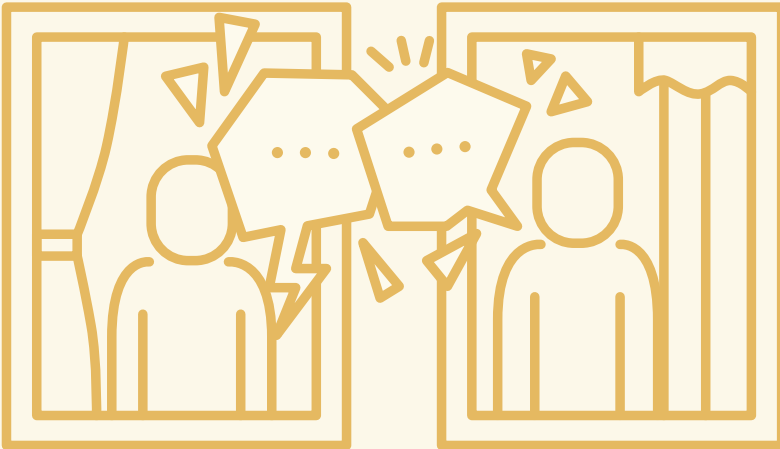


A GUIDE TO NEIGHBOUR DISPUTE CLAIMS



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¹ "Leave" will be known as "Permission" for claims filed on or after 1 April 2022.

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CHAPTER 1

GENERAL INFORMATION



(A) Overview of Community Disputes Resolution Tribunals (CDRT)

Background

The Community Disputes Resolution Act (CDRA) creates a statutory tort of interfering with the enjoyment or use of a place of residence. The underlying principle is that no person should cause unreasonable interference with his neighbour's enjoyment or use of that neighbour's place of residence.

The CDRA also establishes the Community Disputes Resolution Tribunals (CDRT) as part of the State Courts to hear cases under the CDRA.

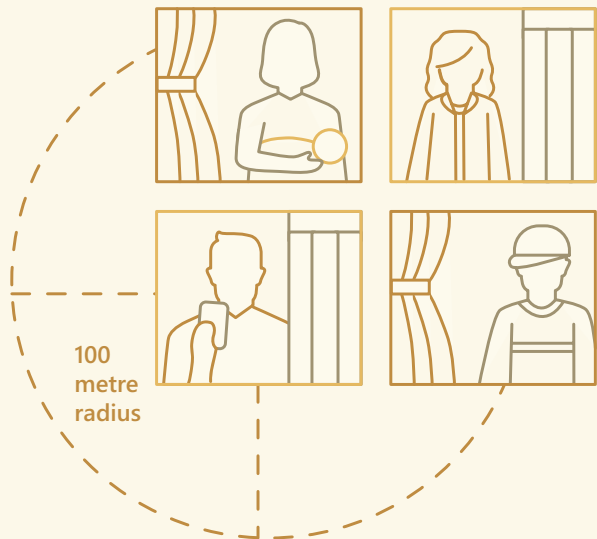
The CDRA only applies to acts committed on or after the date it came into force (1 October 2015).

Who is my neighbour?

Your neighbour is a person who:

- > Lives in the same building as you; or
- > Lives within a 100 metre radius of your place of residence.

Your neighbour does NOT include a person who lives in the same place of residence as you.



(A) Overview of Community Disputes Resolution Tribunals (CDRT) *(cont'd)*

Examples of interference



Trespassing on your place of residence.



Causing excessive noise, smell, smoke, light or vibration.



Conducting surveillance on you or your place of residence, where the surveillance is done at or in the vicinity of your place of residence.



Littering at or in the vicinity of your place of residence.



Interfering with your movable property.



Obstructing your place of residence.



Allowing his animal to trespass on your place of residence, to cause excessive noise or smell, or to defecate or urinate at or in the vicinity of your place of residence.

(A) Overview of Community Disputes Resolution Tribunals (CDRT) *(cont'd)*

Evidence that may be brought before the CDRT

You will need to present proof (or evidence) to support your claim. The proof can be in written form, photographs, or audio/video recordings.



Photographs



Police reports



Audio recordings



Previous mediation settlement agreements



Letters inviting your neighbour or you to attend mediation on previous occasions



Record of incident stating the date, time, frequency, type and severity of interference



Video recordings



Letters or notes that have been exchanged between your neighbour and you



Letters from other government agencies such as
 • BCA • HDB • LTA • NEA • PUB
 • SCDF • SPF • URA • NPARKS



CCTV recordings



Medical reports

(A) Overview of Community Disputes Resolution Tribunals (CDRT) *(cont'd)*

Court orders that the CDRT can make

Damages

An order for your neighbour to pay you a sum of money (not more than \$20,000)

Injunction

An order for your neighbour to stop doing something (e.g. stop making noise)

Specific Performance

An order for your neighbour to do something (e.g. remove obstruction)

Apology

An order for your neighbour to apologise to you

Other Order

Any other order to give effect to the above orders

(B) Before filing a Claim — Self-help remedies

Neighbours should consider starting proceedings in the CDRT only after all self-help options, including community mediation, have been attempted and exhausted.

Initiating proceedings in the CDRT against your neighbour should always be the last option unless all other means of resolving the dispute have not been effective.

To better understand the self-help options that are available to you, you may wish to refer to the following websites:

Guidelines on Resolving Neighbour Disputes

<https://www.mccy.gov.sg/sector/initiatives/community-dispute-management-framework>

Mediation

Community Mediation Centre (CMC)

<https://www.mlaw.gov.sg/content/cmcc/en.html>

Assistance from People's Association

Legal Advice Service

<https://www.pa.gov.sg/our-network/community-clubs/legal-advice-service>

Assistance from Town Councils

www.towncouncils.sg

Assistance from Relevant Government Agencies

Building and Construction Authority (BCA)

Housing & Development Board (HDB)

Land Transport Authority (LTA)

National Environment Agency (NEA)

National Parks Board (NPARKS)

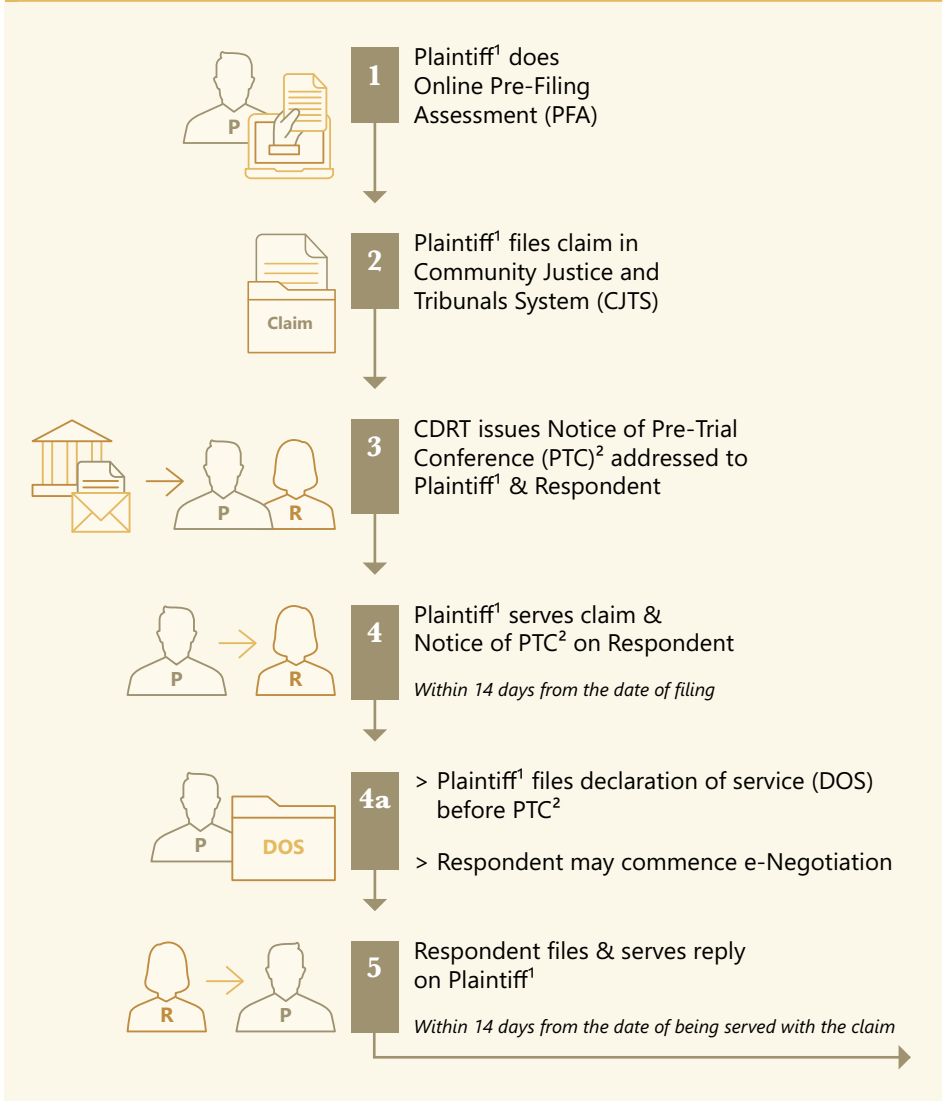
PUB, The National Water Agency (PUB)

