

IN THE STATE COURTS OF THE REPUBLIC OF SINGAPORE

[2026] SGCDT 3

Community Disputes Resolution Tribunal (CDRT) – Claim No 264 of 2025 –
Application for Special Direction No 716 of 2025

Between

(1) JFH

... Applicant(s)

And

(1) JFI

... Respondent(s)

GROUND(S) OF DECISION

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

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JFH

v

JFI

[2026] SGCDT 3

CDRT Claim No 264 of 2025
Tribunal Judge Francis Zhang
22 January 2026

13 April 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. The Claimant filed a claim against the Respondent under section 4 of the Community Disputes Resolution Act 2015 (2020 Rev Ed) (“**CDRA**”), alleging that the Respondent has caused excessive noise from furniture dragging and excessive vibration from the operation of a ceiling fan.

Facts

Procedural history

2 Through eNegotiation on the Community Justice and Tribunals System, the Claimant and the Respondent entered into a settlement agreement on 3

October 2025 and, upon the Respondent's application, a court order by consent ("**Consent Order**") was made under section 5 of the CDRA on 8 October 2025. The terms of the Consent Order are as follows:

- (a) "1. Within 5 days the Respondent shall attach chair socks, felt pads/glides to all chair/furniture legs and place rugs/mats in dining/study areas and any room above the Claimants' bedrooms. These remedies are low-cost, practical, and verifiable, ensuring both parties can enjoy peaceful use of their home
- (b) 2. Restrain dragging or scraping during Quiet Hours.
- (c) 3. The Respondent shall at all times exercise reasonable care to avoid unnecessary scraping/impact noises from furniture.
- (d) 4. Within 5 days of the date of this Order, the Respondent shall repair or replace the master-bedroom ceiling fan in <redacted> and install proper anti-vibration measures (i.e. isolation mounts/brackets/pads or equivalent).
- (e) 5. Until Completion, Respondent shall not operate any ceiling fan during Quiet Hour.
- (f) 6. Within 7 days of Completion, HDB (or agreed third party) shall re-inspect and email a brief confirmation to both parties (copied to the Tribunal) stating whether vibration has abated to ordinary living levels."

3 Subsequently, on 13 November 2025, the Claimant applied for a special direction under section 6 of the CDRA, alleging that the Respondent had failed to comply with paragraphs 1 to 5 of the Consent Order.

Issues to be determined

4 The main issue is whether the Claimant has proven, on a balance of probabilities, that the Respondent has, without reasonable excuse, failed to comply with the Consent Order. I will make a few comments about the applicable law.

5 First, under section 5(3) of the CDRA, an order made by the consent of the parties or in the absence of a party has the same force and effect as if the order were made after a hearing. Section 5(3) was introduced in the Community Disputes Resolution (Amendment) Bill (Bill No 30/2024). As stated in the Explanatory Statement, the new section 5(3) will remove any doubt that failure to comply with a consent order or default order is capable of forming the basis for the court to make a subsequent special direction or exclusion order under sections 6 and 9, respectively.

6 Second, section 6(2) of the CDRA confines the scope of a special direction to “comply with a disobeyed order within a specified time”. This means that even if the Respondent has, without reasonable excuse, failed to comply with the Consent Order, any special direction made will only direct the Respondent to comply with the disobeyed Consent Order within a specified time. This may entail extending any original deadline that was stated in the disobeyed Consent Order, but the special direction cannot vary the substance of the disobeyed Consent Order, such as adding to or changing what the Respondent is required to do or prohibited from doing.

7 Finally, as I pointed out to the parties at the start of the hearing, since a court order has already been made under section 5 of the CDRA, the issue is no longer about whether the Respondent has contravened section 4 of the CDRA. There are a few implications:

- (a) If the Respondent has, without reasonable excuse, failed to comply with the Consent Order, a special direction may be made regardless of whether the Respondent has contravened section 4 of the CDRA.
- (b) If the Respondent has complied with the Consent Order, there is no basis to make any special direction even if the Respondent has further contravened section 4 of the CDRA.
- (c) This also means that if a special direction is made and the Respondent then complies with the disobeyed Consent Order within the specified time, there will be no basis for any further enforcement of the Consent Order or the special direction.

Issue: Whether the Claimant has proven, on a balance of probabilities, that the Respondent has, without reasonable excuse, failed to comply with the Consent Order

8 In summary, I find that the Respondent has, without reasonable excuse, failed to comply with paragraphs 4 and 5 of the Consent Order, but not paragraphs 1 to 3. I will elaborate on each paragraph.

Paragraph 1 of the Consent Order

9 The Claimant submitted that the Respondent should use “cushioned rugs or carpets (minimum thickness 10mm) ... of sufficient dimensions to continuously cover all legs of the chairs throughout their full range of movement” as well as “secure, effective felt pads or chair socks”.

