IN THE STATE COURTS OF THE REPUBLIC OF SINGAPORE

[2026] SGCDT 2

Community Disputes Resolution Tribunal (CDRT) – Claim No. 187 of 2025

Between

(1) JEY

… *Claimant(s)*

And

(1) JEZ

… *Defendant(s)*

GROUNDS OF DECISION

[Tort — Breach of statutory duty — Duties imposed by statute]

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JEY
v
JEZ

[2026] SGCDT 2

Community Disputes Resolutions Tribunal Claim No. 187 of 2025
Tribunal Judge Francis Zhang
21, 22 October 2025

6 March 2026

Tribunal Judge Francis Zhang:

Introduction / Background

1 The Claimant and the Respondent are neighbours, with the Claimant residing in the Housing and Development Board ("**HDB**") flat directly below the Respondent's HDB flat.

2 The Claimant is seeking an injunction and an apology from the Respondent under section 5 of the Community Disputes Resolution Act 2015 (2020 Rev Ed) ("**CDRA**"), alleging that the Respondent has caused unreasonable interference with the Claimant's enjoyment or use of the Claimant's place of residence by causing excessive noise.

3 The injunction sought is for the Respondent to stop any form of loud noises, especially at night. The apology sought is for the Respondent to explain

why they were making such noises and what they were doing, and to apologise for causing the Claimant stress and sleepless nights.

The parties' cases

The Claimant's case

4 The Claimant began hearing loud noises from the Respondent's HDB flat since the last quarter of 2024. The noises varied and sounded like pounding by pestle and mortar, knocking with a pole or hammer, dragging of furniture, heavy stomping, or marbles or something heavy being dropped on the floor.

5 The Claimant produced several audio recordings which were recorded from March to June 2025 at various times of the day and night. The Claimant was certain that the noises came from the Respondent's HDB flat and said that the most disturbing noises were the ones at night, around 9pm to 4am. Such noises have caused the Claimant stress and sleepless nights.

The Respondent's case

6 The Respondent and the Respondent's tenant have been living in their HDB flat since July 2021 with no change to their lifestyle. They do not regularly engage in activities that would produce loud noises, though the Respondent conceded that the Respondent might have occasionally dropped objects on the floor by accident. Other sounds such as footsteps, water flushing, vacuuming, and television sounds are to be expected from daily living.

7 The Respondent pointed out that one of the Claimant's recordings, on 20 May 2025, coincided with a period where both the Respondent and the Respondent's tenant were away from Singapore. The Respondent argued that

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since the Claimant could still hear the noises in question during that period, the noises could not have come from the Respondent's HDB flat.

8 The Respondent also produced video recordings taken from the Respondent's HDB flat demonstrating that loud noises like pounding and knocking could also be heard from the Respondent's HDB flat at night, even when both the Respondent and the Respondent's tenant were seen in the video to not be engaging in any noisy activity. The Respondent tolerated the noises and did not take any action against the Respondent's neighbours.

Issues to be determined

9 Section 4(1) of the CDRA prohibits individuals from causing unreasonable interference with their neighbour's enjoyment or use of the neighbour's place of residence through acts such as causing excessive noise.

10 Section 5(1) of the CDRA sets out one or more orders that a court may make if the court is satisfied on a balance of probabilities that a claim under section 4 by a respondent's neighbour has been made out against the respondent, and the court is satisfied that it is just and equitable to do so.

11 There are therefore two stages in the analysis:

(a) Whether the Claimant has proven, on a balance of probabilities, that the Respondent caused unreasonable interference with the Claimant's enjoyment or use of the Claimant's place of residence by causing excessive noise.

(b) If so, whether it is just and equitable to make one or more orders under section 5(1) of the CDRA.

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Issue: Whether the Claimant has proven, on a balance of probabilities, that the Respondent caused unreasonable interference with the Claimant's enjoyment or use of the Claimant's place of residence by causing excessive noise

Applicable law

12 I will first highlight a few points about the applicable law.

13 First, the language used in section 4 of the CDRA, specifically the phrases "unreasonable interference" and "excessive noise", means that interference or noise *per se* does not cross the legal threshold. The alleged noise must be excessive such that the interference is unreasonable.

