

What Do I Do If My Ex-Neighbor Is Still Harassing Mme?

September 19, 2013 | by Michael Ascher

Dear Ask the Attorney:

I have a harassment complaint against my previous neighbor which is ongoing, back and forth with the court. I moved and it's still ongoing. We are going to trial soon, but in August, we were in Mediation and the mediator asked if I still lived at my old address. I said no, and slipped, giving my current address. A few days later my dysfunctional ex-neighbor showed up at my door. He now knows where I live and I'm pretty scared of what he's going to do next.

WM

Our guest blogger today is [Michael R. Ascher, Esq.](#) Mr. Ascher is a partner in the firm and is engaged in a litigation practice handling both [criminal](#) and complex civil matters. His practice includes all categories of criminal cases including drunk driving defense, sex offenses, drug and white collar crimes, computer crime, conspiracy, fraud & theft cases and matters involving the Division of Permanency and Placement (DCCP).

Dear WM:

It is unfortunate that your prior neighbor is escalating the dispute by appearing at your new address. There are remedies which are available. There is a specific court rule which governs mediation of disputes between neighbors. That rule applies to minor disputes which do not include allegations which involve serious injury, repeated acts of violence between the parties and matters that fall under the prevention of Domestic Violence Act.

It would appear that your matter was brought to mediation. However, you do not state whether the matter was resolved with a mediation agreement. If an agreement was reached, the matter would be resolved by dismissal of the complaints. The terms of the agreement would be enforceable in Court.

However, if you and your prior neighbor were unable to resolve whatever dispute existed, the matter would be returned to Municipal Court for a Trial.

Your neighbor's appearance at your new address might constitute an independent act of harassment. It might constitute a violation of whatever mediation agreement was reached. If it is an independent act of harassment, a new complaint could be filed. If the neighbor simply showed up to continue discussions with you, his actions, although annoying, would probably not arise to the level of a violation of the agreement or independent act of harassment unless there was a specific no-contact provision which would depend upon the contents of the mediation agreement, if one was reached. Since you have not provided me with a full description of your ex-neighbors conduct, it is impossible to provide any specific recommendation. However, you certainly have the right to file a police report. Alternatively, you could write a letter to the Neighborhood Dispatch Resolution Committee and the Judge informing them of the situation and your concerns.