Singapore Civil Defence Force (SCDF)

Singapore Police Force (SPF)

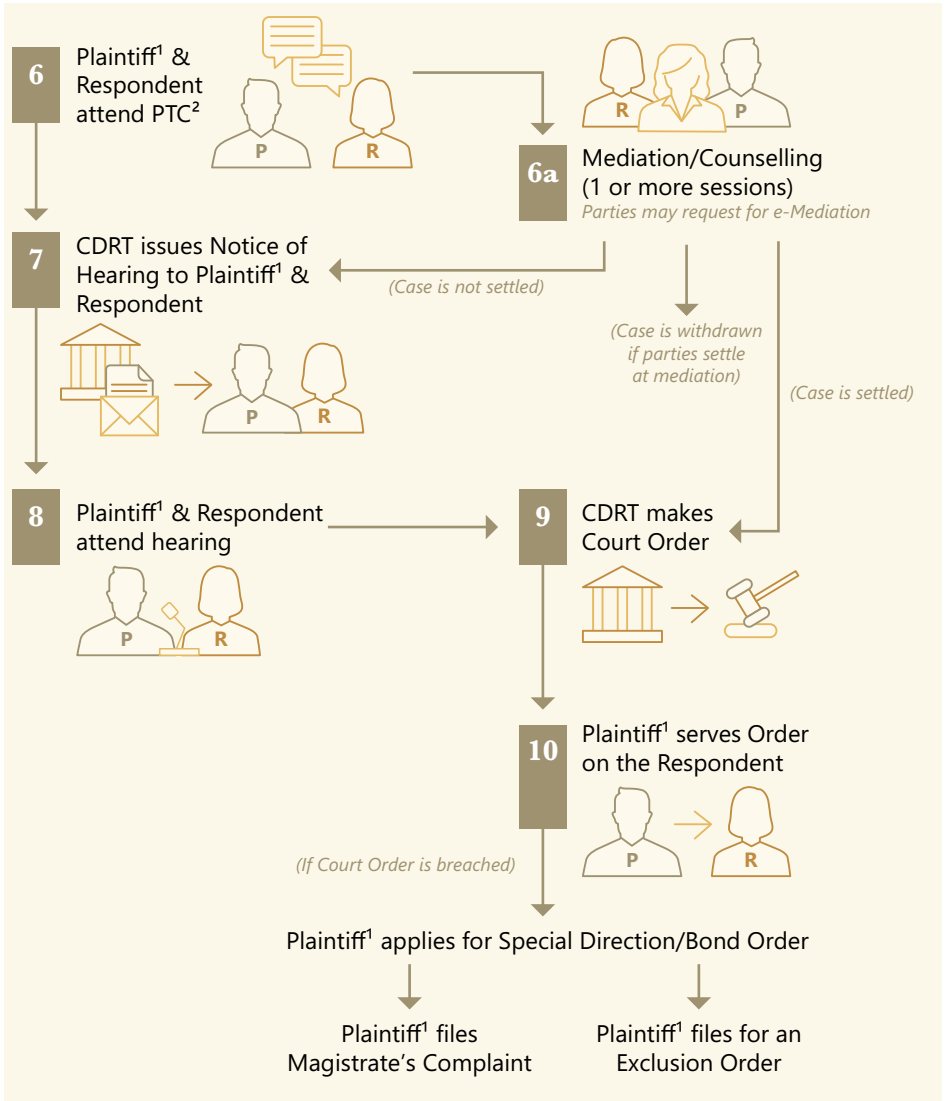
Urban Redevelopment Authority (URA)

(C) CDRT Process Flowchart



¹ "Plaintiff" will be known as "Claimant" for claims filed on or after 1 April 2022.

² "Pre-Trial Conference (PTC)" will be known as "Case Conference" for claims filed on or after 1 April 2022.



¹ "Plaintiff" will be known as "Claimant" for claims filed on or after 1 April 2022.

² "Pre-Trial Conference (PTC)" will be known as "Case Conference" for claims filed on or after 1 April 2022.

(D) Features of CDRT

The CDRA prescribes that processes in the CDRT shall be simplified and that the fees are affordable to enable members of the public to represent themselves in the proceedings without the assistance of lawyers.

Pre-filing Assessment

A plaintiff¹ is required to log on to the State Courts' online electronic filing system at website <https://cjts.judiciary.gov.sg/home> and undergo a pre-filing assessment before lodging any claim.

Present Your Own Case

Lawyers are not allowed to represent a party to the proceedings. The only exception is when all parties to the proceedings agree for a party to be represented by a lawyer and the CDRT gives permission.

As a general rule, a party to the proceedings must present his or her own case during the CDRT proceedings. There are, however, some exceptions to this general rule. A party to the proceedings may be represented by another person in the following situations, provided that the CDRT is satisfied that the person has sufficient knowledge of the case and sufficient authority to bind the party whom he represents.

¹ "Plaintiff" will be known as "Claimant" for claims filed on or after 1 April 2022.

(D) Features of CDRT *(cont'd)*

Situation

The party is below 21 years old; and the CDRT is of the opinion that he is unable to present his own case.

Who can represent the party?

- > The party's parent;
- > The party's guardian; or
- > A person who is approved by the CDRT.

Situation

The party is not living in Singapore; and the party is unable to remain in Singapore until the hearing of the case.

Who can represent the party?

A person:

- > who is authorised in writing by the party; and
- > who is approved by the CDRT.

Situation

The CDRT is of the opinion that the party is unable to present his own case because he is:

- > old;
- > illiterate;
- > mentally ill; or
- > physically ill.

Who can represent the party?

- > A person who is authorised in writing by the party; or
- > A person who is approved by the CDRT.

(D) Features of CDRT *(cont'd)*

Private Proceedings

All proceedings in the CDRT are heard in camera. This means that only the parties to the proceedings and the witnesses who have been called to give evidence in the proceedings are allowed to be present. Unless the Tribunal Judge orders otherwise, the following persons are not allowed to be present during the proceedings:

- a) Members of the press;
- b) Members of the public; and
- c) Immediate family members, relatives and friends of the parties to the proceedings who are not parties to the proceedings and have not been called to give evidence in the proceedings.

Simplified Evidential Rules

Evidence tendered to the CDRT by or on behalf of a party to any proceedings need not be given on oath but the CDRT may, at any stage of the proceedings, require that the evidence or any part of it be given on oath whether orally or in writing, or be verified by statutory declaration.

(D) Features of CDRT *(cont'd)*

Simplified Methods of Service

Documents that are used in the CDRT proceedings can be served on the other party in the following ways:



Method of Service

Personal service

How

Handing the documents to the party to be served



Registered post to the residential address, registered address or address of the person's principal place of business, as notified to ACRA

Posting the documents to the address of the party to be served



Through the electronic system

Serving electronically via the Community Justice & Tribunals System (CJTS) where the other party has been notified of the right to access CJTS



As directed by the CDRT (for example, by e-mail)

In a manner that is directed by the CDRT

Compulsory Counselling and Mediation

At any point during the proceedings, the CDRT can order the parties to the proceedings to attend counselling conducted by a court counsellor or external counsellor, or mediation at the Community Mediation Centre or before any other mediator. A party who fails to comply with the order to attend counselling or mediation commits contempt of court, and may be fined or imprisoned.

(D) Features of CDRT *(cont'd)*

Costs and Disbursements

Other than disbursements, the CDRT will generally not grant costs to or award costs against any party to any proceedings in the CDRT. The only exception is where:

- a) The whole or any part of a claim is struck out or dismissed on the ground that the whole or part of the claim is frivolous or vexatious or is an abuse of the process of the CDRT; or
- b) The CDRT is of the view that it is just and equitable to do so.

2-year Limitation Period for Claims

All CDRT claims must be filed within 2 years from the date the cause of action accrued. A cause of action is the fact or facts which entitles you, in law, to start a court action against the Respondent. You may file a claim in the civil courts, e.g. at the Magistrates' Courts if the cause of action accrued more than 2 years ago.

Maximum \$20,000 Monetary Claims

The maximum monetary claim that can be brought in the CDRT is \$20,000. You may file a claim in the civil courts, e.g. at the Magistrates' Courts if you are claiming more than \$20,000 from the Respondent.

(E) Instructions for Filing Documents and Evidence

1 Every page must be paginated (i.e. numbered) consecutively, with the page number stated at the top right hand corner of the page.

