

State-wide Legal Advice Line: 1300 792 387, Mon-Fri, 9am to 5pm

Your local community legal centre provides a range of free legal services, including information, referrals, advice and in some cases casework, to renters with legal disputes, within a particular catchment area.

Find your local centre here https://www.fclc.org.au/find_a_community_legal_centre.



RENTER/TENANCY ADVOCATES

Victorian Public Tenants Association (VPTA)

1800 015 510 (free call)

Website: <https://vpta.org.au/tenant-support/>

The Victorian Public Tenants Association (VPTA) is the peak body for public housing in Victoria. They represent people who live in public housing and those on the wait list (Victorian Housing Register); they can also assist community housing renters where possible.

They offer a free and confidential telephone advice line to assist renters resolve issues regarding their housing, or their housing application, as well as undertake community engagement and outreach work.

Council to Homeless Persons

Homelessness Advocacy Service (HAS) – 1800 066 256 (free call), Mon-Fri, 9am-5pm

Website: <https://chp.org.au/>

The Homelessness Advocacy Service (HAS) is the key advice and information service for consumers seeking or receiving assistance from any Victorian community-managed homelessness assistance or social housing service.

FINANCIAL ASSISTANCE / MATERIAL AID

Financial Counselling – National Debt Helpline

1800 007 007 (free call), Mon-Fri, 9.30am-4.30pm

Website: <https://ndh.org.au/>

A qualified financial counsellor will assess your situation over the phone and provide you with free advice. If your matter is more complex, they can refer you to your closest face-to-face financial counselling service. Financial counsellors can also put you in touch with other support services, such as legal services, crisis food and accommodation services, and health services.

Local Council

Local Councils work with local agencies and providers to source and deliver food and material relief to vulnerable members of the community. There are several community service agencies and organisations that can assist with financial hardship, food and material aid and other support services.

Find your local council's details here <https://knowyourcouncil.vic.gov.au/home>

TENANCY SUPPORT & INFORMATION SERVICES

Tenancy Plus

Tenancy Plus aims to prevent homelessness and support renters to stay in housing. Tenancy Plus support providers will work with you to create a support plan that is tailored to your needs and goals. Support providers can also connect you to a range of other support services in your local area.

Find your local Tenancy Plus service here: <https://www.housing.vic.gov.au/tenancy-plus-support-program>



Consumer Affairs

1300 558 181, Mon-Fri, 9am-5pm

Website: <https://www.consumer.vic.gov.au/housing/renting>

Provides information to renters on topics such as rental agreements, knowing your rights when signing an agreement, moving out, giving notice and evictions.

Opening Door – Homelessness Assistance

1800 825 955 (free call), Mon-Fri, Afterhours: 5pm-9am (24 hours on weekend)

Website: <https://services.dffh.vic.gov.au/getting-help>

Help if you are homeless or at risk of homelessness. See the website for the opening door in your area.

Safe Steps

1800 015 188 (free call), 24-hour service

Website: <https://www.safesteps.org.au/>

Provides specialist support services for anyone in Victoria who is experiencing or afraid of family violence.

OMBUDSMAN & HUMAN RIGHTS

Victorian Ombudsman

9613 6222 or Regional 1800 806 314 (free call)

Website: <https://www.ombudsman.vic.gov.au/>

Receives and investigates complaints about the Victorian Housing Register (VHR) or concerns about how the Housing Registrar has responded to a complaint.

Victorian Equal Opportunity and Human Rights Commission (VEOHRC)

1300 292 153 (free call)

Website: <https://www.humanrightscommission.vic.gov.au/>

Helps resolve complaints for people who have been discriminated against, sexually harassed, victimised or vilified.

