



## Terminating a tenancy

If the behaviour is in breach the *Residential Tenancies Act 1987*, a strike may be issued against the tenancy. If a final strike is issued against the tenancy, the Housing Authority may begin the process to terminate the tenancy.

The Housing Authority does not have the power to evict a tenant without a court order. The decision to evict a tenant is exclusive to the Magistrates Court. When seeking to evict a tenant, the Housing Authority must produce evidence which corroborates the incidents of disruptive behaviour and the Magistrate must be satisfied that the behaviour justifies terminating the agreement.

The Housing Authority operates within the Department of Communities.

Translating and Interpreting Service (TIS) – Telephone: 13 14 50

If you are deaf, or have a hearing or speech impairment, contact us through the National Relay Service.

For more information visit [Communications.gov.au/accesshub/nrs](http://Communications.gov.au/accesshub/nrs)

This publication is available in other formats that can be requested at any time.

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\* For housing related matters

[communities.wa.gov.au](http://communities.wa.gov.au)



Government of **Western Australia**  
Department of **Communities**

# Managing disruptive behaviour at public housing properties



SD20RA 0523

## What is disruptive behaviour?

Disruptive behaviour is ongoing and unreasonable nuisance or disruption that occurs at or near a public housing property that negatively impacts any person residing in the immediate vicinity. This can include:

- excessive or ongoing noise
- threats, intimidation, offensive behaviour or assault
- unlawful trespass
- noise and disturbance from household arguments

## Managing disruptive behaviour

The Department of Communities manages disruptive behaviour in accordance with its disruptive behaviour management strategy and [Disruptive Behaviour Management Policy](#).

Once a report of disruptive behaviour is received and falls within the *Residential Tenancies Act 1987*, the Department will investigate the incident in accordance with principles of procedural fairness. This includes giving the tenant an opportunity to respond to the complaint and to rectify the behaviour.

If the incident breaches the *Residential Tenancies Act 1987*, the Department will consider appropriate action. Our response will be proportionate to the behaviour and consider the impact on the tenancy.



## There are three categories of disruptive behaviour:

### 1. Dangerous Behaviour

- Activities that pose a risk to the safety or security of residents or property, or
- have resulted in injury to a person in the immediate vicinity of the premises or, where relevant, a common area, or an adjacent premises where the person is in occupation or a permitted visitor, with subsequent police charges or conviction.

### 2. Serious Disruptive Behaviour

- Activities that intentionally or recklessly cause serious disturbance or damage to a person or property in the immediate vicinity of the premises, or
- which could reasonably be expected to cause concern for the safety or security of a person or their property.

### 3. Disruptive Behaviour

- Activities that cause an ongoing or unreasonable nuisance or disturbance, or
- unreasonably interferes with the peace, privacy or comfort of persons in the immediate vicinity of the premises.

## Support for tenants

Communities works closely with tenancies, other government and support agencies and community organisations to assist and encourage tenants to meet their tenancy obligations and support their tenancies.

The disruptive behaviour management strategy aims to provide:

- tenants with the opportunity to resolve tenancy concerns and modify behaviour, with relevant assistance
- clarity and standards for tenants and the community on the consequences of ongoing disruptive behaviour.

This includes referrals to appropriate support services where relevant.

If you are a public housing tenant and would like more information about available support services, please visit our website or contact your local [Department of Communities housing office](#).

Disruptive behaviour at public housing properties can be reported on our [website](#), or via the Disruptive Behaviour Report Line on **1300 597 076**, or in person at your local [Department of Communities housing office](#).