

University of Massachusetts Boston

ScholarWorks at UMass Boston

Massachusetts Office of Public Collaboration
Publications

Massachusetts Office of Public Collaboration

Winter 1-29-2024

Increasing Housing Stability Through State-Funded Community Mediation Delivered by The Massachusetts Housing Mediation Program (HMP) FY2023 Evaluation Report

Madhawa Palihapitiya

University of Massachusetts Boston, madhawa.palihapitiya@umb.edu

Karina Zeferino

University of Massachusetts Boston, karina.zeferino@umb.edu

Follow this and additional works at: https://scholarworks.umb.edu/mopc_pubs



Part of the [Dispute Resolution and Arbitration Commons](#), [Other Social and Behavioral Sciences Commons](#), [Peace and Conflict Studies Commons](#), [Public Administration Commons](#), [Public Policy Commons](#), and the [Social Welfare Commons](#)

Recommended Citation

Palihapitiya, Madhawa and Zeferino, Karina, "Increasing Housing Stability Through State-Funded Community Mediation Delivered by The Massachusetts Housing Mediation Program (HMP) FY2023 Evaluation Report" (2024). *Massachusetts Office of Public Collaboration Publications*. 37.
https://scholarworks.umb.edu/mopc_pubs/37

This Research Report is brought to you for free and open access by the Massachusetts Office of Public Collaboration at ScholarWorks at UMass Boston. It has been accepted for inclusion in Massachusetts Office of Public Collaboration Publications by an authorized administrator of ScholarWorks at UMass Boston. For more information, please contact scholarworks@umb.edu.

**Increasing Housing Stability Through
State-Funded Community Mediation
Delivered by The Massachusetts
Housing Mediation Program (HMP)**

FY2023 Evaluation Report

January 2024

Massachusetts Office of Public Collaboration

John W. McCormack Graduate School of Policy and Global Studies

University of Massachusetts, Boston

Massachusetts Housing Mediation Program Evaluation Report

Authored by

Madhawa Palihapitiya, Associate Director

Karina Zeferino, Research Associate

Jarling Ho, Program Manager

**Massachusetts Office of Public Collaboration
John W. McCormack Graduate School of Policy and Global
Studies University of Massachusetts Boston**

This report presents findings and recommendations from an evaluation of the Massachusetts Housing Mediation Program (HMP) administered by the MA Office of Public Collaboration (MOPC) at the University of Massachusetts Boston in partnership with 11 Community Mediation Centers (Centers). The program is funded by the Commonwealth of Massachusetts and implemented in partnership with the Executive Office of Housing and Livable Communities (EOHLC) (formerly known as the Department of Housing and Community Development). The program was initially part of the Governor's Eviction Diversion Initiative (EDI), which ended in the latter half of FY2022 and is continuing as an intervention to support housing stability. The evaluation was conducted by MOPC's research unit. As the statutory state dispute resolution agency, MOPC has been serving as a neutral forum and state-level resource for over 30 years. Its mission is to establish evidence-based public programs and build capacity within public entities for enhanced conflict resolution and intergovernmental and cross-sector collaboration to save costs for the state and its citizens and enable effective problem-solving and civic engagement on major public initiatives.

This HMP evaluation report is based on new research conducted through interviews and surveys. It seeks to deepen key indicators of success measures from mediation users, practitioners, and administrators with a view to answering a set of research questions on the achievement of program goals like the contribution of the mediation program to housing stability as well as mediation party impact.

The evaluators want to acknowledge the efforts of MOPC's HMP program managers and the 11 Centers for participating in collecting valuable data for this report.

For further information, please contact:
**Massachusetts Office of Public Collaboration
John W. McCormack Graduate School of Policy and Global Studies
University of Massachusetts Boston
100 Morrissey Blvd., M-1-627, Boston, MA
02125 Tel: 617.287.4040
Website: www.umb.edu/mopc**

TABLE OF CONTENTS

EXECUTIVE SUMMARY	4
INTRODUCTION	7
EVALUATION FINDINGS ON HMP IMPLEMENTATION AND IMPACT	9
RECOMMENDATIONS FOR INCREASING HMP UTILIZATION AND IMPACT	14
CONCLUSION	16
APPENDIX A: EVALUATION METHODOLOGY	17
APPENDIX B: EVALUATION DATA AND ANALYSIS	19

Executive Summary

The Massachusetts Housing Mediation Program (HMP) is a comprehensive statewide program that provides free housing mediation services as a tool to increase housing stability with the intention of preventing homelessness created by landlord-tenant disputes. It is administered by the Massachusetts Office of Public Collaboration (MOPC) at the University of Massachusetts Boston and deploys the community mediation system infrastructure with 11 Community Mediation Centers (Centers) participating and serving all 14 counties of the Commonwealth to provide free conflict resolution services for tenants and landlords/property managers with housing disputes at any stage, from the earliest point a problem occurs, up to, and after any eviction action in court.

The HMP was first developed in FY2021 for the Governor's Eviction Diversion Initiative (EDI), deploying an array of resources to support tenants and landlords impacted by the financial challenges caused by the COVID-19 pandemic, which was coordinated through the Executive Office of Housing and Livable Communities (EOHLC), formerly the Department of Housing and Community Development. Although the EDI ended in FY2022, MOPC continued the HMP due to the ongoing need for housing mediation services.

In FY2023 MOPC expanded HMP eligibility beyond eviction cases to include any type of housing dispute that could lead to housing instability. Funding from the Legislature allowed MOPC to contract for HMP services delivered through Center staff who coordinated the delivery of remote and in-person mediation services by trained mediators, connected parties to resources and served as liaisons for agency and organizational partners. MOPC continued working with Regional Administering Agencies (RAA) for mediation referrals, collaborated with EOHLC's Public Housing Division to provide services to local housing authorities (LHAs) and lined up a further expansion of HMP services to Massachusetts Housing Finance Agency (MassHousing) sites enrolled in the Tenant Assistance Program. The types of services available under the HMP were broadened to include conflict coaching, restorative circles, and community-building workshops.

The HMP continued to attract a steady stream of cases. In FY2023, the program received 1,221 referrals, of which 1,148 were screened, resulting in 1,117 cases. Of these cases, 428 cases were mediated resulting in 279 tenancy preservations and 72 housing subsidy preservations. Centers served a total of 954 landlords/property managers and 1,091 tenants located in 13 Massachusetts counties. The cost benefit from the 279 tenancies preserved through housing mediation was \$6,452,000 in cost savings from avoided shelter use and \$1,734,255 in avoided trial costs and recovered rent.

To assess the impact of the HMP on housing stabilization and homelessness prevention, MOPC deployed a team of staff and graduate student researchers to create data collection and evaluation indicators and metrics vetted by the Executive Office of Housing and Livable Communities (EOHLC), formerly known as the Department of Housing and Community Development, and the

Governor's Office and produced a HMP evaluation report for FY2021. For FY2023, MOPC undertook the following activities to produce this evaluation report for the third year of the HMP operations:

1. Administered a HMP mediation participant survey and collected 51 survey responses from tenants, landlords/property managers and lawyers and analyzed the quantitative data.
2. Administered a HMP mediator session survey and a HMP mediator general survey and collected 61 session surveys responses and two general survey responses and analyzed the quantitative data.
3. Mined and analyzed data from HMP case intake forms and mediated agreements from 163 cases.
4. Interviewed 12 HMP mediation participants, including tenants, landlords/property managers and lawyers for landlords/property managers, and transcribed and analyzed interview data.
5. Interviewed two HMP case coordinators and two HMP mediators from Centers and transcribed and analyzed qualitative data.
6. Examined quantitative data in HMP weekly case data sheets.
7. Drafted evaluation findings and recommendations tracked to detailed appendices.

The evaluation findings revealed that the threat of eviction and rental arrearages brought nearly all the parties to mediation. According to mediator surveys, 69% of mediation sessions involved rental arrearages while the threat of eviction loomed over 86% of the sessions. Problems with property damage, the need for repairs, increased rent, lease violations, and unauthorized use of premises were involved in fewer sessions.

The evaluation findings also revealed that the impact of housing mediation was positive. For example, mediation provided an opportunity for landlords/property managers and tenants to develop creative solutions to eviction. As indicated in mediator surveys, in 80% of HMP sessions the tenant produced ideas for solutions while landlords/property managers produced ideas in 70% of cases. MOPC's FY2023 research also found that the HMP has been a critical intervention and has had a positive impact in terms of increasing housing stability and mitigating homelessness. This is demonstrated by a mixed method of research, including the interviews discussed in the latter sections of this report.

The HMP is a vital public program, particularly against the backdrop of a housing crisis that has worsened. MA residents cited housing as the biggest issue on their minds. The country is also facing a dramatic 12% increase in homelessness, which is its highest reported level as soaring rents and a decline in COVID-19 pandemic assistance combined to put housing out of reach for more Americans. Homelessness among individuals rose by 11%, among veterans by 7.4%, and among families with children by 15.5%.

Though a clear causal link between housing mediation through the HMP and homelessness prevention is difficult to determine, several factors support housing mediation's role in

preventing homelessness and increasing housing stability. These factors include: 1) the ability of mediation to improve communication and help reduce landlord-tenant/tenant-tenant conflict; 2) the opportunity afforded by mediation for landlords/property managers and tenants to negotiate in good faith and the option to generate creative solutions to issues surrounding the non-payment of rent, repairs and a host of tenancy-related issues; and 3) the coupling of mediation with housing counseling and other assistance programs.

Data from the centralized case management system (MADtrac) indicates that mediating landlord-tenant cases resulted in 65.2% of the tenants preserving their tenancy in FY2023 where Centers served 428 housing cases under the HMP resulting in 279 tenancy preservations. A strong correlation does exist between housing mediation provided through the HMP and tenancy preservation. For example, using a subset of mediated cases and an analysis of a sampling of 163 written mediated agreements reached between landlords/property managers and tenants through housing mediation provided by Centers during the 12-month period from July 2022 to June 2023 shows that 85 agreements, a little over one half (52%), resulted in the preservation of tenancy, suggesting a strong correlation between housing mediation and the preservation of tenancy.

