

# Factsheet

Complaint Handling  
Information for neighbours and related parties  
February 2020

**This factsheet 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 NSW Local Scheme. It has been developed to assist these complainants in determining the most appropriate avenue for them to progress their complaint.**

## The role of the Registrar of Community Housing (the Registrar)

The Registrar will deal with complaints and allegations relating to dissatisfaction with registered CHP's compliance with the *Community Housing Providers (Adoption of National Law) Act 2012 (NSW)* including the NSW Local Scheme Regulatory Framework underpinned by the principles of the National Law (NSW).

This only applies to community housing properties operated by CHPs registered under the NSW Local Scheme 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.

The Registrar has no direct role in mediating or resolving neighbourhood disputes or in matters which fall outside the NSW Local Scheme (see below). The Registrar does 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 NSW Local Scheme Regulatory Framework. The Registrars' office 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 NSW Local Scheme 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 NSW Local Scheme

As previously indicated, certain complaints or disputes may fall outside the NSW Local Scheme 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

Depending on circumstances, such matters will best be dealt with by either:

- the relevant State government agency responsible for managing tenancy issues, or
- the relevant State government tenancy review, or administrative review body, or
- the relevant State 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.
- The Registrars' office 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 a CHP's tenancy and property management responsibilities may require the involvement of one or more of the agencies listed above.
- The role of the Registrar is to monitor CHP's compliance with the National Law (NSW). The Registrar does not have the power to resolve individual disputes.

### More Information

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

Please visit the Registrar's website at <https://www.rch.nsw.gov.au/nsw-local-scheme>.

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