2 All documents which are not written in English must be accompanied by an official translation into English.

3 Where the evidence is in the form of audio or video recordings (including CCTV recordings):

- (i) the recordings must be saved in a CD-R or DVD-R, which is labelled in the following format:

[Party's name]–[CD–R or DVD–R Number]

E.g. [Tan Ah Teck Joseph]–[CD1]
[Tan Ah Teck Joseph]–[DVD1]

- (ii) each recording must be saved under a file name in the following format:

[Date of recording in YYYY-MM-DD format]–[Actual time that recording started in HH-MM-SS (24h) format]–[Short description of what the recording is meant to show]

E.g. [2016-06-05]–[23-11-00]–[Spitting]
[2016-06-10]–[09-07-00]–[Hurling vulgarities]

(E) Instructions for Filing Documents and Evidence *(cont'd)*

(iii) the important part(s) of each recording that the party wishes to bring to the Tribunal Judge’s attention must be identified and transcribed in the following format in the Claim/Application/Reply:

DVD Label	File name of recording	Time location within recording [HH:MM:SS] to [HH:MM:SS]	Transcript*
[Tan Ah Teck Joseph]– [DVD1]	[2016-06-05] –[23-11-00] –[Spitting]	Actual time: [23:11:23] to [23:11:30] or Recording time: [01:05:22] to [01:05:25]	Respondent spits along the common corridor
[Tan Ah Teck Joseph]– [DVD2]	[2016-06-10] –[09-07-00] –[Hurling vulgarities]	Actual time: [09:10:22] to [09:12:50] or Recording time: [00:35:21] to [00:40:23]	Respondent stands outside Plaintiff’s ¹ flat and scolds Plaintiff ¹ with vulgarities (“state exact words”)

(iv) a transcript of the important part(s) of the audio or video recording must be prepared to state the action that is seen, the exact words that are used, the sounds that are made, etc

(v) where the words that are used in the audio or video recording are not in English, an official translation of the words into English must be provided.

(vi) screenshots of the important frame(s) in the video recording to support what is stated in the transcript must be provided.

IMPORTANT: DOCUMENTS AND EXHIBITS WHICH DO NOT COMPLY WITH THESE INSTRUCTIONS MAY BE REJECTED BY THE CDRT.

¹ “Plaintiff” will be known as “Claimant” for claims filed on or after 1 April 2022.

CHAPTER 2

CDRT PROCEEDINGS



(A) Filing a Claim or Reply

Legal proceedings are commenced in the CDRT when a plaintiff¹ files a claim against a respondent. Please see below for a step-by-step process on filing a claim in the CDRT.

1 Consider whether your neighbour has interfered with your enjoyment or use of your place of residence according to the CDRA.

2 Gather the necessary **evidence** to support your case.

3 For the purpose of the proceedings, you will be known as the Plaintiff¹ and your neighbour will be known as the Respondent.

4 Upon filing the application in CJTS, a **Notice of Pre-Trial Conference**² will be generated in CJTS and issued to the Plaintiff¹ and the Respondent to attend a Pre-Trial Conference² at the CDRT on a specified date and at a specified time.

5 Within 14 days after the Claim is filed, the Plaintiff¹ must serve one (1) set of the Claim and one (1) set of the supporting evidence on the Respondent.

E.g. If the Plaintiff¹ files the Claim on 10 February, the Plaintiff¹ must serve one (1) set of the Claim and one (1) set of the supporting evidence on the Respondent by 24 February which is the last day to serve the documents.

6 Before the date and time fixed for the Pre-Trial Conference² at the CDRT, the Plaintiff¹ must file a **declaration of service** in CJTS.

¹ "Plaintiff" will be known as "Claimant" for claims filed on or after 1 April 2022.

² "Pre-Trial Conference (PTC)" will be known as "Case Conference" for claims filed on or after 1 April 2022.

(A) Filing a Claim or Reply *(cont'd)*

7a If the Respondent intends to object to or contest the claim, the Respondent has 14 days after being served with the Claim and the supporting evidence to file his **Reply**, together with the supporting evidence, in CJTS.

E.g. If the Respondent receives the Claim and the supporting evidence from the Plaintiff¹ on 17 February, the Respondent must file his Reply together with the supporting evidence, by 3 March at the latest.

7b Alternatively the Respondent may wish to consider resolving the matter via e-Negotiation in CJTS.

8 Within the same 14-day period, the Respondent must serve one (1) set of the Reply and one (1) set of the supporting evidence on the Plaintiff¹.

9 When the CDRT fixes a Pre-trial Conference², the Plaintiff¹ and the Respondent must attend the Pre-Trial Conference² at the CDRT on the specified date and the specified time.

Things to bring:

1. National Registration Identity Card
(for Singapore citizen/Permanent Resident)
2. Passport and Employment Pass (for foreign citizen)
3. One (1) set of the Claim, Reply and supporting evidence
4. Notice of Pre-Trial Conference²

¹ "Plaintiff" will be known as "Claimant" for claims filed on or after 1 April 2022.

² "Pre-Trial Conference (PTC)" will be known as "Case Conference" for claims filed on or after 1 April 2022.

(A) Filing a Claim or Reply *(cont'd)*

The Tribunal Judge can make the following orders during a Pre-Trial Conference²:

1. Order the Plaintiff¹ and the Respondent to attend mediation
2. Order the Plaintiff¹ and/or the Respondent to attend counselling
3. Schedule another Pre-Trial Conference²
4. Fix the case for hearing

10 Where the Tribunal Judge has fixed the case for hearing, a Notice of Hearing will be issued to the Plaintiff¹ and the Respondent to attend the hearing at the CDRT on a specified date and time.

11 The Plaintiff¹ and the Respondent must attend the hearing at the CDRT on the specified date and time.

Things to bring:

1. National Registration Identity Card
(for Singapore citizen/Permanent Resident)
2. Passport and Employment Pass (for foreign citizen)
3. One (1) set of the Claim, Reply and supporting evidence
4. Notice of Pre-Trial Conference²

If a Court Order is made, the Plaintiff¹ is to extract the Court Order and serve a copy on the Respondent.

¹ "Plaintiff" will be known as "Claimant" for claims filed on or after 1 April 2022.

² "Pre-Trial Conference (PTC)" will be known as "Case Conference" for claims filed on or after 1 April 2022.

(B) Enforcing CDRT Orders

(i) Applying for a Special Direction

The Plaintiff¹ may consider applying for a Special Direction against the Respondent if the Respondent disobeys an Order made by the CDRT against him. A Special Direction is a direction by the CDRT to the Respondent to comply with the order that has been made against him within a specified time. A Respondent who, without reasonable excuse, fails to comply with a Special Direction commits an offence and shall be liable on conviction to a fine up to \$5,000 or to imprisonment of up to 3 months or to both.

(ii) Applying for a Person to enter into a Compliance Bond

The Plaintiff¹ may, at the same time as applying for a Special Direction, apply for a third party to enter into a Bond to ensure that the Respondent complies with the Special Direction. The application is to be served on the third party to attend the proceedings and be heard before deciding whether to order him or her to enter into a Bond. The CDRT may, in making an order for a third party to be bonded, impose conditions or give directions to the third party. A party who fails to comply with a court order to enter into a Bond commits an offence and shall be liable on conviction to a fine of up to \$2,000.

If the Respondent fails to comply with the Special Direction, the CDRT will arrange for the third party to show cause for why his Bond should not be forfeited. If cause is shown (i.e. the third party has provided sufficient explanation), the Bond may not be forfeited in full. If cause is not shown, the bond will be forfeited in full.

¹ "Plaintiff" will be known as "Claimant" for claims filed on or after 1 April 2022.

(B) Enforcing CDRT Orders (*cont'd*)

(iii) Applying for an Exclusion Order

In the event that the Respondent does not comply with the Special Direction, the Plaintiff¹ may consider applying for an Exclusion Order against the Respondent. An Exclusion Order is an order by the CDRT that the Respondent be excluded from his or her place of residence. In deciding whether it is just and equitable for an Exclusion Order to be made, the CDRT must consider all of the following matters:

- a) The impact of the order on the Respondent;
- b) The impact of the order on any person who, at the time of the making of the order, resides in the Respondent's place of residence;
- c) The impact of the order on any other person who can reasonably be expected to be affected by the order; and
- d) Any other matters as the Court deems fit.

A Respondent who, without reasonable excuse, fails to comply with an Exclusion Order commits an offence and shall be liable on conviction to a fine of up to \$5,000 or to imprisonment of up to 3 months or to both.

Instead of a fine or imprisonment, the Court also has the discretion to make a Community Order against the Respondent. The Respondent may, alternatively, be punished for Contempt of Court.

¹ "Plaintiff" will be known as "Claimant" for claims filed on or after 1 April 2022.

(B) Enforcing CDRT Orders *(cont'd)*

(iv) Contempt of Court

Under the Administration of Justice (Protection) Act 2016, a Respondent may be punished for Contempt of Court for a failure to comply with order(s) made by the CDRT. This ensures that public confidence in the administration of justice is not undermined. The Court may sentence the Respondent to a fine and imprisonment.

(C) Appeals

(i) Appeals from Order of CDRT Registrar

Rule 15 of the CDRA Rules provides that an appeal may be made to a Tribunal Judge from any judgment, order or direction of the Registrar. The appeal is brought by serving on the other party a notice filed in the relevant form to attend before the Tribunal Judge.

Unless the Court otherwise orders, the notice must be issued within 14 days after the judgment, order or direction appealed against was given or made and served on all other parties within 7 days of it being issued. Except so far as the Court may otherwise direct, an appeal under this Rule shall not operate as a stay of the proceedings in which the appeal is brought.