Satisfaction with HMP mediation services is high. As tenants interviewed in the evaluation indicated:

“The mediation helped us a lot. We are very grateful. This program was a life saver for us.”

“Honestly, I don’t know where things would be if it wasn’t for the assistance I received from [coordinator name].”

As noted by landlords/property managers:

“You’re able to get a resolution before it gets to the judge, and you can just dismiss it instead of wasting all this money paying an attorney and paying to go to court. So, you know, it cuts down the cost if we go to mediation, pack it out, figure out a solution, and dismiss it before it even gets to the judge. It’s always best for everyone.”

“Overall, I’m satisfied because I really didn’t want to go to court and have to evict her. I didn’t want to take the next step...”

Over the long term, achieving housing stability and homelessness prevention requires dealing with the root causes of evictions and homelessness, such as a shortage of affordable housing, financial hardship, reduced job opportunities, inadequate legal rights for renters, systemic injustice, and racism, among others. Remediation of these root causes calls for policy changes and investments of time, energy, and social capital on the part of government and communities. Changes to be considered include expansion of renters’ legal rights – such as the expungement or sealing of court eviction records and the establishment of a right to counsel in eviction cases – as well as the deliberate pursuit of equity by eviction intervention programs to eliminate the disparate impact of eviction on communities of color, women with children, and low-income people.

Introduction

The Massachusetts Office of Public Collaboration (MOPC) is an applied research center of the McCormack Graduate School of Policy and Global Studies at the University of Massachusetts Boston and the statutory state dispute resolution agency for the Commonwealth serving the judicial, executive, and legislative branches of state government and municipalities (G.L. Ch. 75, s. 46). MOPC is also the statutory grant program administrator for the state-sponsored community mediation system (G.L. Ch.75, s. 47) deployed to assist public agencies and courts with the design and administration of evidence-based dispute resolution programs for important public issues. Mediation provides an alternative to the courts for the resolution of housing disputes. Unfettered by the protocols and delays of the judicial system, mediation offers flexibility regarding the problems to be addressed and the solutions for them.

The Housing Mediation Program (HMP) was first developed in FY2021 as part of the Eviction Diversion Initiative (EDI), which included a comprehensive and coordinated set of federal and state programs and funding resources to support tenants and landlords through the financial challenges caused by the COVID-19 pandemic. Through the Executive Office of Housing and Livable Communities (EOHLC), formerly the Department of Housing and Community Development, the initiative brought together housing agencies, Community Mediation Centers (Centers), and legal services to collaborate on and develop referral processes to fully support tenants and landlords during the pandemic. The HMP was designed to leverage existing community-based infrastructure by expanding it from handling eviction cases in court to also handling upstream housing cases, which would provide multiple entry points to mediation at earlier stages of a housing crisis. Centers adjusted their practices to virtual environments, due to the pandemic restrictions on in-person services, providing case management and mediation services remotely, by telephone or video conferencing. During the HMP development, Centers and MOPC heavily invested in developing upstream infrastructure to help parties access mediation services prior to court. Although the EDI wrapped up in FY2022, MOPC continued to administer the HMP as there was still a need for housing mediation services.

FY2023 funding from the Legislature allowed MOPC to allocate approximately \$700,000 to the HMP in FY2023, of which \$575,000 was awarded in grants to 11 Centers at three different funding levels, based on the volume of housing mediation services and HMP staffing needs. The grants enabled Centers to employ one or two staff to manage cases, connect parties with resources, conduct outreach and serve as liaisons for agency and organizational HMP partners. MOPC also expended \$20,000 on HMP training and consultation services from the Berkshire County Regional Housing Authority mediation program, one of the Centers with significant expertise in this area. Services were still primarily provided remotely, with some provided in person, as communities, agencies, and government continued to open.

In FY2023 MOPC expanded HMP eligibility beyond eviction cases to include any type of housing dispute that could lead to housing instability, loss of housing or eviction. MOPC continued working with EOHLC to leverage HMP services and streamline the referral process

for Regional Administering Agencies (RAA). MOPC collaborated with EOHLIC's Public Housing Division to provide housing mediation services to local housing authorities (LHAs). This led to the issuance of Public Housing Notice 2023-06 which encouraged LHAs to share information about the HMP with staff and residents and work with Centers serving their geographic areas. MOPC further expanded the HMP through a new partnership with the Massachusetts Housing Finance Agency (MassHousing) to provide dispute resolution services to Tenant Assistance Program members as of FY2024. Additionally, MOPC expanded the types of services available under the HMP to include conflict coaching, restorative circles and community-building workshops. The MOU with EOHLIC was updated to reflect these expansions and adjust reporting frequency from biweekly to monthly. Data collection was also adjusted to reflect the expansions.

Monthly meetings of Center HMP case coordinators provided a forum for collective problem-solving and sharing tips on effective outreach and case management practices, and monthly learning community meetings of Center HMP mediators helped with continuing skill-building for housing disputes. MOPC also provided summary process training to Center mediators to help build Center mediator rosters. The MOPC HMP Program Manager provided program administration, reporting, and technical support to Centers. HMP services were primarily delivered remotely.

In FY2023, the HMP fielded 1,221 referrals, of which 1,148 were screened, resulting in 1,117 cases. Of these cases, 428 cases were mediated in which 279 tenancies and 72 housing subsidies were preserved. The HMP served 954 landlords/property managers and 1,091 tenants located in 13 Massachusetts counties. The 279 tenancies preserved through housing mediation produced \$6,452,000 in cost savings from avoided shelter use and \$1,734,255 in avoided trial related costs and recovered rent.

This FY2023 HMP evaluation report is organized into the following sections: *Executive Summary* that can serve as a stand-alone document; *Findings*, based on an investigation of research on housing mediation, landlord-tenant and summary process mediations; *Recommendations*, for further increasing impact, utilization and effectiveness of housing mediation and the sustainability of the HMP; and *Appendices*, presenting detailed, fully sourced summaries of the survey data and other relevant material with both qualitative data and analysis and quantitative data and analysis presented using the research questions in the methodology section as a guide.

Evaluation Findings on HMP Implementation and Impact

The following findings are supported by evidence in the detailed, fully sourced report appendices.

Solving rental arrearage disputes and threat of evictions through mediation

- 1. The threat of eviction and rental arrearage were the most frequently stated reasons for residential eviction filings in Massachusetts in HMP mediated cases.** The threat of eviction and rental arrearages brought nearly all the parties to mediation. 42 (or 69% of 61) mediation sessions involved rental arrearages while the threat of eviction loomed over 54 (or 86% of 61) sessions. Problems with property damage, the need for repairs, increased rent, lease violations and unauthorized use of premises were involved in fewer sessions.
- 2. Rental arrearage was the most frequently resolved issue in mediation.** Although rental arrearages were the most stated reason for residential eviction filings across the country and in Massachusetts, the most frequently raised housing issues for mediation was expiration of lease/terms of lease and removal from premises/occupancy of property.
- 3. Non-rental arrearage issues were also mediated by HMP.** Historically, problems with overcrowding, property damage, the need for repairs, increased rent, unpaid mortgages, unauthorized use of premises, expiration of lease, removal from premises, length of lease and lease violations are also involved to a lesser degree.
- 4. The HMP assisted parties to find workable solutions to rental arrearage issues and eviction.** According to mediators surveyed, issues at mediation produced final agreements in 46 sessions (or 75% of 61); temporary agreements in two sessions (3% of 61); no agreement in 11 cases (18% of 61); and partial agreements in two cases (3% of 61).
- 5. The issue of rental arrearage was usually settled through some measure of payment.** An analysis of a sampling of 163 written mediated agreements reached between landlords/property managers and tenants through housing mediation shows that in 85 agreements, a little over one half (52%), resulted in the preservation of tenancy through elements such as the establishment of a payment plan for rental arrearages.

Correlation between HMP housing mediation and tenancy preservation

- 6. A significant factor contributing to the success of housing mediation was the joint problem-solving between the landlord/property manager and tenant.** At nearly all sessions, both parties contributed to solving their housing dispute. Tenants produced ideas for solutions in 49 or 80% of 61 sessions according to mediators. Similarly, landlords/property managers produced ideas for solutions in 43 or 70% of

61 sessions. In 25 (or 41% of 61) sessions, the landlord's attorney produced ideas for solutions.

7. **Mediation was beneficial to landlords/property managers and tenants even when tenancy was not preserved.** Of the 163 written mediated agreements the HMP helped generate, 78 did not result in the preservation of tenancy. In these cases, the tenant(s) agreed to move out and the landlord/property manager regained possession of the property. A closer analysis of the written language in a sample of these non-tenancy preserving agreements reveals solutions that were beneficial to the tenants. Examples of such benefits include landlords/property managers agreeing to waive a portion or the entirety of rental arrearages owed, to cover storage costs, waive court fees, dismiss cases, proactively offer a positive/neutral reference for tenant(s), and to grant tenants extra time to move out. For the tenant, these non-tenancy preservation agreements can help to provide a “soft landing” into another housing situation. Additionally, some non-tenancy agreements include language indicating that tenants commit to working with either the Center's case coordinator, housing agency, or non-profit service provider to find alternative housing during the move-out process agreed upon between the landlord/property manager and tenant(s).
8. **Housing mediation can improve party communication and reduce conflict.** During their mediation session, parties' interactions with one another mostly improved or, to a lesser extent, stayed the same. According to mediators, communication between parties improved in 44 sessions (or 72% of 61), remained the same in 14 sessions (or 23% of 61), and was not applicable in three sessions (5% of 61). The improvement in party conflict was widespread. Although mediators reported that in 14 sessions (23% of 61) party conflict remained the same, mediators found that in 42 sessions (or 69% of 61) conflict between parties decreased. Mediators observed party conflict increase in one session (or 2% of 61) and found it inapplicable in four sessions (or 7% of 61).
9. **There was a strong correlation between housing mediation provided through the HMP and tenancy preservation.** Data from the centralized case management system (MADtrac) indicates that 65.2% of the tenants preserved their tenancy in FY2023 where Centers served 428 housing cases under the HMP resulting in 279 tenancy preservations. A strong correlation does exist between housing mediation provided through the HMP and tenancy preservation. For example, using a subset of mediated cases and an analysis of a sampling of 163 written mediated agreements shows that a little over one half (52%), resulted in the preservation of tenancy, suggesting a strong correlation between housing mediation and the preservation of tenancy.

