



Bob Aaron *E* April 2, 2011

In U.K., 1 in 10 move due to "nasty neighbours"

At any given time, at least some of the courts in Ontario are occupied with disputes between neighbours. Based on the current law reports that come across my desk, these disputes usually involve noise, boundary disputes, weeds, garbage, animals, harassment, smoking, or parking issues.

If polite attempts fail to resolve the disputes, and the aggrieved party is unable or unwilling to look to the courts — or tried it and failed — there is always the ultimate solution to escaping nasty neighbours: move. But how many would resort to this extreme step just to get rid of neighbours?

It came as a surprise to me to read a report from Halifax Home Insurance in the U.K. last year, which concluded that more than 360,000 Britons moved home in one year due to irritating neighbours.

The study by ICM Research revealed that almost one in 10 people moved due to poor neighbour relations. In fact, this reason was cited as being a bigger motivator for relocating than being nearer to family, or a good school, or downsizing.

The most frequent complaints fuelling the moves include aggressive behaviour (60 per cent), excessive noise (53 per cent) and a messy property or garden (19 per cent).

Other factors are neighbours allowing their homes to fall into disrepair (18 per cent), stealing (12 per cent), and even "curtain twitching" (11 per cent). This term was new to me so I looked it up at www.urbandictionary.com, which defines a curtain twitcher as someone with nothing better to do than spy on their neighbours for signs of petty wrongdoing. The term refers to the only sign of their presence — curtains twitching as they peek out.

According to Halifax Home Insurance, home buyers in Britain are willing to pay a £5,000 premium (\$8,000) for a guarantee of good neighbours, and anti-social neighbours can devalue local house prices by £30,000 (\$47,000).

As well, it seems the fear of devaluing property has caused many Britons unwittingly to break the law when moving by failing to disclose the problem to prospective buyers. This type of disclosure is mandatory by law in Britain, but not in Canada.

Halifax Insurance advises homeowners with neighbour problems to keep the channels of communication open, write polite notes or have a civilized discussion, and consider mediation or conciliation. Litigation and moving are last resorts.

Britons take relations with their neighbours seriously indeed. A self-help website calling itself Neighbours From Hell in Britain (www.nfh.org.uk) is an online community devoted to helping people suffering with a nuisance neighbour, noisy neighbour, harassment, bullying, boundary problems, anti-social behaviour or any form of unwanted attention or interference.

Its purpose is to enable people who are suffering with neighbour problems "to come together as a voice for change and most importantly as a means of supporting one another through what can be truly awful times that are often both physically and mentally exhausting."

The online forum was created in 2002 and now claims more than 30,000 members.

Its helpful resources include advice on how to deal with high hedges, nuisance barbecues, bonfires, noise, anti-social behaviour, ice cream vans, barking dogs, and similar headaches.

I'mnot at all convinced that the Canadian experience would match the U.K. statistics. Certainly, over the years, some of my clients have moved to escape the "neighbours from hell." But I doubt if the statistic here would be as high as 10 per cent.

In my experience, residents of Ontario move to upsize or downsize, to be near good schools, family or jobs. Couples also move because they are separating or moving in together. Seniors move to choose a retirement lifestyle or trade the responsibility of looking after a house for a condominium in the sky.

In the GTA, I also believe that one major reason for moving is to purchase homes or condominiums under construction and wait for them to appreciate.

But moving to escape neighbours? Not very frequent in this neck of the woods.

If you moved because of a neighbour from hell, I'd like to hear from you.

Bob Aaron is a Toronto real estate lawyer. www.aaron.ca @Aaron & Aaron. All Rights Reserved.