(ii) Appeals to General Division of the High Court

An appeal can be made to the General Division of the High Court against a decision, a direction or an order of a CDRT:

- (a) On any ground involving a question of law;
- (b) On the ground that the claim was outside the jurisdiction of the tribunal;
- (c) Made under section 6(2) (i.e. Special Direction);
- (d) Made under section 6(3) (i.e. Bond);
- (e) Made under section 9(2) (i.e. Exclusion Order); or
- (f) A final order (i.e. an order that finally disposes of the case).

Such an appeal can be made to the General Division of the High Court only if the CDRT has given leave¹ to do so. The CDRT's order giving or refusing leave¹ to appeal is final and is not subject to any appeal.

¹ "Leave" will be known as "Permission" for claims filed on or after 1 April 2022.

(C) Appeals *(cont'd)***(iii) Application for Leave¹ to Appeal**

An application for leave¹ to appeal against a decision, a direction or an order of the CDRT must be made in the relevant form and must be filed within 14 days after the date on which the decision, direction or order was given or made. The Appellant must serve the application on the Respondent within 7 days after the date on which the application is filed.

A Respondent who intends to contest the application must file and serve on the Appellant a reply in the relevant form within 14 days after being served with the application. Where any party does not appear at the hearing of the application for leave¹ to appeal, the CDRT hearing the application may dismiss the application or make such orders as the tribunal thinks fit.

(iv) If Leave¹ to Appeal is Granted

An Appellant who obtains leave¹ from a CDRT to file an appeal to the General Division of the High Court must file and serve a notice of appeal in the relevant form within 14 days after the date on which leave¹ is given. This appeal to the General Division of the High Court is by way of a rehearing. The Appellant must, at the time of filing the notice of appeal, provide security for the Respondent's costs of the appeal in the sum of \$2,000.

¹ "Leave" will be known as "Permission" for claims filed on or after 1 April 2022.

CHAPTER 3

CASE SUMMARIES/ ORDERS



The following community disputes case studies are provided as a guide to court users and to illustrate the types of Court Orders the Judge made for each of the cases. The case details have been generalised to ensure the confidentiality of the CDRT hearings which are private proceedings. Court users can have an understanding of the types of cases that have been heard at the CDRT, and the considerations that shape the outcome of the hearings.

The facts and circumstances of each case will vary. The Judge will consider all the relevant factors before making the CDRT orders.

(A) Consent Order

The following Consent Order cases show how parties were able to agree to an amicable order by the CDRT despite the seemingly intractable issues they faced. Mediated solutions help to preserve good neighbourly relations. The Consent Orders show how the concerns of both parties may be addressed and serve as a guide for parties to consider how to resolve similar neighbourhood disputes.

(i) Section 4(2)(a) Causing excessive noise

Karaoke Woes

The Plaintiff's¹ flat is directly above the Respondent's flat in an HDB block. The Plaintiff¹ alleged that the Respondent created excessive noise whenever he and his family members used their karaoke machine. As a result of the ongoing dispute, the Respondent scolded the Plaintiff¹ and the Plaintiff's¹ family members with vulgarities and abusive words. The Respondent intentionally left his main door and windows open while using the karaoke machine in order to antagonise the Plaintiff¹.

¹ "Plaintiff" will be known as "Claimant" for claims filed on or after 1 April 2022.

(A) Consent Order (*cont'd*)

CONSENT ORDER

- 1** The Respondent shall ensure that whenever he or any of the occupants of his flat use the karaoke machine, all windows and doors in the flat will be closed completely in order to reduce the amount of sound that escapes his flat.

- 2** The Respondent shall not use the karaoke machine in the periods that the occupants of the Plaintiff's¹ flat are having exams, provided that the Plaintiff¹ or any of the occupants of her flat informs the Respondent in person of the said exam periods.

- 3** The Respondent and the Plaintiff¹, as well as their family members, shall not approach each other, except for the Plaintiff¹ to inform the Respondent of the exam periods.

- 4** The Respondent and the Plaintiff¹, as well as their family members, shall not stare at each other in the event that they meet each other.

- 5** The Respondent and the Plaintiff¹, as well as their family members, shall not make any abusive or insulting comments and sounds at each other.

- 6** The Respondent and the Plaintiff¹, as well as their family members, shall not use any abusive or insulting gestures or behaviour at each other.

¹ "Plaintiff" will be known as "Claimant" for claims filed on or after 1 April 2022.

(A) Consent Order (*cont'd*)

(ii) Section 4(2)(b) Littering at or in the vicinity of neighbour's residence
Section 4(2)(e) Surveillance of neighbour or neighbour's residence

Dirt, Dust, Mothballs & Insults

The Plaintiff¹ and Respondent are adjacent neighbours in a private condominium. The common corridor on the third floor branches out to two staircases leading to the Plaintiff's¹ unit and the Respondent's unit. There is a staircase landing in front of the main door of each unit. The Plaintiff¹ and the Respondent admitted that the staircase landing and staircases constitute common property.

The Plaintiff¹ alleged that the Respondent and his family members caused him unreasonable interference in the following ways:

- > dusting their floor mat, brushing their dirty shoes and throwing dust and other items onto the common corridor and common staircases
- > placing mothballs at the staircase landing outside the main door of the Respondent's unit which the Plaintiff¹ considered to be a health hazard

The Respondent alleged that the Plaintiff¹ was doing the following things:

- > using insulting or rude comments and gestures
- > regularly video-recording the movements of him and his family members using a CCTV camera which is focused on the staircase leading to the Respondent's unit and the staircase landing outside the main door of the Respondent's unit
- > using a mobile phone to record the Respondent and his family members at the common areas of condominium and at the Respondent's workplace

¹ "Plaintiff" will be known as "Claimant" for claims filed on or after 1 April 2022.

(A) Consent Order (*cont'd*)

CONSENT ORDER

- 1** The Respondent and his family members shall not deposit or throw on the common property of the condominium any rubbish, dirt, dust, or other material or discarded item. In particular, the Respondent and his family members shall not hang any floor mat on any part of the railing outside their unit and shall not dust their shoes or throw any item in or around the staircase landing outside the main door of the unit and the staircases and common corridors around or leading to their unit and the Plaintiff's¹ unit.

- 2** The Respondent shall ensure that all mothballs at the staircase landing outside the main door of the Respondent's unit are removed within 3 working days after the making of the order.

- 3** The Plaintiff¹ shall not focus the CCTV camera at the main door of the Respondent's unit, the staircase landing outside the Respondent's unit or the staircase leading to the Respondent's unit. The Plaintiff¹ shall focus the CCTV camera at the staircase landing outside the main door of the Plaintiff's¹ unit and the top half of the staircase leading to the Plaintiff's¹ unit.

- 4** On the understanding that the Respondent and his family members abide by the terms of this order, the Plaintiff¹ shall cease the taking of any photographs or videos of the Respondent or any of his family members, whether in or outside the condominium.

¹ "Plaintiff" will be known as "Claimant" for claims filed on or after 1 April 2022.

(A) Consent Order *(cont'd)*

CONSENT ORDER

- 5 The Plaintiff¹ and the Respondent (and their family members) shall not engage in any physical encounters with each other if they should coincidentally meet each other in the common areas of the condominium.

- 6 The Plaintiff¹ and the Respondent (and their family members) shall not use any threatening, abusive or insulting words or behaviour against each other or within the hearing of each other.

- 7 The Plaintiff¹ and the Respondent (and their family members) shall not approach the staircase landing outside the main door of each other's apartment, except in times of an emergency.

- 8 The Respondent (and his family members) shall not throw anything into the Plaintiff's¹ unit.

¹ "Plaintiff" will be known as "Claimant" for claims filed on or after 1 April 2022.

(A) Consent Order (*cont'd*)

- (ii) Section 4(2)(b) Littering at or in the vicinity of neighbour's residence
Section 4(2)(d) Interfering with neighbour's movable property

Abuse and Rubbish

The Plaintiff¹ and the Respondent live in flats located along the same common corridor. The Respondent who was diagnosed with schizophrenia lived with his two children.

While the Respondent's children were at work and the Respondent was home alone, he repeatedly threw food items, food waste, food wrappers, incense ash, unknown liquids, crushed newspapers and other objects along the common corridor outside the Plaintiff's¹ flat and at the gate and door of the Plaintiff's¹ flat. The Respondent also used objects such as umbrellas and scissors to hit the windows, gate and main door of the Plaintiff's¹ flat, causing some minor damage. In addition, the Respondent repeatedly loitered along the common corridor outside the Plaintiff's¹ flat and scolded, cursed and made highly abusive or insulting comments about the Plaintiff¹ and the Plaintiff's¹ family in a very loud voice.

The Respondent also stalked the Plaintiff¹ and the Plaintiff's¹ family members. Due to the Respondent's psychiatric condition, the Respondent was represented in the proceedings by one of the Respondent's children.

¹ "Plaintiff" will be known as "Claimant" for claims filed on or after 1 April 2022.

(A) Consent Order *(cont'd)***CONSENT ORDER**

- 1** The Respondent is prohibited from stopping along the common corridor outside the Plaintiff's¹ flat with the intention of irritating, provoking or disturbing the Plaintiff¹ or the residents in the Plaintiff's¹ flat.

