

# THREE BOROUGHES HOUSING CO-OPERATIVE

## Resident Dispute Policy

### 1. Introduction

Three Boroughs Housing Co-operative wants everyone to be able to live peacefully in their home and expects all its Members to show consideration for others. This policy outlines some of the common issues which may cause disputes between neighbours and the ways these may be addressed.

### 2. Aims of the Policy

- To encourage Members to show consideration to each other.
- To stop disputes from escalating and prevent them from requiring the intervention of the wider membership
- To raise awareness of some of the main areas where disputes may arise and provide advice and guidance for resolving issues.
- To outline the differences in approach to resident disputes and anti-social behaviour.
- To make clear to Members the Co-operative can only provide advice and mediation in these matters and has no authority to impose a solution.

### 3. Ways to promote good neighbour relations

There are numerous ways Members can promote the shared Co-operative value of caring for others, such as by:

- engaging in friendly communications
- getting to know your neighbour
- talking about the weather!
- being on hand to offer assistance
- keeping an eye on a neighbour's property if they are away
- taking in a neighbour's parcel if they are not at home

### 4. What is meant by a Resident Dispute

Resident disputes are problems with neighbours where the person causing the problem is not doing so intentionally, the problem is not persistent and no serious harm is caused. If the problems are deliberate, persistent or pose a risk to someone, this is classed as anti-social behaviour. The Co-operative however recognises that situations can change and resident disputes may escalate to include anti-social behaviour.

A resident dispute normally involves a clash of lifestyle or differences of opinion about what is or is not acceptable, such as:

- Noise that happens during normal working hours and does not breach noise nuisance legislation, for example, the occasional slamming of doors.

- Smells from cooking or cleaning products.
- Children playing at reasonable hours.

This policy is not intended to apply to disputes within households. Please refer to the Shared House Guidelines for these issues.

## **5. Common causes of disputes**

### 5.1 Noise

Noise from neighbours is a common form of nuisance, particularly in converted flats. It is recognised that excessive noise can have a serious effect on people's health. All Members should therefore be considerate to others and keep unnecessary noise to a minimum and ensure that friends, relatives and visitors are aware of the need to keep noise levels down. The following are examples of ways to maintain good neighbour relations:

- Keep noise to a minimum, especially late at night and early in the morning.
- Recognise and respect other people's lifestyle differences.
- Not let doors slam or bang. Door closers can often assist with reducing noise.
- Use headphones to listen to music or the TV to avoid disturbing others.
- Tell neighbours in advance when planning to hold a one-off party.
- Ensure children are supervised and be willing to discuss what hours are reasonable for children to play in shared areas.
- Not lay laminate flooring as this amplifies sound between properties.

### 5.2 Disposal of rubbish

To avoid issues arising around the disposal of rubbish, Members should:

- Not use a neighbour's bin to dispose of rubbish, without agreement.
- Share responsibility for putting out and returning bins after collections.
- Ensure that only recyclable material is placed in any recycling bins.
- Arrange for the disposal or collection of any bulk rubbish/large items and not leave these items in communal areas.

### 5.3 Shared Gardens

The Co-operative does not provide a gardening service and therefore all Members have joint responsibility for the maintenance of shared gardens. This includes cutting lawns, weeding and pruning hedges, shrubs and trees and generally keeping the garden in a tidy condition. Members must not:

- Put up any structures, such as sheds, without the written agreement of the Co-operative.

- Fence off any part of the garden without first seeking agreement from others who share the garden and permission from the Co-operative.
- Put caravans, motor vehicles, trailers etc in the garden.
- Use the garden to store or dump old furniture, vehicle parts or other items of rubbish.

#### 5.4 Communal hallways and entrances

Shared entrances, hallways and stairs can be a source of dispute. Members should take the following steps to help maintain good relations:

- Take shared responsibility for the cleaning of communal hallways and stairs, unless a cleaning contractor is employed, in which case, Members should immediately report any problems with the cleaning standards.
- To safeguard the security of the building, ensure communal doors are never left open.
- Not leave any items such as shoes, buggies or bicycles in the communal entrances, hallways or stairs where this has deemed to be fire risk hazard, and without the prior agreement of other Members living in the building.
- Be mindful that noise generated from communal areas, such as slamming doors and children running up and down stairs can be magnified around the building.

### **6. Ways to resolve a Resident Dispute**

#### 6.1 Talk to your neighbour

As part of a housing co-operative, Members should maintain good relations with their neighbours and demonstrate a willingness to talk and listen to any problems or disputes which may arise. It is best to assume your neighbour is not intentionally meaning to upset you with their behaviour. Neighbours should therefore initially speak to each other and attempt to resolve the dispute by coming together and reaching an agreement.

Members should only approach their neighbour however, if they feel safe and comfortable to do so. It would be preferable to broach the issue face to face, but an approach could also be made in writing, by text or phone call.

The Member should explain to their neighbour how their behaviour is affecting them and what actions could be taken to help the situation. Members should listen to each other and make every effort to reach a compromise which is agreeable to both parties.

#### 6.2 Informal Mediation

If Members are unable to resolve a Resident Dispute between themselves, they should contact the Housing Co-operative Manager. The Co-operative cannot take legal action about a neighbour dispute but will make every effort to resolve the dispute by informally mediating between all parties.

The Co-operative recognises that neighbour disputes can only be resolved through discussion, leading to understanding and often compromise. Everyone involved should be willing to take part in this process.

### 6.3 Formal Mediation

If an agreement cannot be reached, a referral can be made to a mediation service. Trained mediators are skilled at helping people talk openly and find solutions to resolve disagreements. Members should seriously consider any offer of mediation which is made and be willing to participate in this universally recognised process of dispute management. Please be aware that the Co-operative will have to pay for any external mediation service and that a solution will still have to be reached through agreement and compromise.

### **7. What the Co-operative can and cannot do**

It should be recognised that it is generally not possible to take action in cases of resident disputes because many of the behaviours and issues are not classed as anti-social behaviour. The Co-operative can offer advice on what can be done and outline possible solutions, but is not able to pursue formal legal action in the case of a resident dispute.

In cases where a person's behaviours or actions are having a seriously detrimental effect on the health and well-being of another Member/s, legal remedies may be used to address the behaviour in line with the Co-operative's Anti-Social Behaviour (ASB) Policy. The formal definition of anti-social behaviour and detailed examples of what constitutes anti-social behaviour are contained within the ASB policy.

### **8. Record Keeping**

It is often not easy to establish if problems with neighbours constitute anti-social behaviour. It is therefore recommended that a record is kept of any problems, detailing when and what happened. This evidence may be used if a decision is made to take things further in line with the Anti-Social Behaviour Policy.

The Co-operative can provide 'diary sheets' to make a note of any incidents, such as the time and date of excessive noise. Members should also keep any messages from their neighbours and collect any other evidence which may be relevant, such as photos of dumped rubbish.

### **9. Policy Review**

This policy will be regularly reviewed to ensure it reflects best practice and to address legislative, regulatory or operational changes.

<b>Approved by the Management Committee on</b>	<b>5<sup>th</sup> April 2022</b>
<b>Signed</b>	
<b>Position of Signatory</b>	
<b>For review on</b>	<b>5<sup>th</sup> April 2025</b>