HMP design, performance, and party satisfaction

10. **The HMP has delivered a well-designed, satisfactory, and sustainable program responsive to the issues raised by parties.** Mediation resulted in vital benefits for both tenants and landlords/property managers. Mediation led to tenants in 21 sessions

- remaining in their dwelling (34% of 61). Complaints of tenants were addressed in 38 sessions (62% of 61). Homelessness was avoided for tenants in 42 sessions (69%). A housing search was avoided in 15 sessions (25%) and referrals for housing assistance and/or counseling were given in 31 sessions (51%). The complaints of landlords/property managers were addressed in most (44 or 72% of 61) mediation sessions. The original tenancy was stabilized in ten sessions (or 16% of 61). The search for a new tenant was avoided in 13 sessions (or 21% of 61) while the costs of eviction and search for a new tenant were avoided in 42 sessions (or 69% of 61).
11. **Satisfaction with the HMP was high among landlords/property managers, tenants, and lawyers alike.** According to survey results from parties (i.e., tenants, landlords/property managers, and lawyers) who participated in housing mediation, respondents overwhelmingly approved of the mediation services they received. The problems of the individuals surveyed were handled to the satisfaction of 94% of the 51 respondents. 98% percent indicated that the mediation process was fair to them while 88% were satisfied with the outcome.
 12. **The HMP performed well in key areas of mediation program performance like mediations, tenancy, and housing subsidies preserved.** According to data from the centralized case management database MADtrac, in FY2023, the HMP fielded 1,221 referrals, of which 1,148 were screened, resulting in 1,117 cases. Of these cases, 428 cases were mediated in 464 mediation sessions. In the cases that HMP handled, 279 tenancies were preserved, and 72 housing subsidies were preserved. Centers served 954 landlords/property managers and 1,091 tenants located in 13 Massachusetts counties.
 13. **Mediator performance was highly rated by parties.** Most of the 51 surveyed individuals were pleased with the assistance they received from mediators. Mediators' listening skills were acknowledged by an overwhelming majority of the respondents (84% of 51). Large majorities also appreciated mediators' help with identifying and clarifying issues (84%), enabling parties to voice concerns and make their own decisions (69%), and assisting with generating ideas and options (57%) as well as useful information that they were not aware of before (63%). Smaller majorities recognized that mediators helped them be more open to alternative solutions (49%).
 14. **HMP mediations produced substantial cost savings for the state and parties.** The cost benefit to parties and the Commonwealth from the 279 tenancies preserved through housing mediation under the HMP was \$6,452,000 in cost savings from avoided shelter use and \$1,734,255 in avoided trial related costs and recovered rent.

Importance of state-funded housing mediation infrastructure

15. **The HMP is needed due to the continuing housing crisis.** The housing crisis has worsened, with MA residents citing it as the biggest issue on their minds. Housing and Urban Development (HUD) Secretary Marcia Fudge said in a prepared statement

in December 2023 that the country is facing a dramatic 12% increase in homelessness, which is its highest reported level as soaring rents and a decline in COVID-19 pandemic assistance combined to put housing out of reach for more Americans. According to data from HUD, homelessness among individuals rose by 11%, among veterans by 7.4%, and among families with children by 15.5%.¹ In an October 2023 UMass Amherst poll, MA residents were asked to pick one issue out of nine that they believe needs to be addressed, and 31% picked [housing shortage and affordability](#). The next highest issue was immigration at 12%.²

16. **HMP case coordinators' role continued to be pivotal in assisting parties and raising awareness.** HMP case coordinators support housing mediation administratively by receiving referrals, performing screenings and intakes, scheduling mediations, following up with parties, setting up remote mediation sessions, and reporting, among other administrative tasks. Operationally, case coordinators play a key role in supporting housing mediation. They conduct outreach to raise awareness about housing mediation among the community. In addition to receiving referrals, case coordinators field inquiries from landlords/property managers and tenants looking for resources and connect them to such resources. Inquiring parties also seek general advice about how best to resolve their housing issue and information so that they can make informed decisions about participating in mediation.
17. **The HMP has leveraged existing community mediation infrastructure to provide cost-effective dispute resolution services at multiple stages to landlords/property managers, tenants, and state, local and community partners.** The HMP leverages existing community-based infrastructure to handle housing disputes and eviction cases in court and upstream in the community. Mediation services are provided free of charge for all eligible tenants and landlords/property managers. To aid in supporting tenants and landlords/property managers at earlier stages, Centers and MOPC heavily invested in developing the upstream infrastructure so that parties could take advantage of mediation prior to court.

HMP mediator diversity

18. **The diversity of the HMP mediator pool may not align with the diversity of communities served.** The data on HMP mediator diversity is limited. In most mediation sessions, the surveyed mediators did not share their gender or race/ethnic origin/ethnicity. In 26 sessions mediators indicated that they were proficient in Portuguese while in one session the mediator indicated that they were proficient in Spanish. Most responses (60 or 98% of 61) revealed that the availability of the mediator was a key factor in selecting a mediator for housing mediation. Questions regarding mediator selection with respect to the interaction between characteristics of

¹ <https://www.boston.com/real-estate/real-estate-news/2023/12/15/us-homelessness-up-12-percent/>

² <https://htv-prod-media.s3.amazonaws.com/files/healeytoplinesoct2023-653639605e5b1.pdf>

the mediator (e.g., experience, gender, socio-economic class, race/ethnic origin) and characteristics of parties (e.g., gender, socio-economic class, race/ethnic origin, etc.) or other considerations (e.g., equal opportunity to mediate, case difficulty, etc.) elicited no responses.

Awareness of legal rights

- 19. Parties in mediation had knowledge/awareness of legal rights and responsibilities.** Almost all surveyed individuals (50 out of 51) indicated that they received clear information about the mediation process. Similarly, most respondents (90% of 51) indicated they were aware of their legal rights at the time of mediation. Two out of the five respondents who reported that they were aware of their legal rights when mediating clarified their responses by stating “But not fully, they are not lawyers” and “Most of my rights,” revealing that they were aware of their legal rights. 42 (or 82%) of the 51 respondents professed awareness of the other party’s legal rights. Additionally, 30 respondents (59% of 51) acknowledged receiving housing counseling or information about financial assistance. Overall, these findings reveal that participants have clarity on the information presented about mediation, are aware of their own legal rights and the other party’s legal rights and have received housing counseling and financial assistance information.

Recommendations for Increasing HMP Utilization and Impact

The following recommendations are supported by the evidence-based findings detailed above and presented in detail in the report appendices.

- 1. The HMP should continue to expand its scope of services in ways that target the achievement of major housing stability indicators.** Housing stability can be defined as the ability of a household to stay in a housing unit of its choosing, for a duration of its choosing, without interruption or complication. This would involve the utilization of mediation services for landlords/property managers and tenants to mitigate the stresses of multiple moves, doubling up, eviction, overcrowding, duration of stay, forced moves, living in unstable conditions, and living in multiple subsidized units. To increase utilization, HMP services must be far-reaching meaning that HMP services should be made widely available in urban and rural housing instability hot spots and by entering into additional MOUs or other agreements with state and local government agencies, nonprofits and neighborhood associations to refer housing cases to Centers.
- 2. Use data-driven approaches to identify key service areas.** As community mediation/HMP resources are limited, the HMP should prioritize deploying mediation services in areas affected by homelessness, evictions and other housing stability issues using Census, HUD, and other publicly available data. The prioritization of these hot spots should also consider serving economically and racially diverse populations.
- 3. The HMP should partner with immigrant and minority-serving organization that already have the trust of such communities to increase more targeted outreach and services.** MOPC's own Diversity, Equity, and Inclusion (DEI) research indicates that minorities and economically disadvantaged groups, including some immigrant communities, may benefit more from mediation services, particularly when it comes to addressing housing disputes between landlords/property managers and tenants belonging to those communities. However, gaining the trust of these communities is vital, and therefore recommended that the HMP should broker the support of trusted individuals/groups serving those communities to raise awareness and provide targeted services to address housing instability issues in those communities.
- 4. Mediation should be embedded into holistic approaches to address homelessness to address the housing crisis in the longer term.** The complexity of the Massachusetts housing crisis is better addressed through collaborative partnerships like those that were developed under the Eviction Diversion Initiative (EDI). However, the EDI has now ended³, but the homelessness and housing instability crisis still exists to date. Mediation, therefore, is best practiced alongside other initiatives. Housing mediation, as an effective conflict management, communication, and joint problem-solving strategy should be written into all relevant current and future government programs and policies that deal

³ The Eviction Diversion Initiative ended administratively at the end of FY 2022, with plans to incorporate the learnings into state-funded programs moving forward.

with the housing crisis. The HMP should be recognized as a public service for eviction diversion, homelessness prevention and overall housing stabilization.