- 2** The Respondent is prohibited from talking loudly or making noises along the common corridor outside the Plaintiff's¹ flat with the intention of irritating, provoking or disturbing the Plaintiff¹ or the residents in the Plaintiff's¹ flat.

- 3** The Respondent is prohibited from throwing food, food particles, food wrappers, dust, dirt or any other article or thing at, into or outside the Plaintiff's¹ flat.

- 4** The Respondent is prohibited from interfering with the Plaintiff's¹ flat, including using her hand, body, objects or any other means to hit the gate, doors, windows or walls of the Plaintiff's¹ flat, spraying or throwing water or any other substance onto the gate, doors, windows or walls of the Plaintiff's¹ flat and kicking objects (including footwear belonging to the the Plaintiff's¹ neighbours) along the common corridor in front of the Plaintiff's¹ flat.

¹ "Plaintiff" will be known as "Claimant" for claims filed on or after 1 April 2022.

(A) Consent Order (*cont'd*)

CONSENT ORDER

5 The Respondent is prohibited from interfering with any movable property belonging to the Plaintiff¹ or the residents in the Plaintiff's¹ flat that is placed at or in the vicinity of the Plaintiff's¹ flat, including the common corridor outside the Plaintiff's¹ flat.

6 The Plaintiff¹ and the Respondent (and the residents of their flats) are prohibited from approaching each other.

7 The Plaintiff¹ and the Respondent (and the residents of their flats) are prohibited from using any threatening, abusive or insulting words or behaviour against each other.

¹ "Plaintiff" will be known as "Claimant" for claims filed on or after 1 April 2022.

(B) Adjudicated Order

Sometimes the parties are unable to agree to a Consent Order. The Court will proceed to hear the case and make the orders based on the facts of the case.

(i) Section 4(2)(c) Obstructing neighbour's place of residence

My Space Your Space

The Plaintiff¹ and the Respondent are adjacent neighbours in an HDB block. The Respondent's flat is a corner unit, while the Plaintiff's¹ flat is on the left of the Respondent's flat. There is a sliding window (belonging to the Plaintiff's¹ flat) between the main entrance of the Respondent's flat and the main entrance of the Plaintiff's¹ flat.

The Respondent placed a metal shoe rack, a red metal incense burner, a bicycle and some other miscellaneous items under the Plaintiff's¹ sliding window. After the Plaintiff¹ sought the Town Council's assistance, the Town Council officer instructed the Respondent to remove the bicycle, which he did. According to the Plaintiff¹ and the Respondent, the Town Council told the Respondent that he could continue placing the metal shoe rack below the Plaintiff's¹ window.

During court proceedings, the Plaintiff¹ and the Respondent did not exhibit any written permission from the Town Council to that effect. The Plaintiff¹ sought an order for the Respondent to remove all items at the common corridor, in particular, the items below the Plaintiff's¹ window.

¹ "Plaintiff" will be known as "Claimant" for claims filed on or after 1 April 2022.

(B) Adjudicated Order *(cont'd)*

ORDER

After hearing both parties, a Tribunal Order was made against the Respondent to remove all the Respondent's items outside the corridor of the Plaintiff's¹ flat.

GROUNDS FOR ORDER

- 1 The items placed outside the Plaintiff's¹ flat interfere with the Plaintiff's¹ enjoyment of her premises, when the Plaintiff¹ goes in and out of her flat and when the Plaintiff¹ opens her window. The items prevent the Plaintiff¹ from cleaning her windows and surroundings.

- 2 Each flat owner has the right to the space inside the flat but not outside the flat where the common corridor is located. The common corridor falls under the purview of the Town Council. In this case, there was a Town Council By-Law that stated that no one shall obstruct or cause or permit the obstruction of the lawful use of the common property with any object, fixture or thing.

- 3 The Respondent was at liberty to keep the shoe rack inside the Respondent's flat.

- 4 The Plaintiff¹ requested for and the Respondent was ordered to pay the disbursements for the CDRT filing fees and IRAS search fee to obtain the Respondent's name to file the claim.

¹ "Plaintiff" will be known as "Claimant" for claims filed on or after 1 April 2022.

(C) Dismissal**a) Section 4(2)(a) Causing excessive noise****Babysitting Blues**

The Plaintiff's¹ flat was directly below the Respondent's flat. The Plaintiff¹ alleged that the Respondent made excessive noises which were described as heavy running, stomping and thumping, dragging of furniture and dropping of items onto the floor. The occurrence of the noises coincided with the presence of the Respondent's two-year-old granddaughter, for whom the Respondent was the main caregiver while the girl's parents were at work.

The Respondent's case was that any noises that might have been generated were reasonable noises associated with the movements and activities of a young child in a home setting. As the parties could not settle the dispute through mediation, the case proceeded to trial.

Case Dismissed

At the end of the trial, the Plaintiff's¹ claim was dismissed as he had not proven on a balance of probabilities that the noises that he had been hearing in his flat had originated from the Respondent's flat alone and that it was the Respondent or her family members who had caused the noises intentionally, recklessly or negligently.

There was also no evidence to suggest that the noises were "excessive" in that they exceeded household noises or lifestyle noises that are generated through ordinary instances of daily living that can be expected to be tolerated by reasonable persons living in Singapore, and that the noises caused "unreasonable interference" to the Plaintiff's¹ use or enjoyment of his flat.

¹ "Plaintiff" will be known as "Claimant" for claims filed on or after 1 April 2022.

(D) Withdrawal

(i) Section 4(2)(a) Causing excessive noise

Elderly Relatives

The Plaintiff's¹ flat was directly below the Respondent's flat. The Plaintiff¹ alleged that every morning from about 6.45am to 8.15am, she would hear noises from the Respondent's flat, including slamming of the door, sliding and slamming of the window grilles, sounds of footwear and sounds of dragging of furniture in the living room.

At the first Pre-trial Conference (PTC)², the Deputy Registrar was informed that the Respondent lived with her uncle and her elderly aunts and that all the ladies wore slippers at home to protect their feet against the coldness of the floor. The Deputy Registrar was also informed that the uncle and elderly aunts woke up early every morning, which coincided with the period that the Plaintiff¹ heard the noises. The elderly aunts also did their laundry and hung them out to dry at about 6–7am. In addition, the sliding aluminium window grilles were more than 15 years old.

During the case management session, the Deputy Registrar explored with the Respondent on what the possible causes of the noises were and how they could be remedied. The Respondent agreed to do the following:

- 1) Explore alternative footwear for herself and her aunts.
- 2) Replace the stoppers at the base of all the dining chairs in the flat to those that were of softer material and provided more cushioning.
- 3) For the aunts to do the laundry and hang out the laundry at a later time.

¹ "Plaintiff" will be known as "Claimant" for claims filed on or after 1 April 2022.

² "Pre-Trial Conference (PTC)" will be known as "Case Conference" for claims filed on or after 1 April 2022.

(D) Withdrawal *(cont'd)*

When parties returned for the second PTC², the Plaintiff¹ informed the Deputy Registrar that the footwear noises had totally disappeared and the noise from the dragging of furniture had reduced, although the noise from the sliding of the window grilles was still present. The Respondent agreed to purchase lubricant for the window grilles to reduce the friction whenever they were opened or closed.

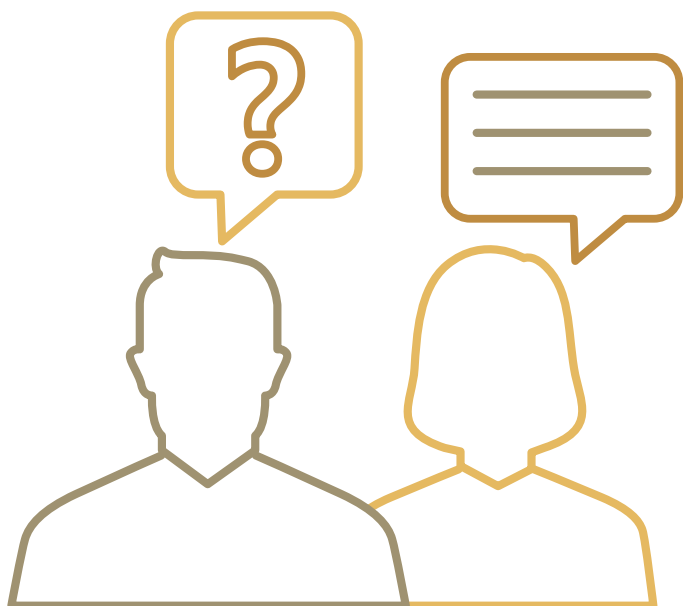
As a result of the improvement to the noises and in the spirit of good neighbourliness, the Plaintiff¹ withdrew the claim.

¹ "Plaintiff" will be known as "Claimant" for claims filed on or after 1 April 2022.

² "Pre-Trial Conference (PTC)" will be known as "Case Conference" for claims filed on or after 1 April 2022.

CHAPTER 4

FREQUENTLY ASKED QUESTIONS



Frequently Asked Questions

1

What will the CDRT consider in deciding whether to make a court order and what court order to make?

The CDRT will consider:

1. Whether the claim has been made out against your neighbour on a balance of probabilities; and
2. Whether it is just and equitable for an order to be made.