10 However, Paragraph 1 only requires the Respondent to “attach chair socks, felt pads/glides to all chair/furniture legs and place rugs/mats in dining/study areas and any room above the Claimants’ bedrooms”. The

Respondent is not required to use materials of a specific type, thickness or effectiveness.

11 From the submitted photographs taken of the furniture in the Respondent's HDB flat, I do not find that the Respondent has failed to comply with paragraph 1.

Paragraph 2 of the Consent Order

12 Paragraph 2 requires the Respondent to "Restrain dragging or scraping during Quiet Hours". In my view, "Quiet Hours" here must refer to the quiet hours stipulated by HDB, i.e. from 10.30pm to 7.00am. As for the word "Restrain", I find that the Respondent is required to control or limit dragging or scraping during 10.30pm to 7.00am. I do not find that the requirement extends to ensuring that there is zero dragging or scraping during 10.30pm to 7.00am.

13 Considering the frequency and duration of the Claimant's alleged noises, while I find that some dragging or scraping had taken place during 10.30pm to 7.00am, I do not find that the Respondent has failed to comply with paragraph 2.

Paragraph 3 of the Consent Order

14 Similarly, paragraph 3 is not an absolute requirement. The Respondent shall at all times exercise reasonable care to avoid unnecessary scraping/impact noises from furniture. The Respondent is not required to ensure that there is zero scraping or impact noise from furniture.

15 Considering the frequency and duration of the Claimant's alleged noises, I do not find that the Respondent has failed to comply with paragraph 3.

Paragraph 4 of the Consent Order

16 Paragraph 4 has two requirements. The first requirement is to repair or replace the master-bedroom ceiling fan. The second requirement is to “install proper anti-vibration measures (i.e. isolation mounts/brackets/pads or equivalent)”.

17 I find that the Respondent has failed to comply with the second requirement. The available evidence and the testimonies of the witnesses show that the Respondent has replaced the master-bedroom ceiling fan but has not installed proper anti-vibration measures (i.e. isolation mounts/brackets/pads or equivalent). The Respondent made no submission on why he has not done so.

Paragraph 5 of the Consent Order

18 Paragraph 5 states that “Until Completion, Respondent shall not operate any ceiling fan during Quiet Hour.” In my view, “Until Completion” in paragraph 5 must be referring to paragraph 4’s two requirements, and I have already found that the Respondent has failed to fully comply with paragraph 4.

19 From the Claimant’s recordings and the correspondence between the parties, it is clear that the Respondent had operated the master-bedroom ceiling fan during quiet hours. The Respondent does not deny this but argued that the master-bedroom ceiling fan has already been replaced.

20 However, as I mentioned earlier, paragraph 4 also requires the Respondent to install proper anti-vibration measures (i.e. isolation mounts/brackets/pads or equivalent), which he has not done. I therefore find that the Respondent has failed to comply with paragraph 5 as well.

21 Overall, I find that the Claimant has proven, on a balance of

probabilities, that the Respondent has, without reasonable excuse, failed to comply with the Consent Order, specifically paragraphs 4 and 5.

Conclusion

22 The Claimant's application for a special direction is allowed. Pursuant to section 6(2) of the CDRA, the Respondent is directed to comply with the Consent Order by 29 January 2026. Specifically:

- (a) The Respondent is to install proper anti-vibration measures (i.e. isolation mounts/brackets/pads or equivalent); and
- (b) Until the Respondent has done so, he shall not operate any ceiling fan during quiet hours.

23 I will end off with some additional comments. First, neither the Consent Order nor this special direction requires the Respondent to provide the Claimant with evidence of the Respondent's compliance. However, it would be in the Respondent's interest to ensure that he has evidence of his compliance in case the Claimant makes a police report, which the Claimant is entitled to do if he suspects that the Respondent has failed to comply with this special direction.

24 Second, as I alluded to earlier, if the Respondent complies with the disobeyed Consent Order going forward, there will be no basis to enforce the Consent Order or the special direction, even if the Claimant continues to experience noises and vibrations.

25 Third, I reiterate the clarification I made during the hearing that the Consent Order is only binding on the parties and not on third parties like HDB or the town council. However, following the conclusion of today's proceedings,

the parties may wish to contact HDB and/or the town council again for appropriate assistance.

26 Finally, if the parties' disputes continue, I would urge both sides to attend mediation at the Community Mediation Centre. Mediation is an opportunity to explore practical solutions and mutual obligations that can go beyond the scope of what the CDRA provides. If the parties can come to an amicable settlement at mediation, an enforceable settlement agreement can be entered into.



Francis Zhang
Tribunal Judge



The claimant in person;
The respondent in person.