- 5. The HMP should ensure longer-term financial sustainability for its housing mediation services.** As the program moves to a much more targeted but broader approach to tackling housing instability as means for addressing homelessness in partnership with state and local agencies as well as community partners in Massachusetts, the HMP must also plan for growth and expansion, particularly as it targets geographic and demographic hot spots to ensure that the services are sustained in the longer term. As part of this approach, the HMP should consider diversifying its fundraising portfolio by partnering on grant applications with state and local partners on HUD and other grants. The HMP should also continue to invest resources into data collection and program evaluation that enable the collection of impact data, targeted research, and program advocacy.

Conclusion

The HMP, which is in its third year of evaluation and fourth of operation has again demonstrated that it continues to be impactful for tenants and landlords, with a strong caseload, reinvesting in existing community dispute resolution infrastructure and a highly specialized team of volunteer mediators and Center and MOPC staff. In this light, the HMP is a structurally unique dispute resolution program offered at no cost to landlords and tenants to address disputes, improve communication, and find creative solutions to avoiding eviction and homelessness, preserving tenancies, housing subsidies, and increasing housing stability, which all translate into financial and non-financial cost-benefits to tenants, families, landlords and the state. This is in the backdrop of a housing crisis that has continued to worsen, with MA residents citing it as the biggest issue on their mind, and with the country facing a dramatic 12% increase in homelessness, which is its highest reported level as soaring rents and a decline in COVID-19 pandemic assistance combined to put housing out of reach for more Americans.

The HMP has proven its usefulness beyond its initial founding as a pandemic-era response to eviction to a broadly impactful program that can complement other housing issues that will help the Commonwealth of Massachusetts assist thousands of tenants avoid emergency shelter use, for which our leaders anticipate spending close to two billion dollars in the next two fiscal years.

Appendix A: Evaluation Methodology

The aim of this evaluation is to examine the implementation and effectiveness of the state-funded Housing Mediation Program (HMP) through an explicit study of the complexity of the HMP, its impact on users (mediation parties), experts (mediators/Community Mediation Centers) as well as reflections and learning of program administrators and partners through the systematic collection and analysis of data and to measure effectiveness based on indicators developed in consultation with state sponsors.

This evaluation sets out to answer three research questions overtime:

1. Are MOPC and its community mediation partners implementing a well-designed, “satisfactory” and sustainable HMP?
2. Is the HMP resolving landlord-tenant disputes in ways that are helping to preserve tenancy and/or generating alternative solutions or other benefits to landlords/property managers and/or tenants that are helping to ease evictions and promote housing stability?
3. Does housing mediation help in preventing homelessness? Can a causal relationship be established between mediation and homelessness prevention?

To answer these questions, data was collected through the following methods:

- Post-mediation participant surveys
- Mediator surveys
- Semi-structured interviews with housing mediation participants (i.e., tenants, landlords/property managers, and lawyers)
- Semi-structured interviews with mediators and case coordinators
- MADtrac/STATtrac reports
- Mediated agreements, intake forms and referral forms

A mixed-methods approach was utilized, combining quantitative and qualitative analysis of the data collected, to measure effectiveness according to indicators (e.g., number of mediations resulting in tenancy preservation) and to provide an in-depth analysis of the multiple factors impacting the success of the HMP.

For example, evaluators analyzed mediated agreements and intake forms provided by Centers to measure the percentage of mediated agreements resulting in tenancy preservation and conducted a qualitative analysis of the language in these documents to identify elements in the agreements that led to tenancy preservation or, in cases where tenancy was not preserved, identify elements in the agreements that created a soft-landing for the tenants. These documents yielded relevant information pertaining to the nature of parties’ disputes and related housing crises.

Surveys conducted at the conclusion of mediation sessions gleaned participants’ level of satisfaction with the HMP and collected their feedback and comments. The post-mediation participant survey also asked participants if they would be willing to talk with a

researcher/evaluator about their mediation experience. The researcher/evaluator then contacted the participant by phone within a 4–10-week period after the mediation session to conduct a semi-structured interview.

There were 51 respondents to the post-mediation participant survey. Of those, over half of respondents indicated that they would be willing to talk about their mediation experience with a researcher/evaluator. The researcher/evaluator(s) managed to interview 12 respondents by phone (four tenants, five landlords/property managers, and three lawyers for landlords/property managers). Multiple attempts were made to reach participants if they did not respond to a cold call the first time. In some cases, respondents answered the phone but declined to participate or said they were unavailable.

In addition to participant interviews, the evaluator/researcher also interviewed coordinators and mediators who mediate cases through the HMP. To date, three interviews (one with a coordinator and mediator, one with a coordinator, and one with a mediator) from three of the 11 Centers across the state were conducted. To recruit mediators for the evaluation, the researcher/evaluators contacted the directors of Centers to inquire about setting up interviews with mediators.

To make comparisons across cases, the researcher/evaluator asked participants the same questions, while also allowing for flexibility by asking questions based on the direction of the participants' responses and the specifics of the case. The researcher/evaluator devised and carried out a research/evaluation plan approved by the Institutional Review Board at UMass Boston and took all steps to minimize the risk of compromising participants' confidentiality.

By providing an in-depth account of specific cases drawn directly from the experiences of participants (i.e., tenants, landlords/property managers, mediators, and lawyers), the interviews complement the quantitative data and statistical analysis by highlighting the voices and experiences of individuals directly impacted by housing crises and who benefited from the HMP. The interviews also add value by offering a means to examine hypotheses about correlations between housing mediation and the preservation of tenancy and housing stability within the context of individual cases. Not every case interview presented, however, results in the preservation of tenancy; rather, agreements reached between the landlord/property manager and tenant may reflect a mutual desire for the tenant to move out of the property. By interviewing the parties, the researcher/evaluator can pick up the story where the written agreement left off to learn how the parties are faring and how mediation may have helped to create a soft landing for the tenants—that is, the means with which to move out and into another property that suits their needs and meets their interests.

Appendix B: Evaluation Data and Analysis

The following presentation of data and analysis is organized into two sections. The first section lays out quantitative data from surveys, forms, administrative records, and the case management database. The second qualitative section lays out the qualitative data from interviews.

The evaluation data gathered for this report includes data from surveys and interviews with housing mediation parties (i.e., tenants, landlords/property managers, and lawyers), as well as housing program mediators and case coordinators. Additionally, this report includes an analysis of data from Centers such as referral forms, screening and intake forms, and mediated agreements. The evaluation examined the achievement of this goal with three research questions in mind:

1. Is MOPC and its community mediation partners implementing a well-designed, “satisfactory” and sustainable Housing Mediation Program?
2. Is the Housing Mediation Program resolving landlord-tenant disputes in ways that is helping to preserve tenancy and/or generating alternative solutions or other benefits to landlords/property managers and/or tenants that is helping to ease pandemic-induced eviction/landlord-tenant disputes?
3. Does housing mediation help in preventing homelessness? Can a causal relationship be established between mediation and homelessness prevented?

The evaluation data gathered and analyzed is presented under two sections. The first section includes data and analysis flowing from the following surveys: participant survey, mediator survey per mediation session, and mediator general survey. It also includes an analysis of data from Centers such as referral forms, screening and intake forms, and mediated agreements. The second section includes data and analysis flowing from interviews with participants who were party to a housing mediation session (i.e., tenants, landlords/property managers, and lawyers), housing program mediators and case coordinators.

With respect to the three questions, MOPC evaluators explore the level of mediation party satisfaction with the HMP, including the design and implementation of the program, mediator neutrality, mediator and case coordinator roles, addressing power imbalances during mediation, etc., as well as the impact of the HMP on tenancy preservation and other benefits of the program and the causal link or at least the correlation, if any, between the HMP and the prevention of homelessness.

Presentation of Quantitative Data

a) FY2023 HMP Participant Survey

This survey was completed by 51 party members (tenants, landlords/property managers, and lawyers).

Description of Parties

In terms of participants, tenants made up the majority (41% of 51) of survey respondents, followed by landlords/property managers (35%), and lawyers representing landlords/property managers (24%). This indicates that MOPC is receiving more feedback from landlords/property managers and their lawyers compared to tenants.

Mediator Assistance

Most of the 51 surveyed individuals were pleased with the assistance they received from mediators. Mediators' listening skills were acknowledged by an overwhelming majority of the respondents (84% of 51). Large majorities also appreciated mediators' help with identifying and clarifying issues (84%), enabling parties to voice concerns and make their own decisions (69%), and assisting with generating ideas and options (57%) as well as useful information that they were not aware of before (63%). Smaller majorities recognized that mediators helped them be more open to alternative solutions (49%). For instance, one respondent reported that the mediator "helped the tenant understand what the likely outcome in court would be and why an agreement was better" while another noted that the mediator was "respectful and considerate" and "helped ease the tension between the parties."

Access to Information and Legal Rights

Almost all surveyed individuals (50 out of 51) indicated that they received clear information about the mediation process. Similarly, most respondents (90% of 51) indicated they were aware of their legal rights at the time of mediation. Two out of the five respondents that reported that they were aware of their legal rights when mediating clarified their responses by stating "But not fully, they are not lawyers" and "Most of my rights," revealing that they were aware of their legal rights. 42 (or 82%) of the 51 respondents professed awareness of the other party's legal rights. Additionally, 30 respondents (59% of 51) acknowledged receiving housing counseling or information about financial assistance. Overall, these findings reveal that participants have clarity on the information presented about mediation, are aware of their own legal rights and the other party's legal rights and have received housing counseling and financial assistance information.

Process Satisfaction

According to the survey results, respondents overwhelmingly approved of the mediation services they received. The problems of the individuals surveyed were handled to the satisfaction of 94% of the 51 respondents. 98% percent indicated that the mediation process was fair to them while 88% were satisfied with the outcome. Most respondents had positive things to say about either the mediation process or the mediators. The following sample of comments typify respondents' reactions to the mediators:

Approval of the mediation process was widespread. For example,

- "Both [mediator's name] and [mediator's name] were very professional and helped immensely."