In deciding whether it is just and equitable for the court order to be made, the CDRT will consider:

1. The impact of the order on your neighbour;
2. The impact of the order on any person who resides in your neighbour's place of residence at the time the order is made;
3. The impact of the order on any other person who can reasonably be expected to be affected by the order;
4. The ordinary instances of daily living that can be expected to be tolerated by reasonable persons living in Singapore; and
5. Any other matters as the Court deems fit.

Frequently Asked Questions *(cont'd)*

2

What can I do if my neighbour refuses to comply with the court order?

What happens when my neighbour refuses to comply with:

What action can I take under CDRA?

Court Order

Apply for a Special Direction for your neighbour to comply with the court order.

Special Direction

File a Magistrate's Complaint against your neighbour to privately prosecute him for breach of the Special Direction under Section 7(1) of the CDRA; or

Start contempt of court proceedings against your neighbour; or

Apply for an Exclusion Order against your neighbour.

Exclusion Order

File a Magistrate's Complaint against your neighbour to privately prosecute him for breach of the Exclusion Order under Section 10(1) of the CDRA; or

Start contempt of court proceedings against your neighbour.

Frequently Asked Questions *(cont'd)*

3 What can I do if I know my neighbour's address but do not know my neighbour's name?

You can conduct an ownership search based on your neighbour's address at the following websites:

Income Tax Revenue Authority of Singapore website

e-Valuation List

<https://www.iras.gov.sg/taxes/property-tax/property-professionals/real-estate-housing-agents/find-out-annual-values>

Singapore Land Authority website

Integrated Land Information Service

<https://app1.sla.gov.sg/inlis/#/>

Please note that these websites provide the name of the legal owner and not the name of the tenant(s) that the legal owner may have leased the property to.

4 I am a bankrupt. Can I file a Claim or a Reply?

You can file a Claim or a Reply provided you have obtained the permission of the Official Assignee.

5 What if the Respondent does not attend the Pre-Trial Conference?²

The CDRT may grant a default order in the absence of the Respondent.

6 Is it compulsory to attend mediation?

It is compulsory to attend any mediation that is ordered by the CDRT. You are liable for contempt of court if you are absent from mediation.

7 What happens if the dispute is settled at mediation?

If the dispute is settled, the parties may sign a settlement agreement, after which the Plaintiff¹ will withdraw the claim. Alternatively, the parties may request the CDRT to record the settlement terms into a consent order.

¹ "Plaintiff" will be known as "Claimant" for claims filed on or after 1 April 2022.

² "Pre-Trial Conference (PTC)" will be known as "Case Conference" for claims filed on or after 1 April 2022.

Frequently Asked Questions *(cont'd)*

8 What happens if the dispute is not settled at mediation?

The Plaintiff¹ and Respondent are to attend a Pre-Trial Conference² for further directions.

9 What do I need to prepare for the CDRT hearing?

You will need to follow the CDRT's directions which may include the preparation of witness statements and submission of supporting evidence.

10 What if my witness refuses to attend the CDRT hearing?

You may make an application to the CDRT to order the witness to attend the hearing. This is subject to the CDRT's approval. You will have to bear the cost of the witness' attendance and testimony at the hearing, if any.

11 What happens at the hearing?

The hearing will proceed as directed by the CDRT. In the usual case, the Plaintiff¹ will give his evidence, followed by his witnesses.

After the Plaintiff¹ and all his witnesses have given their evidence, the Respondent will give his evidence, followed by his witnesses.

The Plaintiff¹ and Respondent will be given the opportunity to cross-examine the other party's witnesses.

At the end of the hearing, the CDRT may give its order immediately or reserve its order to be given on a different date.

12 What happens if the Respondent does not comply with the CDRT order?

The Plaintiff¹ may take steps to enforce the CDRT order. Please refer to Chapter 2 on Enforcing CDRT Orders.

¹ "Plaintiff" will be known as "Claimant" for claims filed on or after 1 April 2022.

² "Pre-Trial Conference (PTC)" will be known as "Case Conference" for claims filed on or after 1 April 2022.

CHAPTER 5

COURT FEES



(E) Court Fees

The court fees that will be charged for CDRT proceedings are shown below:

COMMUNITY DISPUTES RESOLUTION ACT 2015

COMMUNITY DISPUTES RESOLUTION TRIBUNALS RULES 2015

COURT FEES

No.	Item	Fee	CDRT Rules First Schedule Item No.	Document to be stamped and remarks
1	On filing a claim under rule 5.	\$150	1	The filed copy
2	On filing an application under rule 9 for a special direction, or under rule 11 for an Exclusion Order.	\$100	2	The filed copy
3	On filing an application under rule 10 for an order for a person to enter into a bond.	\$100	3	The filed copy
4	On filing a reply to — (a) a claim under rule 5. (b) an application under rule 9 for a special direction. (c) an application under rule 10 for an order for a person to enter into a bond. (d) an application under rule 11 for an Exclusion Order. (e) an application under rule 14 to set aside a judgment, an order or a direction given or made by a tribunal or the Registrar.	\$20	4	The filed copy

(E) Court Fees (*cont'd*)**RULE 19****COURT FEES**

No.	Item	Fee	CDRT Rules First Schedule Item No.	Document to be stamped and remarks
4	(f) an application under rule 16 for leave ¹ to appeal against a decision, a direction or an order of a tribunal.	\$20	4	The filed copy
5	On filing an application under section 29(2) of the Act for a person, or under section 29(3) of the Act for an advocate and solicitor, to represent a party to proceedings before the Registrar or a Community Disputes Resolution Tribunal.	\$10	5	The filed copy
6	On entering or sealing a judgment or an order of the Registrar or a Community Disputes Resolution Tribunal.	\$30	6	Order or Judgment
7	On filing an application to set aside a judgment, an order or a direction of the Registrar or a Community Disputes Resolution Tribunal.	\$100	7	The filed copy
8	On filing a notice of appeal from the Registrar to a Tribunal Judge of the Community Disputes Resolution Tribunal.	\$100	8	The Notice

¹ "Leave" will be known as "Permission" for claims filed on or after 1 April 2022.

(E) Court Fees *(cont'd)*

RULE 19

COURT FEES

No.	Description	Fee	CDRT Rules First Schedule Item No.	Document to be stamped and remarks
9	On filing an application for leave ¹ to appeal to the General Division of the High Court.	\$100	9	The filed copy
10	On filing a notice of appeal to the General Division of the High Court.	\$600	10	The Notice

RULE 20

COURT FEES

No.	Description	Fee	CDRT Rules 2nd Schedule Item No.	Document to be stamped and remarks
1	For the whole or part of each of the second and third days.	\$100	1	Request
2	For the whole or part of each day after the third day.	\$250	2	Request

¹ "Leave" will be known as "Permission" for claims filed on or after 1 April 2022.

CHAPTER 6

SAMPLE INFORMATION FOR FILING



Sample Information for Filing Claims

Here are examples of the types of information required when filing online. You will need to complete the forms according to your own case.

You may file your information according to the fields allocated. To submit fuller details, pictures or photos, please save them as a PDF file and upload it onto the CJTS.

CLAIM

IN THE COMMUNITY DISPUTES RESOLUTION TRIBUNALS

Claim No. CDT/4/2016

Between

TAN MING KIAT (*Plaintiff*¹)

And

LIM AH YAT (*Respondent*)

Part A — Particulars of Plaintiff¹ (particulars retrieved from “My Profile”)

(a) Name: Tan Ming Kiat

(b) NRIC No. (for Singapore citizen/Singapore Permanent Resident)/No., type and country of issue of foreign identification document (for foreign citizen): S1234567-A

(c) Address: Block 123 Bedok South Avenue 1 #02-125, Singapore 123456

(d) Telephone No.: 91234567

(e) E-mail Address (optional): tan_ming_kiat@yahoo.com

(f) Fax No. (if available): 61234567

¹ “Plaintiff” will be known as “Claimant” for claims filed on or after 1 April 2022.

Sample Information for Filing Claims *(cont'd)*

Part B — Particulars of Respondent

Plaintiff¹ wishes to lodge a claim under section 4 of the Community Disputes Resolution Act (Act No. 7 of 2015) against the following Respondent.

- (a) Name: **Lim Ah Yat**
- (b) Address: **Block 123 Bedok South Avenue 1 #02-123, Singapore 123456**
- (c) Telephone No. (if known): Unknown
- (d) E-mail Address (if known): Unknown
- (e) Fax No. (if known): Unknown

Part C — Particulars of Claim

The Respondent has caused unreasonable interference with my enjoyment or use of my place of residence in the following way/ways (please tick the relevant box/boxes):

- causing excessive noise, smell, smoke, light or vibration.
- littering at or in the vicinity of my place of residence.
- obstructing my place of residence, by placing anything or object, or by any other manner, at or in the vicinity of my place of residence.**
- interfering with me/my movable property, at or in the vicinity of my place of residence.
- surveillance of me or my place of residence, where the surveillance is done at or in the vicinity of my place of residence.
- trespassing on my place of residence.
- allowing an animal owned by or under the care or control of the respondent to trespass on my place of residence, to cause excessive noise or smell, or to defecate or urinate at or in the vicinity of my place of residence.
- others (please state) _____.

