

## Information Sheet 6 Antisocial Behaviour



### What is antisocial Behaviour?

Antisocial behaviour covers a wide range of issues from playing music too loudly to incidents such as harassment and threats of violence.

The Association, in partnership with other agencies, is committed to tackling these problems.

Everyone has the right to live peacefully alongside their neighbours and the Association will take appropriate action to resolve neighbour disputes.

### Being a Good Neighbour

Getting along with your neighbours can be important in determining if you are happy in your home. Any nuisance in or around your home, caused by yourself, family members, or visitors, is a breach of your tenancy agreement. Problems can be avoided by considering how behaviour could affect others. We would ask that you:

- Respect each other's right to live peacefully.
- Do not engage in behaviour which may offend or upset others.
- Take responsibility for your children, pets and any visitors to your home.
- Take your turn at cleaning stairs, closes and common areas; Close gates and security doors behind you which will create a safer environment for all your neighbours and prevent crime from occurring.
- Be mindful of noise, especially at night and early in the morning. Try to avoid using household appliances (such as vacuum cleaners or washing machines) at these times.
- Avoid driving or parking in a way that would endanger or interfere with others.

### What can I do if difficulties arise?

Sometimes problems arise because people have not talked or considered each other's point of view. Unless you are suffering from a serious act of violence or harassment, we would recommend that you try speaking to your neighbour to attempt to resolve things amicably and at an early stage.

Before approaching your neighbour, we would ask that you stop to consider:

- Am I being reasonable?
- Do I have all the facts?
- Am I willing to listen to what my neighbour has to say?

Explain to your neighbour how their behaviour is affecting you. Try to resolve the problem yourself without getting other neighbours involved if they are unaffected. If you approach your neighbour and they are being unreasonable, just walk away. It is best not to get involved in an argument or retaliate in any way.

## What do I do if this does not solve the problem?

Get in touch with your Housing Officer who will investigate the complaint and talk to your and your neighbour about the disagreement. You can report a complaint by telephone, email ([complaints@ohal.org.uk](mailto:complaints@ohal.org.uk)) via our website ([link](#)) or in person at the office.

If you witness or experience any anti-social behaviour you should report it immediately to the Association and the Police, where appropriate.

It is important that we have an accurate record as we may have to take court action against your neighbour. We need to know:

- Dates and times of when the incident happened
- Where the incident took place
- What happened
- The names and addresses of those involved, including any witnesses
- Details of when you reported the incident to the Police and the Police incident number.

## Short Scottish Secure Tenancy (SSST)

Under the Housing (Scotland) Act 2014, and with effect from 1 May 2019, the Association can convert a Scottish Secure Tenancy (SST) to a SSST or grant a SSST to a new tenant for 12 months if the tenant, a member of their household or a visitor has been involved in anti-social behaviour in or near their home within the last 3 years.

In such cases, the Association must provide Housing Support Services which are deemed appropriate.

## Acceptable Behaviour Contracts (ABC's)

This is a written agreement between an individual responsible for the anti social behaviour and relevant agencies such as housing, environmental health and the police. The ABC sets out the behaviour that the individual has agreed to stop and can also set out what legal action might result from the contract being broken.

## Legal Action

The vast majority of cases are resolved prior to any legal action, however, if the anti-social behaviour is continuing and we have sufficient evidence to go to Court, we will begin legal proceedings against the people involved. Eviction action would only be taken as a last resort.

## Anti Social Behaviour Orders (ASBO's)

An ASBO aims to prevent antisocial behaviour that has either caused alarm or distress, or may do so to another individual or to the whole community. An ASBO can only be granted by a Sheriff and breach of the order is a criminal offence.

## Interdict

An interdict is a court order that forbids someone from doing anything detailed in the order.