

LANDLORD-TENANT MEDIATION

Work out Disputes Early, Quickly & Cost Effectively

To help landlords and tenants work out their differences quickly and cost effectively, the Mediation Center of the Pacific (MCP) provides Early Access Mediation (EAM) for landlord-tenant disputes, at **NO COST TO EITHER PARTY**.

WHAT IS MEDIATION?

Mediation is an informal, confidential process that provides landlords and tenants with the opportunity to talk through their differences with the assistance of an impartial third-party (the mediator). The mediator does not take sides or make decisions for the participants. The mediator empowers the participants to reach agreements that work for their situation.

WHAT ARE THE BENEFITS OF MEDIATION?

Landlords & Tenants Can:

- ❖ Resolve the matter quickly and cost effectively
- ❖ Preserve the landlord/tenant relationship
- ❖ Improve communication
- ❖ Restore trust

Landlords Can:

- ❖ Avoid the cost of litigation: filing fees, attorney's fees, service costs, sheriff's fees, etc.
- ❖ Avoid the cost of re-letting the rental unit
- ❖ Avoid the difficulties and uncertainties of collection

Tenants Can:

- ❖ Avoid eviction and the record of eviction
- ❖ Avoid moving out on short notice
- ❖ Have enough time to apply for rental assistance
- ❖ Preserve their home

WHEN SHOULD LANDLORDS & TENANTS MEDIATE?

Anytime a dispute arises between a landlord and a tenant, mediation is a good first step to consider, before the situation becomes too emotional or the tenant is too far behind in paying the rent.

Participating in mediation early gives the landlord and tenant time to prepare for a successful mediation, and access other resources, if needed.

MEDIATING AT MCP VS. MEDIATION AT DISTRICT COURT

District Court is where landlord-tenant disputes get filed, including eviction actions through the summary possession process. While mediation is mandatory at court before the Judge will hear the case, accessing mediation first at MCP has many additional benefits.

Mediating at MCP

- ❖ The parties have up to three hours
- ❖ The parties decide on the mediation date
- ❖ The parties can participate face to face, by phone, or video conference

Mediating at Court

- Mediation is limited to 30 - 40 minutes
- The court sets the trial date
- The parties must go to court in-person

- ❖ Prior to mediation, the tenant may apply and be found eligible for rental assistance
- ❖ If an agreement isn't reached in mediation at MCP, the parties can still go to court

HOW DO I SCHEDULE A MEDIATION AT MCP?

- ❖ Call 521-6767 between 8:30 a.m. and 4:30 p.m., Monday through Friday and ask for the Client Services Department to schedule a mediation.
- ❖ A Client Service Specialist will assist you in scheduling a mediation session on a day and time that works for you and the other party. Mediations are available at the MCP office located at 245 N. Kukui St. #206, at HCAP Center (85-555 Farrington Hwy., Waianae), and at Surfing the Nations (44 Ohai St.). You may also mediate via phone or video conference.
- ❖ You will be required to provide general information about the case and the issues that you would like to address, as well as specific information about yourself, including but not limited to any accommodations you may need to participate in the mediation process.
- ❖ You will also be required to provide the names and contact information of the other party.
- ❖ Depending on your availability and that of the other party, a mediation session will generally be scheduled within two weeks.

WHAT IS MCP?

MCP is a 501(c)(3) non-profit corporation that has provided mediation and dispute resolution services in Hawaii since 1979. Its mission is to provide high-quality mediation and dispute resolution services that are affordable and accessible.

Call MCP Today at 521-6767!

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Helping People Talk, Negotiate and Resolve Conflict Creatively