¹ "Plaintiff" will be known as "Claimant" for claims filed on or after 1 April 2022.

Sample Information for Filing Claims *(cont'd)*

Sequence of Incidents in Chronological Order

These are the fields seen in the CJTS.

ADD INCIDENT

1 Incident Date

2 October 2015

Incident Time

12:30

Evidence

(Document type)



Evidence
_doc.pdf

Incident Details

The Respondent and his family moved into #02-123. From 2 October till today, the Respondent has placed the following items along the common corridor outside our flats:

- 1) 2 large shoe cabinets
- 2) 5 bamboo poles used to hang wet laundry
- 3) 15 pots of plants

Further details, photographs and drawing uploaded under Evidence.

Evidence (DVD/CD transcript type)

Upload the transcript of the recording. Submit the DVD/CD at the State Courts Service Hub after submitting your claim.

2 Incident Date

15 November 2015

Incident Time

2:45

Incident Details

On 15 November 2015 and 1 December 2015, my wife and I spoke to the Respondent and requested him to move the potted plants and bamboo poles away from the common corridor along the perimeter wall of my flat. The Respondent refused to entertain our request and shouted at us to buy a bungalow if we cannot accept what he termed "minor inconveniences" of HDB living.

The text field is limited to 300 words. To provide more details, please save your reports of the incidents as a PDF file and upload it onto the CJTS "Evidence" field.

Sample Information for Filing Claims *(cont'd)*

This is an example of fuller details of the incidences which you can save as a PDF file and upload onto the CJTS.

1. Date/Time

My flat (#02-125) is situated next to #02-123 and we share the same common corridor. The entrance of my flat is located about 7 metres from the entrance of #02-123. There are two window panels on either side of the main entrance of each flat. The previous owners of #02-123 sold their flat and moved out sometime in end-September 2015. The flat has been left empty since then.

On 2 October 2015, the respondent and his family moved into #02-123. From 2 October till today, the respondent has placed the following items along the common corridor outside our flats:

- 1) 2 large shoe cabinets
- 2) 5 bamboo poles used to hang wet laundry
- 3) 15 pots of plants

As seen in the diagram above, and the enclosed photographs, the 5 bamboo poles that the respondent uses to hang his wet laundry, and the 15 pots of plants are placed along the common corridor near the main entrance of my flat.

As a result, the common corridor is narrow and it makes it very difficult for my family and me to walk from the lift to our unit, as we have to walk past unit #02-123 in order to get to our flat.

I have a one-year-old child and aged grandparents. It is very difficult for me to push the pram and for my grandparents to use their walking frames along the narrow corridor. My grandparents are not able to hold onto the wall or the railings along the common corridor, since the wall and railings are blocked by the shoe cabinets, bamboo poles and the potted plants.

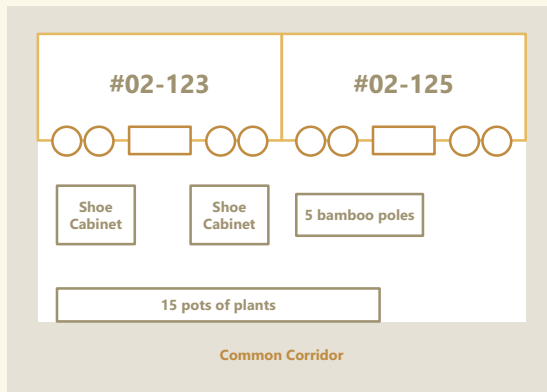
Sample Information for Filing Claims *(cont'd)*

Since the respondent and his family started hanging their laundry along the common corridor outside the living room windows of my flat, we have to think twice about opening the windows, since we will see the wet clothes and undergarments that the respondent’s family has hung out to dry, and smell the washing detergent and disinfectant that they have used to wash the laundry. The plants also reduce the amount of wind and light that is able to enter the living room windows, thus making the living room dim and stuffy.

On 15 November 2015 and 1 December 2015, my wife and I spoke to the respondent and requested him to move the potted plants and bamboo poles away from the common corridor along the perimeter wall of my flat. The respondent refused to entertain our request and shouted at us to buy a bungalow if we cannot accept what he termed “minor inconveniences” of HDB living.

Sometime in end-November 2015, I approached HDB for help. HDB suggested inviting the respondent to attend mediation at the Community Mediation Centre. On 10 December 2015, the Community Mediation Centre sent me a letter informing me that the respondent had declined the invitation to attend mediation.

Evidence in PDF



Sample Information for Filing Claims *(cont'd)*



1) Documents

Letter from CMC dated 8 December 2015 informing me that the respondent has declined the invitation to attend mediation.



2) Photographs

Photograph 1: Shows the 2 shoe cabinets along the common corridor outside the perimeter wall of #02-123.

Photograph 2: Shows the row of 15 pots of plants, as well as the bamboo poles with wet laundry hanging on them, along the common corridor outside the perimeter wall of #02-123 and #02-125.

Photograph 3: Shows the width of the common corridor between the potted plants and the shoe cabinets outside #02-123.

Photograph 4: Shows the width of the common corridor between the potted plants and the rows of wet laundry outside #02-125.

Photograph 5: Shows the dimness of the living room of #02-125 at 1pm on 20 December 2015, as well as the view when looking out of the living room windows of #02-125.



3) Video recordings

Video recording 1: Shows the difficulty I face when pushing my child's pram from the lift lobby to #02-125.

Video recording 2: Shows the difficulty my grandparents face when walking with their walking frames from #02-125 to the lift lobby.

Video recording 3: Shows the conversation that my wife and I had with the respondent on 1 December 2015, and the respondent telling us to buy a bungalow if we cannot accept what he termed "minor inconveniences" of HDB living.

Sample Information for Filing Claims *(cont'd)*

D. Requested Remedies

- a tribunal order for damages in the sum of \$_____.
- an injunction *(please state the specific act/acts which you want to be stopped)*:
For the respondent to stop hanging wet laundry along the common corridor, in particular, along the perimeter wall of #02-125.
- specific performance *(please state the specific act/acts which you want to be performed)*:
For the respondent to move the 5 bamboo poles and their metal stands, as well as all potted plants, away from the common corridor along the perimeter wall of #02-125. For the respondent to replace the two shoe cabinets with cabinets which are shorter in depth.
- an apology to me, in such form or manner as the Court thinks fit.
- other remedies *(please specify what other remedies)*:

E. Supporting Documents

< If any >

Please save your supporting documents as a PDF file and upload it onto the CJTS e.g. CMC letter, HDB emails, etc.

Sample Information for Filing Claims *(cont'd)*

EXPLANATORY NOTE TO THE PLAINTIFF¹

IMPORTANT: You must provide the full name of your neighbour and his/her address. Please fill in all the fields in the form. An incomplete form and/or incomplete supporting evidence will delay the processing of your application.

1 You may lodge a Claim in the Community Disputes Resolution Tribunals (CDRT) against your neighbour if he/she has by an act or omission, directly or indirectly, and whether intentionally, recklessly or negligently, caused unreasonable interference with your enjoyment or use of your place of residence.

2 You must include in your Claim all supporting evidence (including documents, photographs, video recordings, audio recordings, electronic evidence, etc.) to prove the matters which are stated in your Claim. If you are submitting video or audio recordings, you must provide them in CD-ROM and also provide the relevant transcripts. Any evidence that is not in English must be translated into English by a certified translator before submission.

3 The fee for filing a Claim is \$150.00.

CONDITIONS FOR MAKING A CLAIM

4 Your neighbour must be an individual who lawfully resides in a place of residence that is:

- (a) in the same building as your place of residence; or
- (b) within 100 metres of your place of residence.

This does not include an individual who occupies the same place of residence as you, such as a person who lives with you in the same flat/house but in a different room.

¹ "Plaintiff" will be known as "Claimant" for claims filed on or after 1 April 2022.

Sample Information for Filing Claims *(cont'd)*

BRIEF PROCEDURE FOR LODGING A CLAIM

IMPORTANT: You must provide the full name of your neighbour and his/her address. Please fill in all the fields in the form. An incomplete form and/or incomplete supporting evidence will delay the processing of your application.

- 5** If you have indicated any video or audio recordings in your evidence, you must prepare 3 copies of the recordings in CD-ROM/DVD format and submit them at the State Courts Service Hub by the next working day. Refer to www.judiciary.gov.sg/civil/prepare-evidence-neighbour-dispute-claim for more
- 6** After filing your Claim online in the CJTS, you must serve a copy of the Claim and supporting evidence on your neighbour within 14 days.
- 7** You must file a declaration of service online in CJTS before the time of the first Pre-Trial Conference², which will be provided to you.
- 8** Upon receiving your Claim, your neighbour may initiate e-Negotiation with you in CJTS. Both of you will have 5 rounds to e-negotiate in CJTS.
- 9** Your neighbour has 14 days after the date on which you served the Claim and supporting evidence on him/her to file a Reply online in CJTS to contest your Claim and serve it on you.
- 10** You must attend the Pre-Trial Conference² on the date, time and place which will be given to you. If you fail to attend the Pre-Trial Conference², the Deputy Registrar may proceed with the Pre-Trial Conference² in your absence and may make such orders as the Deputy Registrar thinks fit, including dismissing your Claim.