- “Clear, educative – I was nervous at first but quickly felt at ease once it started and there was sufficient information provided about the purpose of why we were there and each participant’s role.”
- “Everything was handled well; the mediators understand the vitiating and confusion between the two parties.”
- “I am very happy that you were able to help me and my family. We are very grateful that you help people who actually need so much help as we were needing. Thank you, God bless you.”
- “I appreciate the skill and knowledge and focus that [mediator’s name] brought to the process. Thank you. I feel that this is an absolutely critical service to have available to landlords and tenants.”
- “[Mediator’s name] was wonderful and very informative.”
- “Mediator was very knowledgeable and demonstrated an expert handling of the case.”
- “Need more mediators like we had on this case. I feel like if she was on other cases like this there would be more settlements and fewer court cases going to trial.”
- “The [Center name] staff was very professional and helpful in reaching a resolution with a difficult tenant. It’s a tough job they do but very helpful to the community.”

Others, however, had critiques of the mediation process:

- “It is my opinion, that if a tenant is having trouble paying or meeting deadlines, then mediation alone won’t help. I wish there would be a follow-up person, somebody that calls once a week to make sure parties are adhering to the terms. Now that would cut down on court cases/congestion. Thanks.”
- “The mediator wrote the wrong year in the initial mediation agreement. When asked to change them to the correct year, I never heard from them. Therefore, neither my tenant nor I ever signed the agreement.”
- “Very friendly people and timely but I didn’t feel like I had time to ask about my rights, their rights, or how court could go according to the law. Felt like taking a plea deal instead of trial out of pressure when trial may have been more just. Seems the workers of mediation do their best, it’s the system that’s flawed, always in favor of the powerful.”

These comments suggest that MOPC and its community mediation partners are implementing a satisfactory Housing Mediation Program, although improvements are suggested.

Usefulness and Utilization of Information

About half of respondents (24 or 47%) found the housing counseling and financial assistance received useful during mediation whereas 47% did not receive housing counseling or information about financial assistance. Additionally, a sizeable portion of 51 respondents (73%) did not receive legal advice or representation during mediation. The other 14 respondents (27%) did receive such legal assistance.

b) FY2023 HMP Mediator General Survey

Respondents

Two mediators from one Center, Community Dispute Settlement Center, completed the survey. Both mediators reported that they have conducted one housing mediation.

Issues Raised/Resolved in Housing Mediations

Although rental arrearages were the most stated reason for residential eviction filings across the country and in Massachusetts, according to both mediators, the most frequently raised housing issues for mediation was expiration of lease/terms of lease and removal from premises/occupancy of property. The least frequently raised housing issues for mediation reported by one mediator concerned the tenant's care for premises, occupant's behavior, and overcrowding while the other mediator indicated "all other issues."

Additionally, according to one mediator, the issues most frequently resolved through mediation was expiration of lease, removal from premises, and length of lease, while the other mediator indicated that terms of lease/tenant expectations were most frequently resolved through mediation. In terms of issues that were least frequently resolved through mediation, one mediator stated overcrowding while the other stated "timeline: final details of resolution."

Mediation Agreements Reached

Agreements were a frequent outcome of HMP housing mediation with one mediator indicating that agreements were reached often while the other indicated that they were reached sometimes.

Party Communication and Conflict

Both mediators found that party interactions, such as communication and conflict, often improved or stayed the same due to housing mediation. Both mediators found that because of housing mediation, communication between parties often improved while conflict between parties either decreased or stayed the same.

Issues Handled/Addressed

The issue of rental arrearage was deemed non-applicable by one mediator while the other indicated that instances of no agreement being reached relating to this issue often occur. For both mediators, issues concerning repairs were often inapplicable during mediation.

One mediator provided information about the frequency of the diverse ways that tenant evictions were addressed during their housing mediations while the other mediator simply indicated that this issue was often non-applicable. According to the mediator that did provide this information, evictions were rarely initiated and were never prevented, discontinued with conditions, or delayed. Similarly, the respondent observed that tenants never vacated the premises pre-mediation. The mediator noted that the issue of the tenant moving out of the premises was often non-applicable.

According to both mediators' issues concerning tenant's upkeep of premises, occupant behavior and overcrowding were often non-applicable.

Comparison Between Housing and Other Mediations

The mediators were asked to compare housing mediation with mediation of other types of disputes. Only one mediator fully answered these questions, as the other mediator indicated that they did not know how to answer these questions due to their lack of experience conducting mediation of other disputes.

The mediator found housing disputes more demanding in certain respects than other types of disputes. For example, the frequency and extent of the power imbalance between parties were greater and higher in housing mediation than for other mediated disputes. Similarly, the importance of party knowledge about their rights and defenses and required documentation and reporting to other agencies were greater for housing issues. Additionally, the mediator indicated that compared to the mediation of other types of disputes, the need for a translator during housing mediation was more frequent and party's limited proficiency in English was a challenge more often.

On the other hand, according to the mediator, certain features of housing mediation proved to be less demanding than other mediations. For example, other agencies were involved less often in housing mediations and referrals to sources of information about rights and defenses were needed less frequently compared to other mediations. Lastly, according to the mediator, discussions during housing mediations tended to be less heated compared to discussions in other mediations.

Mediator Diversity and Assignment Factors

With respect to such characteristics as racial/ethnic origin, socio-economic class, multiple language proficiency, and gender, one mediator stated that they believe all these features mirror the population to be served, while the other mediator stated that they did not know. One mediator indicated that mediator available was commonly considered in mediators' case assignments while the other did not respond.

c) FY2023 HMP Mediator Per Housing Mediation Session Survey

This survey was completed for 61 mediation sessions by mediators from three Centers, with one Center completing 59 of these surveys and the other two Centers completing the remaining two.

Therefore, it is important to note that mediators from these Centers completed this survey after each session, meaning that these responses represent the experience of a few select mediators that volunteered to complete this survey after specific mediation sessions.

Respondents

Through their survey responses, mediators from three Centers provided their insights about the housing mediation sessions held in 61 cases under HMP auspices. As mentioned above, 59 of the

sessions were conducted by mediators from one Center while the remaining two sessions were completed by the two remaining Centers.

Premises/Housing Involved in Dispute

Mediators were asked to describe the premises/housing involved in the dispute. In the majority (30 or 49%) of the sessions the premises involved tenancies-at-will. In 13 or 21% of the sessions, the premises were under lease while in nine or 15% of the sessions the premises were occupied. For the remaining sessions, six or 10% involved an expired lease or verbal lease while three or 5% of the sessions involved other premise situations.

Language Access

In most of the sessions (59 or 97%) all parties were proficient in English while in two or 3% of the sessions all parties were not. In one of the sessions where all the parties were not proficient in English, interpretation by family or another person was used while in the other session, the mediator was the interpreter.

Types of Housing Crisis

The threat of eviction and rental arrearages brought nearly all the parties to mediation. 42 (or 69% of 61) mediation sessions involved rental arrearages while the threat of eviction loomed over 54 (or 86% of 61) sessions. Problems with property damage, the need for repairs, increased rent, lease violations and unauthorized use of premises were involved in sessions lesser. For instance, one session (or 2% of 61) involved problems with property damage; four sessions (or 7% of 61) involved problems related to the need for repairs; three sessions (or 5% of 61) involved problems due to increased rent; seven sessions (or 12% of 61) involved lease violations; and five sessions (or 8% of 61) involved unauthorized use of premises.

Role of Legal Information

To the extent that legal housing information had a role during mediation, mediators were uninvolved with communicating such information to parties.

In 26 sessions (or 43% of 61), tenants obtained legal information before participating in mediation while in 30 sessions (or 49% of 61) landlords/property managers obtained legal information before participating in mediation. In 31 sessions (or 51% of 61), neither party received such information.

The types of information acquired in these sessions included information about the eviction process (25 sessions), the rights and responsibilities of landlords/property managers and tenants (20 sessions), court procedures (21 sessions), and tenant's affirmative defenses and counterclaims (three sessions).

In most sessions (29 of 61), parties did not need additional information about their legal housing rights/defenses, while in one session, parties did need such information. In one session the mediator determined whether more information about legal procedures or housing

rights/defenses by noticing that the topic of discussion involved questions of legal procedures or legal housing rights/defenses. The mediators did not answer this question for 31 of the sessions.

In one session, the mediator indicated that they did not explicitly refer parties to sources of information on legal procedures or party legal housing rights/defenses. For the remaining 60 sessions, mediators left this question blank.

Mediation's Impact on Parties' Relationship

During their mediation session, parties' interactions with one another mostly improved or, to a lesser extent, stayed the same. According to mediators, communication between parties improved in 44 sessions (or 72% of 61), remained the same in 14 sessions (or 23% of 61), and was not applicable in three sessions (5% of 61).

The improvement in party conflict was widespread. Although mediators reported that in 14 sessions (23% of 61) party conflict remained the same, mediators found that in 42 sessions (or 69% of 61) conflict between parties decreased. Mediators observed party conflict increase in one session (or 2% of 61) and found it inapplicable in four sessions (or 7% of 61).

Mediation Outcomes

The mediators surveyed reported that issues at mediation produced final agreements in 46 sessions (or 75% of 61); temporary agreements in two sessions (3% of 61); no agreement in 11 cases (18% of 61); and partial agreements in two cases (3% of 61).

Repairs by the landlord/property manager (45 or 74% of 61), taking care of issues related to rental arrearages (24 or 39% of 61), occupant behavior (46 or 75% of 61), tenant upkeep of premises (43 or 71% of 61), and rent adjustments (24 or 39% of 61), that were not incorporated into the mediation agreement, were each regarded as inapplicable in the majority of sessions. In terms of occupancy, in most sessions (34 or 56% of 61) all occupants were authorized. Similarly, in terms of evictions/moveouts that were not included in the mediated agreement, eviction was discontinued upon conditions in 36 sessions (or 59% of 61).