14 As the CDRA does not define what is excessive or unreasonable, the court will have the discretion to determine this based on the facts of each case. That said, in my view, in determining whether the alleged noise is excessive, practical factors to be considered are volume, timing, duration, and frequency, which are factors mentioned by the Community Advisory Panel on Neighbourhood Noise in their proposals to manage neighbourhood noise[1]. Other relevant factors may include psychoacoustic metrics such as the sharpness or the roughness of the noise.

15 Second, under section 5(1) of the CDRA, the claimant bears the burden of proving the claim against the respondent. In the case of a claim involving excessive noise, the claimant's case must be supported by sufficient evidence to prove that the respondent caused the alleged excessive noise. Evidence that

[1] Community Advisory Panel on Neighbourhood Noise, "Proposals to Manager Neighbourhood Noise" <https://www.oneservice.gov.sg/past-engagements/community-advisory-panel-on-neighbourhood-noise> (*November 2022*) at para 30

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simply proves the existence of excessive noise without proving that they were caused by the respondent would be insufficient to prove the claim.

16 For example, audio recordings made by basic recording devices such as mobile phones would likely be insufficient alone, unless supported by other evidence proving that the respondent caused the excessive noise. To be clear, recordings made by specialised recording devices could be sufficient if, for example, they could accurately measure the direction and proximity of the source of the excessive noise to prove that the respondent caused them.

Findings

17 I now turn to my findings for this issue. First, I find that the noises that the Claimant experienced in the daytime were not excessive. The threshold for daytime noises would naturally be higher as it is reasonable to expect noises, including occasional loud noises, in the daytime as part of living in a high-density residential building. Even HDB's guidelines stipulate quiet hours to be between 10.30pm and 7.00am.

18 Consequently, it does not matter whether the Respondent and the Respondent's tenant were working in the office or working from home in the daytime, a point which the Claimant repeatedly questioned the Respondent on during the hearing. The noises that they created while working from home, such as footsteps and water flushing, would not be excessive.

19 For the avoidance of doubt, I do not mean that any noise in the daytime would not be excessive. Depending on the volume, duration, frequency, and other relevant factors of the daytime noise, it could be excessive.

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20 Second, I find that some of the noises that the Claimant experienced at night were also not excessive despite the timing. These were occasional dropping of objects by accident, footsteps, and water flushing at night. Considering the volume, duration, and frequency of these noise, I do not find them excessive.

21 Third, I accept that noises such as pounding and knocking at night could constitute excessive noise as to cause unreasonable interference. However, I do not find that the Claimant has proven that the Respondent created such noises. As I alluded to earlier, audio recordings such as those produced by the Claimant do not reveal where the noises were coming from. They only prove that those noises could be picked up by a recording device in the Claimant's HDB flat at that point in time.

22 The Claimant's case would have been stronger if it was supported by, for example, evidence that the Respondent was engaging in certain activities at night that could have caused such loud noises, but there was no such evidence in this case.

23 Lastly, I find it significant that the Claimant continued to hear the same types of noises even when the Respondent and the Respondent's tenant were overseas. The inference to be drawn is that such noises were not caused by them even on other days.

24 Overall, I do not find that the Claimant has proven, on a balance of probabilities, that the Respondent caused unreasonable interference with the Claimant's enjoyment or use of the Claimant's place of residence by causing excessive noise.

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Issue: Whether it is just and equitable to make one or more orders under section 5(1) of the CDRA

25 Given that I have found that the Claimant has not proven the claim, it is not necessary for me to decide whether it is just and equitable to make any order. Nevertheless, I will make some observations about the applicable law.

26 In deciding whether it is just and equitable to make one or more orders under section 5(1) of the CDRA, section 5(2) of the CDRA requires the court to consider the following:

(a) the impact of the order, if made, on –

(i) the respondent;

(ii) any individual who, at the time of the making of the order, resides in the same place of residence as the respondent; and

(iii) any other person who can reasonably be expected to be affected by the order;

(b) the ordinary instances of daily living that can be expected to be tolerated by reasonable persons living in Singapore;

(c) any other matters as the court deems fit.