¹ "Plaintiff" will be known as "Claimant" for claims filed on or after 1 April 2022.

² "Pre-Trial Conference (PTC)" will be known as "Case Conference" for claims filed on or after 1 April 2022.

Sample Information for Filing a Reply

The Respondent may file a Reply on the Plaintiff's¹ Claim. Here is an example on how to file a reply online on the CJTS. You will have to provide the relevant information pertaining to your case.

REPLY

IN THE COMMUNITY DISPUTES RESOLUTION TRIBUNALS

Claim No. CDT/4/2016

Between

TAN MING KIAT (*Plaintiff*¹)

And

LIM AH YAT (*Respondent*)

Part A — Particulars of Plaintiff¹

- (a) Name: Tan Ming Kiat
- (b) NRIC No. (for Singapore citizen/Singapore Permanent Resident)/No., type and country of issue of foreign identification document (for foreign citizen): S1234567-A
- (c) Address: Block 123 Bedok South Avenue 1 #02-125, Singapore 123456
- (d) Telephone No.: 91234567
- (e) E-mail Address (optional): tan_ming_kiat@yahoo.com
- (f) Fax No. (if available): 61234567

Part B — Particulars of Respondent

Plaintiff¹ wishes to lodge a claim under section 4 of the Community Disputes Resolution Act (Act No. 7 of 2015) against the following Respondent.

- (a) Name: Lim Ah Yat
- (b) Address: Block 123 Bedok South Avenue 1 #02-123, Singapore 123456
- (c) Telephone No. (if known): Unknown
- (d) E-mail Address (if known): Unknown
- (e) Fax No. (if known): Unknown

¹ "Plaintiff" will be known as "Claimant" for claims filed on or after 1 April 2022.

² "Pre-Trial Conference (PTC)" will be known as "Case Conference" for claims filed on or after 1 April 2022.

Sample Information for Filing a Reply *(cont'd)*

Part C — Particulars of Claim

Neighbour Dispute

Obstructing my place of residence, by placing anything or object, or by any other manner, at or in the vicinity of my place of residence.

Sequence of Incidents in Chronological Order

These are the fields seen in the CJTS.

ADD INCIDENT

1 Incident Date

2 October 2015

Incident Time

12:30

Evidence

(Document type)



Evidence
_doc.pdf

Incident Details

The Respondent and his family moved into #02-123. From 2 October till today, the Respondent has placed the following items along the common corridor outside our flats:

- 1) 2 large shoe cabinets
- 2) 5 bamboo poles used to hang wet laundry
- 3) 15 pots of plants

Further details, photographs and drawing uploaded under Evidence.

Evidence (DVD/CD transcript type)

Upload the transcript of the recording. Submit the DVD/CD at the State Courts Service Hub after submitting your claim.

Reply

As we live on the second floor of the block of flats, with ten floors above us, we have found it nearly impossible to hang our laundry from the kitchen window as the laundry frequently gets wet and dirty from wet clothes, bed sheets, carpets and mops that the units above us hang out to dry, not to mention bird faeces.

I feel that it is reasonable for my family to place the 2 shoe cabinets outside our flat. My wife and I are working professionals. So are our 23- and 25-year-old daughters.

The 15 pots of plants along the common corridor provide greenery and fresh air to the units along the corridor.

Sample Information for Filing a Reply *(cont'd)*

<p>2 Incident Date 15 November 2015</p> <hr/> <p>Incident Time 2:45</p>	<p>Incident Details</p> <p>On 15 November 2015 and 1 December 2015, my wife and I spoke to the Respondent and requested him to move the potted plants and bamboo poles away from the common corridor along the perimeter wall of my flat. The Respondent refused to entertain our request and shouted at us to buy a bungalow if we cannot accept what he termed “minor inconveniences” of HDB living.</p>
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The text field is limited to 300 words. To provide more details, please save your report of the incidents as a PDF file and upload it onto the CJTS “Evidence” field.

This is an example of fuller details of the incidences which you can save as a PDF file and upload onto the CJTS.

1. REPLY

On 2 October 2015, I moved into #02-123 with my wife, my five children aged 15, 17, 19, 23 and 25 years old, as well as my 75-year-old mother-in-law. My wife and I are working full-time and rely on my 75-year-old mother-in-law to help out with the household chores, including washing and hanging the laundry.

As we live on the second floor of the block of flats, with ten floors above us, we have found it nearly impossible to hang our laundry from the kitchen window as the laundry frequently gets wet and dirty from wet clothes, bed sheets, carpets and mops that the units above us hang out to dry, not to mention bird faeces. In addition, it is extremely dangerous for my aged mother-in-law to put out the bamboo poles with wet laundry on them, as she might sprain her arm or back, or lose her balance and fall out of the window.

We have installed overhead bamboo pole holders in our kitchen but there is space for only 4 bamboo poles. Considering that we are a family of 8, there is hardly enough space for us to dry our laundry using only the 4 bamboo poles in the kitchen. The 5 bamboo poles and the 2 metal stands along the corridor is for our laundry as well. Due to the length of the bamboo poles and the shoe cabinets outside my flat, we cannot help but to borrow some of the space in front of #02-125 to dry our laundry.

Sample Information for Filing a Reply *(cont'd)*

I feel that it is reasonable for my family to place the 2 shoe cabinets outside our flat. My wife and I are working professionals. So are our 23- and 25-year-old daughters. It is necessary for my wife and two daughters to have multiple pairs of shoes to match their working outfits with. With about 30 pairs of shoes for a family of 8, we are not able to reduce the size of the shoe cabinets.

The 15 pots of plants along the common corridor provide greenery and fresh air to the units along the corridor. The plaintiff¹ is complaining about the plants only because he is a fussy man who is very particular about cleanliness and neatness. I am prepared to trim the plants regularly to prevent them from growing too tall or big, and have started doing so.

EVIDENCE IN PDF

Photographs:

Photograph 1: Shows bird faeces, food waste and stains on the laundry that we hung out to dry from the kitchen window.

Photograph 2: Shows my 75-year-old mother-in-law.

Photograph 3: Shows the amount of laundry that my family of 8 uses on a daily basis.

Photograph 4: Shows the pairs of shoes kept in the 2 shoe cabinets.

Photograph 5: Shows me trimming the potted plants along the common corridor.

F. Supporting Documents

<If any>

Please save your supporting documents as a PDF file and upload it onto the CJTS.

¹ "Plaintiff" will be known as "Claimant" for claims filed on or after 1 April 2022.

² "Pre-Trial Conference (PTC)" will be known as "Case Conference" for claims filed on or after 1 April 2022.

Sample Information for Filing a Reply *(cont'd)*

EXPLANATORY NOTE TO THE RESPONDENT

IMPORTANT: Please fill in all the fields in the form. An incomplete form and/or incomplete supporting evidence will delay the processing of your submission.

BRIEF PROCEDURE FOR FILING A REPLY

- 1 Upon receiving the Claim, you as the Respondent must log on to the CJTS with your Singpass and use the one time password given in the Notice of Pre-Trial Conference².
- 2 You may initiate e-Negotiation with the Plaintiff¹ in CJTS. Instructions have been attached to the claim form served on you. Both of you will have 5 rounds to e-negotiate in CJTS.
- 3 If you wish to contest the Claim, you must file a Reply online in CJTS and include all supporting evidence (including documents, photographs, video recordings, audio recordings, electronic evidence etc.) to prove the matters which are stated. If you are submitting video or audio recordings, you must provide them in CD-ROM and also provide the relevant transcripts. Any evidence that is not in English must be translated into English by a certified translator before submission.

¹ "Plaintiff" will be known as "Claimant" for claims filed on or after 1 April 2022.

² "Pre-Trial Conference (PTC)" will be known as "Case Conference" for claims filed on or after 1 April 2022.

Sample Information for Filing a Reply *(cont'd)*

- 4 You have 14 days after the date on which you are served the Claim and supporting evidence to file a Reply online in CJTS to contest the Claim against you and serve it on the plaintiff¹.

 - 5 You must attend the Pre-Trial Conference² on the date, time and place which will be given to you. If you fail to attend the Pre-Trial Conference², the Deputy Registrar may proceed with the Pre-Trial Conference² in your absence and may make such orders as the Deputy Registrar thinks fit, including making an order against you.
-

¹ "Plaintiff" will be known as "Claimant" for claims filed on or after 1 April 2022.

² "Pre-Trial Conference (PTC)" will be known as "Case Conference" for claims filed on or after 1 April 2022.

For More Information

Ministry of Law website
www.minlaw.gov.sg

Community Justice and Tribunals System
<http://cjts.judiciary.gov.sg/home/>

Singapore Courts website
www.judiciary.gov.sg

Disclaimer: This publication is produced for general information only and is not intended as substitution for legal advice. A lawyer should be consulted should you require legal advice on your case. The State Courts disclaim any and all liabilities arising from and in connection with the contents of this publication.

All information is correct as of 1 September 2023.



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