

## **What is a Neighbour Dispute?**

A neighbour dispute can arise when two or more people disagree about a matter relating to the property or area that they live in.

## **Types of Dispute**

Problems of this nature can include issues relating to stair cleaning, pets, children, noise, car parking, disposal of rubbish as well as disputes about boundaries and usage of washing lines in common back-courts areas. Where minor neighbour disputes arise the Association will generally take a low key approach and may try to encourage tenants to work out any difficulties by discussing things with their neighbour.

## **Anti Social Behaviour / Breaking the Law**

If you suspect or you know that a neighbour is breaking the law or guilty of behaving in an anti social manner, you must report the matter to the police as well as the Association urgently. You can use the Crimestoppers Freephone number on 0800 555 111, if this is appropriate, and this can be done anonymously.

The Association may need to obtain a Police report to verify if a breach of tenancy conditions has occurred, therefore the Association must be contacted urgently to allow investigation of the complaint to take place as soon as possible.

A definition of 'Anti Social' is contained in section 3.2 of the Associations Tenancy agreement.

## **What should I do if I am affected?**

Call into the office and discuss the matter with your Housing Officer. We will listen to your problem and try to give you the best advice on how the matter can be resolved. It is important to do this at an early stage, before a minor dispute escalates. It may be necessary to complete a complaints form and/or diary sheets, providing as much information as possible, including times, whether the police have been involved etc so that the Association can proceed with investigation of your complaint. We can assist with completion of the complaints form if required.

## **What action can the Association take ?**

There are several courses of action we can take depending on the problem. It is important that we are quickly made aware of any problem so we can establish the facts during our investigation and start taking action early, if this is appropriate. In severe cases or where persistent problems occur we can take an offending tenant to court with the possibility of eviction from the property. However, for minor disputes between tenants, advice or limited intervention from the Association

may be all that is required. Mediation might also be considered by staff if this is felt to be appropriate – this is where problems are discussed and resolved by all parties round the table. Staff might also suggest that the best way to prevent escalation of a problem may be to talk a problem through with your neighbour before involving the Association.

## **What if my neighbour is not a tenant**

The Association will be restricted in the action we can take against owner occupiers and tenants of other landlords.

It may be appropriate to consider the involvement of the Police or Environmental Health Department and we will give advice and assist where we can in these cases. You will note that contact details for these agencies have been provided in this leaflet for your information.

## **Who decides if someone should be evicted?**

The Association always see eviction as a last resort, however, in severe cases a Sheriff will decide if a decree for eviction is awarded when a case is heard at court. Most disputes are minor however, or are resolved at an early stage so eviction is rarely considered. The Association will

liaise with any relevant agencies, like Police, South Lanarkshire Council, Social Work etc to try to resolve any anti social behaviour.

Support or evidence from tenants and other agencies will be required if a case for eviction is to be prepared and considered by the Court.

### **What is an Anti Social Behaviour Order?**

Anti social behaviour orders were introduced in April 1999 and these can be used to stop a person behaving in a particular way, similar to an interdict. An ASBO will only be sought when all other avenues to resolve the issues have been exhausted.

### **What about Confidentiality?**

The Association will treat all information given in absolute confidence. Sometimes when we investigate a complaint it becomes obvious to the other party who has complained about them, but this information will never be disclosed by Association staff. If the matter eventually goes into court, you should note that you may be called upon as a witness, which is why written, detailed information is important initially and throughout investigation of a problem.

### **Can I make an anonymous complaint?**

We prefer not to deal with anonymous complaints as we usually have to obtain further details about the situation, and if the complaint is anonymous it makes things

difficult for us to do this. As stated above an anonymous complaint also makes it difficult for the Association to challenge a tenants behaviour or build a case which will ultimately be heard at court.

### **What should I do now?**

If you are affected by anti social behaviour or a neighbour dispute, you should contact the Association and follow the procedure, outlined in this leaflet. Whilst the Association will deal with neighbour disputes, we sometimes recommend that initially, the parties involved try to resolve the matter themselves.

### **Support from other Agencies**

Strathclyde Police (Cambuslang and Rutherglen)  
Tel 207 4100

Strathclyde Police (Crimestoppers)  
Tel 0800 555 111

South Lanarkshire Council,  
Environmental Health Department.  
Tel 01355 806916

South Lanarkshire Council,  
Problem Solving Unit  
Tel 01698 454444

# **NEIGHBOUR DISPUTES & ANTI SOCIAL BEHAVIOUR**

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