Problem-Solving

At nearly all sessions, both parties contributed to solving their housing dispute. Tenants produced ideas for solutions in 49 or 80% of 61 sessions according to mediators. Similarly, landlords/property managers produced ideas for solutions in 43 or 70% of 61 sessions. In 25 (or 41% of 61) sessions, the landlord's attorney produced ideas for solutions while in one session (or 2% of 61) the mediator produced ideas for solutions.

Consequences of Mediation

Mediation resulted in vital benefits for both tenants and landlords/property managers. Mediation led to tenants remaining in their dwelling in 21 sessions (34% of 61). Complaints were addressed in 38 sessions (62% of 61). Homelessness was avoided for tenants in 42 sessions (69%). A

housing search was avoided in 15 sessions (25%) and referrals for housing assistance and/or counseling were given in 31 sessions (51%).

The complaints of landlords/property managers were addressed in most (44 or 72% of 61) mediation sessions. The original tenancy was stabilized in ten sessions (or 16% of 61). The search for a new tenant was avoided in 13 sessions (or 21% of 61) while the costs of eviction and search for a new tenant were avoided in 42 sessions (or 69% of 61).

Mediator Demographics⁴

In most sessions, the surveyed mediators did not share their gender or racial/ethnic origin/ethnicity. In 26 sessions mediators indicated that they were proficient in Portuguese while in one session the mediator indicated that they were proficient in Spanish.

Factors Influencing Choice of Mediator

Most responses (60 or 98% of 61) revealed that the availability of the mediator was a key factor in selecting a mediator for housing mediation.

Questions regarding mediator selection with respect to the interaction between characteristics of the mediator (e.g., experience, gender, socio-economic class, race/ethnic origin) and characteristics of parties (e.g., gender, socio-economic class, race/ethnic origin, etc.) or other considerations (e.g., equal opportunity to mediate, case difficulty, etc.) elicited no responses.

d) Data from Centers– FY2023

The Centers provided referral forms, screening and intake forms, and mediated agreements for cases that went to mediation. These documents yielded relevant information pertaining to the nature of parties' dispute and COVID-related housing crises.

Based on these documents, there is evidence to suggest that the HMP is resolving landlord-tenant disputes in ways that helps preserve tenancy, generate alternative solutions and other benefits to landlords/property managers and tenants and aids in easing pandemic-induced evictions and landlord-tenant disputes.

An analysis of a sampling of 163 written mediated agreements reached between landlords/property managers and tenants through housing mediation offered by Centers during the 12-month period from July 2022 to June 2023 shows that 85 agreements, a little over one half (52%), resulted in the preservation of tenancy through elements such as the establishment of a payment plan for rental arrearages, suggesting a strong correlation between housing mediation and the preservation of tenancy.

Of the 163 written mediated agreements, 78 did not result in the preservation of tenancy. In these cases, the tenant(s) agreed to move out and the landlord/property manager regained possession of

⁴ Please note that this data is not representative of all mediators in the HMP. This survey may have been completed by the same mediator multiple times who is from one Center. Therefore, MOPC evaluators are unable to draw any conclusions about mediator demographics.

the property. A closer analysis of the written language in a sample of these non-tenancy preserving agreements reveals solutions that were beneficial to the tenants. Examples of such benefits include landlords/property managers agreeing to waive a portion or the entirety of rental arrearage owed, to cover storage costs, waive court fees, dismiss cases, proactively offer a positive/neutral reference for tenant(s), and to grant tenants extra time to move out. For the tenant, these non-tenancy preservation agreements can help to provide a “soft landing” into another housing situation. Additionally, some non-tenancy agreements include language indicating that tenants commit to working with either the Center’s case coordinator, housing agency, or non-profit service provider to find alternative housing during the move-out process agreed upon between the landlord/property manager and tenant(s).

The following is a sample of excerpts from agreements that indicate the alternative solutions and other benefits that help to create a soft landing for tenant(s):

- “A moving company will be arranged by the Plaintiff and arrive to move belongings not before [time] on [date]. The Plaintiff agrees to arrange and finance the costs of the tenant’s move out and storage of the tenant’s belongings. The storage will be paid by the Plaintiff for up to four months.”
- “The landlords are willing to escrow the payments in lieu of rent that tenant has been making. The landlords acknowledge that the tenants have made full and timely payments in lieu of rent. They are willing to pay the tenant that money back to assist with the expenses and rent/deposits necessary to move. The landlords will also provide a good reference to assist the tenant in applying to rent an apartment.”
- “Landlord agrees that if tenant makes payments in accordance with the schedule, the late fees shall be waived. If the tenant vacates the premises on or before [date], the Landlord shall forgive [x amount] in back rent.”
- “Plaintiff agrees to allow defendant to stay until [date] and pay [schedule].”
- “Court costs and attorney fees will be waived in the event that this agreement is fully complied with.”
- “The judgement shall be vacated, this action dismissed, if the defendant moves out and complies with the terms of this agreement.”
- “If Defendant fully complies, there will be no monetary judgement against Defendant.”
- “Landlord agrees to reasonably accommodate the RAFT application process. If RAFT is not approved, Defendant shall be allowed to stay until [date] and the last month's rent shall be applied towards all the arrears.”
- “Landlord agrees to provide a letter of referral to the current occupants for a possible new lease.”
- “Landlord shall provide a neutral recommendation, provided Defendants comply with all terms of this agreement.”
- “The landlord agrees to pay the tenants a cash payment of [x amount], so long as the tenants surrender the keys to the unit and vacate pursuant to this agreement.”

- “Landlord agrees to abandon claim of [x amount] in back rent allegedly owed by tenant.”
- “In the event that the defendant produced a signed lease for a new premises on or before [date], plaintiff agrees to extend the use and occupancy period for up to one additional month only, through [date].”
- “Landlord agrees to forgive monies owed of [x amount] upon tenant vacating unit on or by [date] with written notice.”

Qualitative Data Presentation

a) FY2 HMP Program Participant Feedback

This section provides direct participant testimonials about how the HMP impacted them. The researchers conducted 12 interviews over the phone with participants (four tenants, five landlords/property managers, and three lawyers representing landlords/property managers).⁵ The researchers recruited participants in two of the following ways: either by contacting participants who had provided a phone number or email address on the post-mediation survey indicating their willingness to be contacted for an interview or who had been referred by a Center.

The testimonials are divided into three sections: tenant feedback, landlord/property manager or property manager feedback, and lawyer feedback. Please note that some parties participated in housing mediation, meaning that they sat down to work through their dispute with the other party with the assistance of a mediator or mediators while others received assistance from a Center about their housing dispute without sitting down for a mediation session.

DISCLAIMER: *Please note that these responses indicate the experience/opinion of the participant though there is no way of independently evaluating them.*

Also, note that some quotes were slightly rephrased to address grammatical errors that may have been present due to the transcription process.

Tenant Feedback (real names redacted)

Several tenants indicated that prior to participating in housing mediation/receiving assistance from a Center they were facing financial difficulties which led to their housing dispute. For example, Larissa revealed that her husband was not working while Erica shared that she broke her foot and was therefore unable to work. Similarly, Karen noted that she got terminated from her job and was denied unemployment. Additionally, Roger indicated that because he did not speak English and was therefore unable to read his contract, he faced significant barriers to maintaining his housing. He stated that “Prior to this, my housing situation was calm. I never had any problems. The contract ended and I was waiting to see if they would reach out to me about renewing my contract. Because they didn’t notify me, I thought everything was all set. I don’t speak English. I thought it may be automatically renewed. I didn’t know that without a contract,

⁵ Please note that one additional interview was conducted with a lawyer and recorded in August 2022 but the recording was lost in the transition between graduate assistants.

you have to pay an extra \$100 a month. And this is where I started owing them money, without knowing.”

When tenants were asked what motivated them or who referred them to housing mediation, their responses varied. For example, Larissa highlighted the importance of word of mouth in terms of increasing access to mediation: “I had a friend who had gone through this program, and she recommended it to me. I was talking to her, and I was explaining my situation and she told me about the program and how it was really good and helped her.” Roger shared that in court he met the housing mediation coordinator, and she offered him help, which he accepted by participating in the program while Erica indicated that the attorney general recommended the housing mediation program to her. Karen shared that she applied for RAFT and began working with the housing mediation coordinator, revealing the importance of these partnerships.

Most tenants agreed that housing mediation/the assistance they received from a Center was vital for improving their housing situation (tenancy preservation, avoiding court, soft landings, etc.) For example, Karen indicated that prior to receiving assistance from a Center, she “didn’t know what [she] was going to do” and thought she “was going to lose [her] home.” After working with a housing mediation Coordinator, however, Karen noted that her situation began to improve. More specifically Karen reported that the coordinator helped her with her RAFT application and referred her to Family Promise MetroWest, which helped her pay the remaining rental arrearage balance that RAFT did not cover. In addition to preserving her tenancy, Karen stated that the coordinator’s referral to Family Promise “opened up another window... they had food pantries, which were very helpful for my kids. They gave me socks. It was really supportive.” Additionally, she stated that her financial situation improved drastically due to the coordinator’s referral: “Before, I was still living paycheck to paycheck. I was behind on all my stuff. I was behind on rent and also on my car payment. Through the Center, I was referred to Family Promise which helped me get caught up on some bills and pay the remaining rent that RAFT did not cover.” Karen also shared that the coordinator’s referral helped her avoid court, which was “extremely important to [her] because in the future, [she] wants to buy a house.” Similarly, Larissa shared that prior to participating in housing mediation, “[they] were in a seriously difficult situation. My husband was not working, and I do not work outside the house because I stay home with the kids.” Larissa revealed how crucial housing mediation was for improving her family’s housing situation: “The mediation helped us a lot. We are very grateful. This program was a life saver for us.” Roger also shared that although his current financial situation is “chaotic” as he has not been working a lot since November and is still catching up on interest and fees on missed payments, on top of the payments themselves, “the mediation program did, however, help [him] with about 5,000 to pay the rent.” He indicated that this has helped him a lot and that now, his housing situation is “calm.” Erica, however, shared that housing mediation did not improve her housing situation, as it was brought in too late in the process. As Erica shared, “I unfortunately met a man who I allowed to move in with me who didn’t help me with anything. I broke my foot, and it took eternity to receive FMLA. Come to find out, after I left him, I was cleaning out my car and saw that he hid the original eviction notice underneath the passenger

seat in my car. I contacted the Center for help to try to mediate because the area I was living in was refusing to accept any monetary offer. I evidently did lose my home and am currently homeless living in a tent.” Erica said she believes the mediation program would have improved her housing situation, had her previous partner not hid the eviction notice.

