

PATH Mediation

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What is Mediation?

Definition: A process in which a neutral person or persons facilitate communication between the disputants to assist them in reaching a mutually acceptable agreement.

- It's an alternative dispute resolution to court that has been referenced in ancient histories.
- Mediation is a voluntary and confidential process in which both parties must be willing to participate.
- Facilitates communication, helps frame issues and develop options for negotiating agreements.
- Licensed mediators with Small Claims and Unlawful Detainer experience.

How We Assist with Mediation

Landlord and Tenant Issues:

- Rent Arrears situation; assisting with payment plans, structuring move out agreements.
- Disturbance and Noise Complaints including Unauthorized Guest.
- Threat of Evictions; 3, 30 Day Notices, Unlawful Detainer.
- Repair disputes, Property Damage and Security Deposit issues.
- Or any other common renter trouble.

Examples:

Successful Referral: Case #1 Rental Arrears-Summary: Tenant received 3 Day Notice behind 3 months (May \$381, June \$801, July \$801).

Plan: Work with all parties to confirm arrears amount, establish plan for rental arrears payment.

Outcome: Tenant was able gather a few money order receipts to confirm and reduce total owed to owner, remaining balanced was covered through tenant payment plan (Two additional monthly payments of \$400 and \$401) and Lease Up Preferred Owner Program (\$801 payment).

Case #2 Bedbugs-Summary: Owner frustrated about bed bug due to tenant bringing furniture from streets, he can not afford to absorb pest control cost.

Plan: Review and discuss situation with parties, look into bed bug addendum.

Outcome: Owner received assistance for pest control, worked addendum to lease to establish pest control responsibility moving forward. Tenant agreed to stop bringing items from street working with CM for new furniture.

Examples:

Unsuccessful Referral: Case #3 Rental Arrears, Security Deposit, Property Damage-Summary: Owner reached out to Agency regarding rental arrears and property damage. Tenant was behind 6+ months and had never paid rental portion upon move in, security deposit was never processed.

Outcome: Too late to mediate due to amount of cost/issues tenant was evicted, owner was looking to recover some cost from agency unfortunately he only received minimal portion.

Issues (Red Flags): Tenant had experienced recent CM change, new CM had issues contacting tenant was unaware of issues until too late. No contact with owner.

Requesting Mediation

- Send Mediation Referral to HPP.Mediation@epath.org



HPP Mediation Referral



Date:	Referring Program:
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CM Name: _____ Telephone: _____

E-mail: _____

Tenant & Landlord Information:
Tenant Name: _____ Telephone: _____
Address: _____
City/State/Zip: _____

Client Endorsement to Mediation:
(Willingness to work with Team)

Lease Date: Lease Amount: Tenant Rental Portion (if voucher): Tenant Income:	Landlord/Property Manager Name: Telephone Number: Address: City/Zip:
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Lease Violation(s):
☐ Rent Arrears ☐ Disturbance/Noise Complaint ☐ Property Damage ☐ Unauthorized Guest (Pets)
☐ Threat of Eviction ☐ Unlawful Detainer ☐ Security Deposit Issue ☐ Repair Dispute ☐ Other

Conflict Summary:

Owner's desired outcome:

Perspective on Tenant:
☐ Good ☐ Fair ☐ Poor

Tenant's desired outcome:

Previous Intervention(s):

Documents Attached:
☐ Lease ☐ Rental Receipts (if applicable) ☐ Pictures (damage)
☐ Notice(s) ☐ ROI (Release of Information) Required ☐ W-9 (if applicable)
Email to: HPP.Mediation@epath.org

Mediation Process

- Once referral is received it will be reviewed and assigned to HPP Staff Mediator within 1 day.
- Mediator will gather information from Case Manager to help develop options and familiarize themselves with problem.
- Work with Landlord, CM and tenant to coordinate in person Mediation as soon as possible.
- If successful Mediator will formulate agreement for disputants to sign.