

Do you have an adult child living at home?

Adult children often live with their parents. It may be due to a relationship breakdown or financial or housing difficulties, or they may never have moved out to begin with. Sometimes these living arrangements can be stressful, especially when your adult child is facing problems that may affect their behaviour, such as violence, mental health issues, drug/alcohol addiction, gambling issues, or unemployment and/or financial difficulties.

If your child is or will be living with you, it is therefore often helpful to set some boundaries early on.

Setting Clear Boundaries

It is important to set clear rules and expectations early on. You may wish to have a formal, written agreement that you both sign and date. This means you always have something to refer back to if there are any issues. Even if you do not wish to do this, having a conversation about rules and boundaries is important for ensuring that everyone is on the same page and enabling you to feel empowered in your own house.

Remember, it is your house and you can look after your children while also paying attention to your own needs. You have the right to:

- feel safe and secure at all times
- receive help around the house
- enjoy a quiet and/or tidy home
- be able to maintain your own routine, and pursue your own interests
- receive reasonable contributions towards food, bills and/or rent
- maintain your own social activities, hobbies and friends
- not have to have constant stream of visitors against your will
- be able to set a timeframe for how long your adult child will stay.

What if your child won't leave?

Sometimes housing situations can deteriorate and leave you feeling helpless, frustrated or afraid. Remember that it is your home and you can decide who stays there and for how long.

It is possible to care about your adult child and want to maintain a relationship without needing to live with them if it is not working out.

If you want your adult child to leave, there are a few things you can do:

1. Ask them

The first step is to talk to your adult child. Choose a time for this carefully. Make sure that you allow plenty of time for the conversation and you are both feeling calm and not stressed or angry. Be clear about what you want and state it directly. If you are asking them to leave then make sure you set a timeframe and remain firm about it. Remember, it is your home and this is a decision that you have the right to make.

2. Mediation

If talking does not work, then you can try mediation. This means involving an impartial third party to help facilitate discussion between you and resolve the issue. It allows you to talk in a safe and informal environment with a trained professional there to make sure the conversation remains constructive and everyone has the chance to speak calmly and move towards a resolution.

Mediation is voluntary, meaning that people cannot be forced to attend, and the decision reached is not legally binding.

Conflict Resolution Service provides free mediation and advice. They can be contacted on (02) 6162 4050.

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3. Legal Action

If talking and mediation does not work, then you can take legal action against your child. Depending on whether or not your child has a legal right to be there, you will need to take different steps to evict them.

Call the **Legal Aid Helpline** for **free** legal advice on **1300 654 314**

Tenancy

Your adult child may be a tenant if you have agreed to let them live there in exchange for something such as money, caring for you, or maintaining the house. If this is the case, you can apply to the ACT Civil and Administrative Tribunal to help have them evicted. If your adult child is a co-owner or a boarder or lodger though, the steps you need to take will be different. Come talk to us at Legal Aid ACT for help!

Trespass

If someone comes onto your property without agreement or they refuse to leave after you have asked them to, then they are trespassing.

There are a number of actions you can take where your adult child is trespassing on your property. You can:

- talk to the police as a first point of call
- send a letter from a solicitor
- change the locks
- apply to the Court for an injunction

Abuse

Elder abuse is where harm or distress is caused to an older person in any relationship where there is an expectation of trust. If your child has made threats or acted violently towards you, you can tell the police. Abuse or elder abuse can be financial, emotional or psychological, physical, sexual, social, or neglect (intentional or unintentional).

There are also court orders you may apply for:

Family Violence Order (FVO): This is a court order that prohibits or restricts your child's behaviour.

Exclusion Order: This means your child has to move out and may be prohibited from entering the property or coming near it.

If your child disobeys a court order it is a crime and they can be charged by the police. These orders can be made even if your child co-owns or co-rents the property with you

You are in danger then tell the police, stay with a friend or relative or at a hotel until the threat is gone, and change the locks.

Helpful Links & Organisations

ACT Civil and Administrative Tribunal (ACAT):

4/1 Moore St,
Canberra ACT 2601 (02) 6207 1740

Family Relationship Centre Canberra

15 Napier Close,
Deakin ACT 2600 (02) 6122 7190

Carers ACT

2/80 Beaurepaire Crescent
Holt ACT 2615 1800 242 636

This Factsheet was last updated November 2020