Several tenants also indicated that they would not have known what to do if they did not participate in the housing mediation program or receive assistance from a community mediation center. For instance, Karen noted: “Honestly, I don’t know where things would be if it wasn’t for the assistance I received from [Coordinator name]. I am very thankful for the referral to the program and that they were also able to help with other bills as well if I needed to.” Similarly, Larissa stated, “I don’t know what I would’ve done because I didn’t know any other programs that handled these issues. We were desperate and out of nowhere when I was talking to my friend, she recommended this program to me, so I didn’t look into other options. It was a great experience for us.”

Additionally, tenants described several outcomes of mediation. For example, many tenants praised the mediation process and the mediators. For instance, Roger indicated that the mediators helped him tremendously. More specifically, he stated, “They made me feel relaxed. Their treatment was amazing, it was great, I have no complaints about the way they treated me. They were super attentive and allowed me to feel calm and relaxed. I didn’t even want to participate, I wanted to just try to pay it on my own, but they helped me realized that the program could help me a lot.” Additionally, Roger stated that “mediation gave [him] the opportunity to express [himself].” Similarly, Larissa shared that “Everything was resolved. Everything we had to say was heard. Everything was handled perfectly.” Others indicated that mediation helped solve the conflict and improve communication between them and the landlord.

Most tenants were overall satisfied with the mediation services they received. One tenant, Karen, who received assistance from a Center even referred others to the program: “Super happy with the program, I’ve referred, I believe, three people. After I received help, the feedback that I was receiving from [Coordinator name] was that all I had to do was reach out to see if they could further help me in a formal way. She also tries her very best to keep the communication open. But like I said, it was very helpful, I’d give them three thumbs up if I had an extra one. [Coordinator name], she’s done so much to help me.” Similarly, Roger indicated that he was satisfied with the program and grateful for the support he received. In terms of improvements that they would like to see in the housing mediation program, one tenant, Erica suggested “more heart and souls behind the phones” because she stated that the first phone call, she had with the Center was “short, sweet and to the point.”

Landlord/Property Manager Feedback *(real names redacted)*

Several landlords/property managers reported that they had participated in housing mediation in the past. As one property manager, Pamela, shared, “The judge always wants you to try to mediate the issue before it actually goes to trial. So, mediation has always been there.” Bob shared that this was not his first time participating in housing mediation as he owns property and

has often gone to court due to evictions. He stated, "...when you go into the courtroom, the mediation people are there and ask if you want to participate in mediation." Additionally, Ethan indicated that he found out about housing mediation through online research, highlighting the importance of outreach.

Landlords/property managers described their efforts to resolve the issue(s) with the tenant(s) prior to mediation. For example, Bob indicated that he had been dealing with missed rent payments for several months: "I have been dealing with them since [month] when they started falling behind in rent. So, it's been a long haul. They're currently almost [x amount] behind in rent." Bob explained that prior to mediation he was unable to contact one of the tenants because she did not have a phone that worked. Ethan similarly dealt with a tenant which he felt did not prioritize paying her rent: "Rent is not a priority to her because she knows the process of how difficult it is to evict someone." Matthew indicated that the tenant was "not very responsive" prior to mediation. Likewise, Sal explained how his efforts were unsuccessful in resolving the issue with the tenants prior to mediation: "I've been sort of over communicating with these tenants for a while. They had a month-to-month lease, and the law says that you only need to give people one month's notice. So, I gave them an eight months' notice. Although they were upset, they said they were going to leave. I followed up again in the beginning of the year and gave them a notice again, formally, in writing. Then, of course, they didn't reply. Bottom line is they got a notice multiple times and then they agreed to leave at the agreed upon time in writing several times." Additionally, Pamela explained that before she brings a case to court, she tries to communicate with the tenant and give them a chance to talk things out with her. Unfortunately, as she explains, "you get those tenants that don't even answer your phone calls or call you back until you go to court." These landlords/property managers reported that "mediation helped a lot" in terms of increasing communication between themselves and tenant(s). As Ethan noted: "Does it keep the lines of communication open? Yes. Does she call back because the third party is involved? Yes."

Most landlords/property managers agreed that housing mediation had several benefits and improved their housing situation. For example, Matthew shared that mediation helped him recover some of the back-rent owed and create a payment plan going forward. Additionally, Matthew shared that he was "happy that mediation allowed the tenant to move to her new place." Similarly, Ethan noted that housing mediation helped the tenant "think about the process and her finances... it made her think about an amount that she could pay reasonably." Ethan also shared that mediation helped the tenant acknowledge how much she owed: "The fact that all the parameters have been established, how long it's been since she last paid the amount, and all of that, was a good thing." In addition to these benefits, many landlords/property managers emphasized how vital housing mediation was for avoiding court. Pamela, for instance, described how housing mediation as opposed to going through court is beneficial to tenants: "Well, I feel it's beneficial for the tenants because they get an opportunity to tell their side without, you know, being intimidated by being in front of a judge. So, it's easier for them to talk it out and understand what even works best for them." Pamela also argued that housing mediation is

beneficial for all parties involved, and not just tenants: “You’re able to get a resolution before it gets to the judge, and you can just dismiss it instead of wasting all this money paying an attorney and paying to go to court. So, you know, it cuts down the cost if we go to mediation, pack it out, figure out a solution, and dismiss it before it even gets to the judge. It’s always best for everyone.” Similarly, Matthew expressed how housing mediation helped him avoid court, which was important to him: “Overall, I’m satisfied because I really didn’t want to go to court and have to evict her. I didn’t want to take the next step, although the lawyer was already hired, and he did serve her the 30-day notice.”

Overall, most landlords/property managers were satisfied with the mediation services they received. For instance, Ethan praised the mediation process and the mediators: “I thought the process up and through now has been great. You contacted both people. You made up a common time. You had two very capable mediators that came up with an agreement reasonably quickly on the phone. They listened to both people. I thought it was very fair. Excellent process.” He also noted: “Both of the mediators were fantastic. You know, calm. Very good. You hit the mark there. The process up until now has been great.” Pamela also commended the housing mediation program: “I mean, I love the housing mediation program. It makes them feel like they have someone on their side.” Similarly, Bob expressed that he was satisfied with the mediation services he received: “I think the mediation thing generally works well and is a valuable tool.” Likewise, Sal raved about his housing mediation experience: “I thought [Center name] was great. Overall, I was really happy with them. They were really professional. They were very helpful. I think [Center name] got them to see the light in a way they probably never would have if it was just me talking to them. So, I was super pleased with not only how it turned out, but all the interactions with them. They were professional and got results. So that was all great.” He also stated: “I felt like [Center name] as far as they went, were more sort of subtle and more tactful about it than my own lawyers were, as they were like, ‘dude you should make a deal, you don’t want to be in court’. They were more careful because they’re not lawyers and they’re not giving legal counsel. So, I thought they were very professional about that.”

Although most of the landlords/property managers were satisfied with the mediation services they received, some provided suggestions for how the program can be improved. Ethan, for example, suggested the following: “I think there should be a follow through stage to this. I think there should be someone that calls both parties once a week and says, ‘How’s it going? Did you do what you said you were going to do?’” Additionally, Ethan shared that he had his attorney review the agreement because he was “all excited” yet his attorney told him that the agreement “has no teeth.” Ethan suggested putting “teeth” into the agreement: “Am I allowed to say, ‘Hey, you know, you need to move out because it’s been three weeks, and you haven’t adhered to the agreement?’” Sal did not have any suggestions for how the program can be improved but he did note that the legal system as a whole needs to be improved, which he described as an “antagonistic system where there are a lot of laws that have been put in place to supposedly protect and help tenants, yet they don’t always do that.”

Lawyer Feedback *(real names redacted)*

Brady, a lawyer representing the landlord, emphasized the benefits of mediation compared to adjudication: “You get to hear both sides in a non-adversarial nature. Both sides had to listen. It wasn’t like in court where there’s objecting and jumping up and down. The mediator did a really good job balancing both sides.” Cody similarly emphasized mediation’s role in ensuring that every party was heard: “Everybody was fully and fairly heard. I don’t think anybody felt like they had been left out.” Tom agreed, noting, “It is very helpful for the mediator to be able to explain both sides, something I wouldn’t have been able to do as I have to represent the landlord.” Additionally, Tom argued that due to mediation’s unbiased and fair process, “it really allowed us to come to a resolution without battling in court and setting a trial time and extending the process.” As Tom explains, “working through a trial would have been more contentious and might have ended up either with a less favorable response for the landlord, or what I think would have been more likely, a more harsh and immediate eviction, which nobody wanted.”

