



FREE MEDIATION SERVICES

Mediation is an informal way of resolving disputes between tenants, landlords and neighbors. It is also a means of addressing certain Rent Stabilization Ordinance requests as an alternative to an administrative hearing. Mediation helps to promote communication between the parties by opening dialogue and fostering positive participant discourse.

What kinds of disputes can be mediated?

Mediation offers participants an opportunity to resolve a wide variety of issues including the following:

- Disputes over maintenance, repairs and habitability in a tenant's apartment, such as painting, mold, insect or rodent infestation, the replacement of carpets, vinyl floors, drapes, and/or wallpaper, the repair of appliances, and/or other maintenance issues.
- The performance of maintenance and repairs in a common area shared by more than one tenant, such as a malfunctioning washer or dryer in a laundry room, lighting issues, parking issues, or a hallway carpet that needs to be replaced.
- The substantial reduction or loss of housing services (amenities) that were previously provided by the landlord as part of the rent, such as the loss of a parking space or residential manager.
- Other landlord tenant disputes such as interest on security deposits.
- Neighbor to neighbor disputes such as landscape maintenance issues or noise disturbances.

What happens during mediation?

The parties meet with the mediator in a neutral setting. The mediator is an impartial third party, with considerable training and experience in assisting parties in resolving disputes, who does not take sides but serves to facilitate the discussion and focus on all issues. The parties have the opportunity to communicate openly and directly with each other to arrive at a mutually satisfactory agreement.

Is mediation voluntary?

Yes. Mediation can be requested by either side, and participation by the parties is voluntary.

Is the mediation session open to the public?

No. One of the advantages of mediation is that the proceedings are confidential and only include the parties and the City mediator.

To utilize or inquire about West Hollywood's mediation services, please contact Robb Strom, City Mediator, at Rstrom@weho.org, or by calling him at (323) 848-3153.

FREQUENTLY ASKED QUESTIONS ABOUT MEDIATION

Do the parties have to meet face-to-face?

Not necessarily. Most mediated disputes are best resolved in an in-person setting, and the City provides a conference room at City Hall for that purpose. In some cases, videoconferencing or telephone mediation are acceptable alternatives. Since the process is voluntary, both parties must agree on how the mediation is conducted. The Mediator will help both sides through negotiation, discussion, and the exploration of options to facilitate an agreement.

What are the advantages of mediation?

There are several advantages to mediating a dispute:

- Your dispute may be resolved more quickly and at a convenient time for all parties.
- Participants arrive at their own resolution voluntarily vs. having a decision imposed upon them.
- Mediation is non-adversarial – both parties benefit from a respectful and neutral environment.
- Mediation can lead to a more positive relationship between the participants.
- Mediation can address a wide range of issues.

If an agreement is reached, is it binding?

Perhaps. A mediation agreement that is reached between the participants is the result of a voluntary process that has mutually agreed upon terms. The agreement can be written and signed by all parties at their request. The agreement is not enforced by the City's Rent Stabilization Division, but may be enforceable as a contractual obligation in court. Participants are free to discuss this with a private attorney if the issue arises.

What if an agreement is not reached?

If an agreement is not reached during mediation, participants still retain all of their legal options, such as filing for a hearing, a hearing appeal, or going to court.

What if the tenant has already filed for a hearing?

Mediation can be scheduled prior to a formal hearing to resolve housing services or maintenance issues regarding the tenant's amenities. By requesting mediation before the scheduled hearing, the tenant and landlord can make their own decisions about what is to be done and when. If the tenant and landlord can come to an agreement about the items before the hearing takes place, the hearing application may be withdrawn.

What if the hearing has already taken place?

Mediation can take place at any time, and can be scheduled after a hearing if there are other issues to be resolved between the tenant and landlord, or if they are having difficulty in scheduling work that has been ordered by the hearing officer.

The Rent Stabilization Ordinance is amended periodically. Tenants and landlords are encouraged to contact the West Hollywood Rent Stabilization Division for the most current version of the Ordinance. This fact sheet is one in a series published by the City of West Hollywood Rent Stabilization Division.