

Managing property properly

Dealing with Noisy Neighbours



Living in a **sectional title** property often **involves sharing walls with your neighbours** and having people living above you, below you or even both. Noise nuisance is one of the **most common problems** in sectional title and the usual suspects include:

- **Music** being played too loud
- Loud voices and **shouting** (especially prevalent whilst **drinking**)
- Dogs **barking**
- Noisy wooden flooring (**stomping** around and furniture being dragged)
- Children **crying**
- Doors **slamming**
- **Renovations**

You, as an owner or tenant in a sectional title scheme, are **entitled not to have the use and enjoyment** of your unit **unreasonably interfered with** by other owners and tenants. This means that **everyone** living in a sectional title scheme **should be considerate** by **keeping** their (and their guests) **noise levels down** when going about their lives at the scheme. However, it **doesn't mean** that other owners and tenants are **not entitled to make a peep! You also must be reasonable** and are expected to handle a reasonable level of noise during ordinary waking hours and on national holidays known for higher noise levels such as New Year's Eve.

That said, **what if your neighbour is completely unreasonable and making your life a living hell?**

How to deal with a noisy neighbour:

1. Talk NICELY to them first

If you are fuming during or after you have been disturbed, **wait until you've cooled down** before approaching the source of your anger. If you approach them in a temper your problem may escalate from a neighbour who is annoying you to a neighbour you've had a fight with. Remember you have to live next to this person. So be polite.

Similarly, if you suspect the noise is a result of boozing – wait until the next day so you have more chance of dealing with them in a sober state.

Politely explain your position to them face-to-face and **ask them to please ensure that this doesn't happen again** in the future.

2. Keep a record of the nuisance

If it continues after you've asked them nicely to stop making a noise, **keep a record or a 'noise diary'**. This includes recording the times, dates, level of noise (these days you can record the disturbance on your cell phone), and any conversations or correspondence you have had with them. These records are **vital** if you eventually go down the route of **mediation or arbitration**.

3. Fill in an official complaint form and ask the trustees or your managing agent to get involved

Once you've completed a complaint form the trustees or managing agent can issue the person concerned with the necessary letter and if that is unsuccessful, a final breach notice.

4. Outside professional intervention

If all else fails, **mediation or arbitration** are the dispute resolution mechanisms to follow. Ask the trustees or managing agent for advice if you want to go initiate these proceedings.

5. Absolute last resorts

You can try contact your **local authority** for assistance, but unfortunately it generally has more important problems to deal with than to police residential noise nuisances... For information on **interdicts, criminal court orders and other legal options** have a look at [this article](#) written by Bergman's Attorneys.

Remember that **if at any time you feel physically threatened** by a neighbour during your interactions with them – remove yourself from the situation and if you have to, **call the police**. The trustees and managing agents are not policemen and cannot physically control another person's behavior.

Image source: <http://www.telegraph.co.uk>

Source: [A Paddocks Sectional Title Lifestyle Blog](#)