Overall, the three lawyers that were interviewed were satisfied with the mediation services they received. One lawyer, Cody, praised the mediators’ skills, the mediation process, and the outcomes they achieved through this program: “I was impressed by how knowledgeable and professional the mediators were. They were really giving a fair amount of time and energy to the case and they’re able to do it in a way that explains people’s rights to them and in a way that reached an agreement. Everyone leaves feeling a little bit unhappy, which is how you know it’s a perfect compromise. I thought they just nailed it. And so, you know, give credit where credit’s due, they did a wonderful job.” Cody was so impressed with both the housing mediation process and outcome that he indicated that he would recommend this service to others: “I would recommend, if someone is going to go pro se in this process, I would recommend wholeheartedly that they opt for mediation. I think there’s a lot of benefit for people in that.” Finally, Cody indicated overall satisfaction with and support for the housing mediation program by stating, “I think it’s a very effective use of resources to invest in mediation on the part of the state of Massachusetts.” Similarly, Tom revealed his satisfaction with the program by stating, “I think that it was a really great program. I thought that it really offered a very fair process where everybody was given the chance to stay within their interests and we came to a great compromise in this case. So, for me, I’m very happy with it” while Brady noted that the mediation program “does good work.”

b) FY2023 HMP Staff Feedback

This section presents case-specific and general feedback from mediators and coordinators about the HMP. The researchers conducted three interviews via Zoom with participants (two mediators and two coordinators⁶). The researchers recruited participants by reaching out directly to Centers to see if any mediators/coordinators were willing to provide feedback on specific cases that we

⁶ Please note that one interview was conducted with both the coordinator and mediator.

had interviewed a party for or the HMP generally. The testimonials are divided into two sections: mediator feedback and coordinator feedback.

DISCLAIMER: Please note that some quotes were slightly rephrased to address grammatical errors that may have been present due to the transcription process.

Mediator Feedback (*real names redacted*)

Lauren, an experienced mediator, recalled a complex case involving a family of Syrian refugees who moved in through a Section 8 voucher and lived on the second and third floor of the home and a landlord and her sick daughter who lived on the first floor. As the mediator explains, their conflict “mainly had to do with the noise level that impacted the landlord, whose daughter had moved back due to COVID symptoms.” Although the mediator described the family as “very kind” and “conscientious,” she explained that they had certain religious practices, such as eating breakfast at 4am, which led to the noise that was disturbing the landlord and her daughter. The mediator further explained that because the family was “quite religious and did not speak English,” the Center recruited a volunteer Arab-speaking interpreter from a refugee center to participate in the mediation. Lauren emphasized the interpreter’s crucial role in this mediation: “The interpreter was calm, friendly, and explained the nuances of privacy, and you know, American culture in a very gentle way. At the same time, he emphasized the importance of their religious practice.”

Lauren emphasized her neutrality in this case, describing her approach to mediation as “neutral and fair” and “transparent.” She highlighted the importance of allowing parties to make decisions while ensuring that they are “level-headed” when making those decisions. In terms of producing a solution, the mediator indicated that the parties produced ideas for solutions to the dispute. The mediator described the mediation process as follows: “Typically, we open up the floor and say, ‘So, what does a reasonable resolution look like to you guys?’ Sometimes they’ll share that in the joint session, other times they say, ‘I’d rather talk about it in the private session.’ So, whichever way the parties prefer, we follow their lead. We don’t tell them that they should do it a certain way.” Although the landlord’s ultimate wish was for the tenants to leave the premise, the tenants shared that they could not leave because they had nowhere else to go. The landlord compromised by allowing the tenants to stay while they actively searched for new places that accepted Section 8 vouchers. She also asked them to reduce the noise during certain hours while she was sleeping. As the mediator explained, it was “a lot of back and forth” until they reached a solution.

Finally, Lauren shared that the mediators “are really good at mediation, but there’s other blank areas (hoarding diseases, mental health, cultural differences, etc.)” She suggested more education to “broaden [our] own knowledge so [we] can share some of the information and be able to address the parties’ needs.” More specifically, she noted that it would be helpful to have a counselor, social worker, and mediator all in one organization.

Danny, another mediator from a different Center, emphasized mediation’s crucial role in helping parties work together to come to a solution. Danny provided insightful examples of solutions that mediation has led to in the past: “We've had cases where people have agreed to rewrite a lease, add a person to the lease, add a boyfriend to the lease. We had one case where a woman's husband died, and she didn't meet the criteria for funding that the company wanted to have on paper as income. And they were able to work through that in mediation. They were able to waive that barrier. They eliminated that barrier to preserve the tenancy. They've rewritten leases, like I said, extended leases where leases had expired.”

Additionally, Danny indicated that mediation increases housing stability: “I think that renewed leases, cases where landlords have agreed to extend time to a tenant, that type of thing, provides some housing stabilization.” More specifically, Danny recalled a case where “children were in school, and the tenant said, ‘Yes, I have an opportunity to move to another town, but I don't want to take my child out of school.’ And the landlord's attorney said, ‘Sure, okay. We'll extend that until the school year ends, and then we'll set a date in the summertime when you can move.’”

Similarly, Danny mentioned other benefits of mediation, such as homelessness prevention, court avoidance, increased communication, and creative outcomes. Danny indicated that mediation was vital for preventing homelessness and avoiding court: “If we weren't offering housing mediation services, I think that some of these individuals or families would have become homeless. I think that's always a risk. I think that if we didn't provide the mediation, I think that they would wind up in housing court.” Similarly, he emphasized mediation’s role in increasing communication between parties and elevating tenants’ voices: “I think it increases communication. When we have mediation, it's the opportunity for the tenant to explain to the attorney what has or has not happened in terms of perhaps payments or things that needed to be repaired that weren't, complaints that weren't resolved, you know those types of things or payments that were made and not received. The attorneys sometimes have no idea of any of these things.” Danny recalls a specific case where mediation promoted justice for the tenant: “I had a recent case where an attorney was seeking something like \$18,000 in rent arrears. The tenant said, ‘No, we paid that off when we refinanced.’ The attorney had no knowledge of that payment ever being made, even though the tenants had the receipts for that. So that's one example of where they didn't wait to get all the way to court, you know taking up the court's time to find this out, taking up the attorney's time, causing the landlord to pay more money to the attorney, you know that type of thing. So, mediation was helpful in that regard.” Lastly, Danny suggested that courts can only apply the law, so they do not have the flexibility or creativity that mediation has in terms of coming up with creative and innovative solutions.

Coordinator Feedback (*real names redacted*)

Both coordinators, Amanda, and Christa, shared that referring parties to resources and reaching out to services on their behalf, regardless of whether they go through with mediation or not, is a crucial part of their role. For example, Amanda described this triage function: “We act like a triage in almost every case. I mean, they’ll tell you what’s going on, and then it’s standard

practice to send out a list of resources to people. But there are times when some tenants have a particular issue and we may say, 'Okay, we'll reach out to RAFT for you.' If they say that their RAFT application hasn't been acted on and they don't know why they've been terminated or timed out, we'll call RAFT and ask them to check on the status of the particular case. It might be that a piece of paper has not been submitted by either the landlord or the tenant, and we can get back to the tenant and say, 'They're looking for this,' or the landlord and say they're looking for that, and we can expedite things that way." Additionally, Amanda shared that tenants are "very happy" to receive the list of helpful services and websites that she sends them.

Similarly, Christa emphasized how important it is to provide parties with the information and resources that they need to help their housing situation: "My personal take is that for every person that we've spoken to, whether or not they mediated, or whether or not they even came up with a final agreement, we've given them enough information. I can say for sure that probably 90% of the cases, after I hang up the call, they know more than they did or were better informed of options than they were before I initiated the call. Whether or not they pursue the help or they come to mediation or the mediation results in an agreement is just an added advantage. But I can tell you for the sake and the purpose of the coordinator that does the intake, I am very thorough. I give as much information as possible." More specifically, Christa shared that she has called tenants and asked them for their location and researched the best location for them to go to fill out their RAFT application (e.g., local library) for example. She noted that she has even researched the best bus route to these locations for those who do not have access to their own transportation and called the locations to make sure that they have internet access.

Amanda and Christa emphasized mediation's role in tenancy preservation and housing stabilization. For example, Amanda stated, "We've preserved tenancy in a number of cases where payment plans have been worked out with people that the arrearage is over and above what RAFT is willing to provide. A lot of landlords are flexible. Some landlords are very flexible. Some landlords have even waived back rent for people just to get to the maximum that RAFT would provide." Christa distinguished a soft landing from housing stability, arguing that "A soft landing is an inevitable move out. Housing stability is not necessarily a move out. The stabilization could be, you know, an agreement that allows them to stay or an agreement that gives them enough time to figure out their move out, which could then be a soft landing, which they can achieve with the help of mediation." Christa maintains that mediation is "way better than what they have in court, which is, you know, a permanent record under their names with an eviction and a judgement for damages that could be another lawsuit under their names." Christa also demonstrates mediation's role in calming tenants down and increasing hope: "I think the combination of the soft landings or payment plans, and to be able to apply to RAFT, I mean all of those, you can feel the sigh of relief in people's heads. Like, you know, their future changes a little bit and they're like, 'Oh, this is possible. I'm not going to owe all of this money if I move out.'"

Similarly, Amanda and Christa emphasized mediation's powerful impact on parties. For example, Amanda said she believes they are offering a valuable service in the community while Christa shared that they get a lot of feedback from people thanking them. For example, she received feedback from an attorney saying, "We would not have been able to reach a satisfying agreement if it wasn't for your patience and persistency and reality checking and making sure that the parties were informed of what was going on during mediation and that they had the option versus going to court and letting a judge decide." Christa indicated that "being in the driver's seat and empowering the parties is impactful."

Lastly, Christa highlighted the importance of outreach and word of mouth for increasing awareness of this program to diverse populations: "I think more people have become aware of the mediation option. We have done a few, but not a lot, of mediations in Arabic, Portuguese, and Spanish. We do a lot of outreach. I know that we've become more known and popular with our services because of the outreach that we have done and the outcome of some of our mediations that have been a positive experience for both parties. In the end, you know, it's hearsay. Like, 'Oh, we had this opportunity, and it was free, and it helped us a lot and made us understand our options better, and we didn't feel so threatened as we felt attending court.' It's a more subtle and perhaps, less aggressive environment. I think there is a little bit more balancing of power."