27 The question of whether it is just and equitable to make an order is not to be answered based solely on the order that the claimant is seeking. The court has the discretion to modify the language of the order sought or even make a different order such that it is just and equitable to make the order. This is consistent with the illustration given by then Minister for Culture, Community

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and Youth Mr Lawrence Wong in the Second Reading of the Community Disputes Resolution Bill[2]:

> Let us say Mr X has issues with his neighbour Mr Y because of a persistent noise emitting from Mr Y's air-conditioner at night … Even after mediation, after promises to stay quiet, this same problem continued. … Understandably, *he would like to seek a community dispute order from Mr Y for Mr Y to stop switching on his air-conditioner at night*. But, perhaps unknown to Mr X, Mr Y has a young child who cries non-stop unless he sleeps in an air-conditioned environment.
>
> So, based on the facts of the case and the elements of the new tort, *the Court may decide that the order sought by Mr X is not realistic. A more just and equitable order could be, for instance, for Mr Y to service his air-conditioner to ensure that it no longer causes persistent noise and disturbance.*
>
> [emphasis added]

28 I will provide two further examples:

(a) Where a claimant seeks an injunction to prohibit their upstairs neighbour from exercising in the house at night, the court may instead order the neighbour to use exercise mats to reduce the noise caused to the claimant below.

(b) Where a claimant seeks an injunction to prohibit their next-door neighbour from watching TV at night, the court may instead order the neighbour to lower the TV volume and close their windows and doors to reduce the noise caused to the claimant next door.

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[2] *Singapore Parliamentary Debates, Official Report* (13 March 2015), vol 93, <https://sprs.parl.gov.sg/search/#/sprs3topic?reportid=bill-136> at page numbers 68-69 (3 March 2026) (Lawrence Wong, Minister for Culture, Community and Youth)

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29 Next, section 5(2)(b)'s reference to "the ordinary instances of daily living that can be expected to be tolerated by reasonable persons living in Singapore" has a few implications.

30 First, section 5(2)(b)'s placement in the second stage of the analysis means that it is not about whether the interference was unreasonable or whether the noise was excessive, which has already been established in the first stage. Section 5(2)(b) therefore anticipates the possibility that certain noises, despite being excessive as to cause unreasonable interference, can still stem from ordinary instances of daily living and be tolerated such that it is not just and equitable to make an order against the respondent or it is sufficient for the court to make an appropriate order to reduce the noise to a tolerable level.

31 Second, the threshold of tolerance is an objective one based on "reasonable persons living in Singapore" and not dependent on the subjective sensitivities of the claimant. Indeed, in the Second Reading of the Community Disputes Resolution Bill, then Minister for Culture, Community and Youth Mr Lawrence Wong stated that this consideration "provides a safety valve against abuse of the community dispute order by perhaps over-sensitive individuals"[3].

32 I reiterate that it is not necessary for me to decide whether it is just and equitable to make any order in this case, and I am simply making my observations above which could perhaps be of reference for future cases.

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[3] *Singapore Parliamentary Debates, Official Report* (13 March 2015), vol 93, <https://sprs.parl.gov.sg/search/#/sprs3topic?reportid=bill-136> at page number 68 (3 March 2026) (Lawrence Wong, Minister for Culture, Community and Youth)

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Conclusion

33 The claim is dismissed. I make no order as to costs, having considered section 25 of the CDRA and rule 18 of the Community Disputes Resolution Tribunals Rules 2015.

34 I will end off with some general comments. I understand the Claimant's stress and frustration at the noises the Claimant has been experiencing. However, the Claimant should consider the possibility that the noises originate from other sources besides the Respondent's flat.

35 The structure of HDB blocks is such that sound can be easily transmitted in any direction through reinforced concrete and steel, e.g. horizontally along floor slabs and vertically along beams. It is entirely possible that the noises that one hears directly above them could have originated from other locations.

36 In fact, such noises might not even be caused by one's neighbours. Certain types of sounds, such as marble dropping and even knocking, can be caused by pressure changes in water pipes or the expansion and contraction of building materials, especially in older buildings. The Claimant may wish to seek help from HDB or the town council to verify if there are such issues in the Claimant's block.

37 Finally, HDB's guidelines for managing neighbour disputes encourage neighbours to first approach and calmly discuss issues with each other, as amicable resolution can help preserve neighbourly relations. The Claimant may wish to consider doing so with the Claimant's neighbours. If the Claimant faces

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difficulties in engaging any neighbour, the Claimant can contact grassroots leaders for help through the Claimant's nearest community club.

Francis Zhang
Tribunal Judge

JEY in person
JEZ in person

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