

Complaint handling

Information for neighbours and related parties

November 2018

This fact sheet provides guidance and clarification on complaint and dispute processes for neighbours and/or other stakeholders of community housing properties managed by Community Housing Providers (CHPs) registered under the National Regulatory System for Community Housing (NRSCH). It has been developed to assist these complainants in determining the most appropriate avenue for them to progress their complaint.

The role of Housing Registrars

Housing Registrars will deal with complaints and allegations relating to dissatisfaction with registered CHP's compliance with the *Community Housing Providers National Law* (the National Law) including the National Regulatory Code.

This only applies to community housing properties operated by CHPs registered under the NRSCH and is not applicable to other forms of rental accommodation such as public (government managed) or private rental accommodation, as these are dealt with under different regulatory frameworks.

Housing Registrars have no direct role in mediating or resolving neighbourhood disputes or in matters which fall outside of the NRSCH (see below). They do not have a general power to investigate complaints by neighbours of properties managed by registered CHPs unless these complaints raise issues about the providers' compliance with the National Law. Housing Registrars' offices may however be able to provide assistance in identifying if a property that is subject to a potential complaint is in fact a community housing property and in identifying the most appropriate avenues for progressing the complaint.

The role of registered Community Housing Providers

It is expected that once it is confirmed that the

property in question is in fact a community housing property, that complainants will raise their concerns directly with the CHP responsible for managing that property and that complaints will be addressed by that CHP. It is important for those making a complaint to keep written evidence of their concerns and any ongoing developments, in case the matter is not resolved.

CHPs are required to have a mechanism in place for dealing with complaints as well as providing information and guidance on how to raise complaints with them. The NRSCH requires that CHPs be '*fair, transparent and responsive*' in '*managing and addressing complaints and appeals relating to the provision of housing services.*'

Matters falling outside of Community Housing and the NRSCH

As previously indicated, certain complaints or disputes may fall outside of the NRSCH regulatory framework and will therefore require the involvement of other regulatory or review bodies, or social support agencies.

Examples of these types of issues include:

- Matters relating to private rental properties.
- Matters relating to public rental properties.
- Matters managed by Local Council.
- Fencing and boundary disputes.
- Social amenity issues such as problem pets, pests, or health issues.
- Anti-social behaviour.

Dependent upon circumstance, such matters will best be dealt with by either;

- the relevant State or Territory government agency responsible for managing tenancy issues, or

- the relevant State or Territory government tenancy review, or administrative review, body, or
- the relevant State or Territory government agency responsible for managing public housing, or
- other government bodies and/or non-government agencies such as Local Council, Police, Legal Aid, or relevant tenant support and mediation agencies, which have a role, interest, or responsibility, in the moderation of neighbourhood disputes.

Summary

- CHPs are responsible for handling neighbourhood or third-party complaints relating to community housing properties.
- Housing Registrars' offices can assist in identifying if a particular property is a community housing property, and if so, the CHP responsible for managing it.
- Disputes and complaints that fall outside of a CHP's tenancy and property management responsibilities may require the involvement of one or more of the agencies listed above.
- The role of Housing Registrars is to monitor CHP's compliance with the National Law. They do not have the power to resolve individual disputes.

Additional information and contacts

Additional information on the NRSCH can be found at: <http://www.nrsch.gov.au/>

For additional information on how different types of complaints might be dealt with, as well as a broad overview of the role of various regulatory and review bodies' roles and functions, refer to the following fact sheets:

- ***Complaint handling – Information for Community Housing Providers.***
- ***Complaint handling – Information for tenants.***

To contact your local Housing Registrar's office, please see the attached list of contact details.

Housing Registrars offices may also be contacted using the on-line form located at:

http://www.nrsch.gov.au/complaint_form

<p>Australian Capital Territory Human Services Registrar Quality, Complaints and Regulation PO Box 158 Canberra ACT 2601 Phone: (02) 6207 5474 Email: quality@act.gov.au</p>	<p>New South Wales Registrar of Community Housing Locked Bag 4001 ASHFIELD BC 1800 Phone: 1800 330 940 Fax: (02) 8741 2522 Email: registrar@facs.nsw.gov.au</p>
<p>Northern Territory Department of Housing and Community Development Registrar of Community Housing GPO Box 4621 DARWIN NT 0801 Email: nrsch.dhcd@nt.gov.au</p>	<p>Queensland Regulatory Services Level 19 41 George Street BRISBANE QLD 4000 Phone: (07) 3008 3450 Email: NRS-Housing-Registrar-QLD@hpw.qld.gov.au</p>
<p>South Australia Office of Housing Regulation GPO Box 1669 Adelaide SA 5001 Phone: (08) 7424 7206 Email: OHRcommunityhousing@sa.gov.au</p>	<p>Tasmania Tasmania has an agreement whereby New South Wales will investigate complaints about the compliance of registered community housing providers with community housing legislation. Please contact New South Wales if you require assistance.</p>