

# 7 Benefits of Using Mediation in Landlord Tenant Disputes

**A Guide to Settling Disputes Amicably**



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# WELCOME

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Thank you for considering mediation to settle your conflict. By doing so, you have chosen to maintain the good things that may still be left in your landlord tenant relationship without creating a wedge that can be caused by a litigated matter. The mediation process supports the negotiations between the parties while providing less stress and costing a fraction of what other avenues cost.

As a mediator, I will empower you to discuss your concerns openly, in an informal environment, while assisting both parties in understanding each one's mindset to move the parties to a mutual common ground for a practical resolution.

As a Florida Certified Mediator, I have participated in numerous mediations. This experience has given me insight and knowledge in resolving conflicts creatively and timely. My goal is to get the parties to a settlement. An agreement lets each party have control over their destiny and avoid the uncertainty of a decision by a judge or jury.

I hope I can help you resolve your conflict, and I stand ready to dedicate any amount of time and effort that you might need to get past the current issue before you. Please feel free to call me today at 954-391-3713.



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Landlord tenant disputes are common and often begin with a small problem that snowballs into something larger. A manageable issue can easily escalate into an issue that is expensive and time-consuming to settle. These disputes might also destroy the trust between landlord and tenant. Luckily, there is a way to handle problems between tenants and landlords without creating a bigger problem, even when the issues relate to important legal issues.

Mediation is an effective tool for settling disputes between landlords and their tenants. The process brings both sides of a dispute together to communicate about the issue during a meeting facilitated by a third-party neutral. The mediator's job is to help everyone stay focused on finding a satisfactory solution that is fair and legal. Both sides involved in the dispute are able to "hear each other out," so they get to the root of the miscommunication or point of contention. Mediation is based in understanding and mutual respect, so disputing parties are in a better position to make a decision that keeps everyone happy – without ever needing to deal with the courts system.

Settling a landlord tenant dispute is much easier when using mediation. What are some of the benefits of choosing mediation as a means for settling this type of dispute?

## 1. Addresses Emotional Issues

One of the most important benefits of mediation is the way in which it opens the door to a resolution designed by those directly involved. Mediators work with both sides of a dispute to resolve the emotional side of issues. They get to the so-called root of the problem, so both parties are better able to be open-minded and willing to negotiate.

Before focusing on a resolution, disputing parties have the opportunity to speak their minds. Once they have vented their frustrations and concerns, essentially "getting off their chests" their emotions, they are poised to get to work. In litigation, parties are able to state their case, but emotions are secondary. As a result of stifling emotion, many disputing parties feel more frustrated during and after their day in court than they did when the dispute began.

## 2. Saves Money

Settling disputes through mediation is much less expensive than using litigation. Some disputing parties hire individual legal representation during mediation, but this is not always necessary. In many cases, the only fee associated with mediation is the mediator's fee. Some landlords choose to pay this entire amount or it might be split between both landlord and tenant.





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## 3. Settles Disputes Quickly

One of the main reasons mediation is less expensive is because it takes less time. Disputing parties are in complete control of when the mediation occurs and how long it takes to resolve the problem. Mediation is convenient and can be scheduled around the busy lives of tenants and landlords. Best of all, both sides are able to move on with their lives as soon as possible once the dispute is resolved.

## 4. Keeps Dispute Details Private

Mediation and everything discussed within a mediation session is private. This is not the case for disputes settled in the courtroom. Confidentiality means the public never finds out about the discussions held during the mediation. This ensures everyone's reputation is protected and the public's view of a rental complex or landlord does not change. Likewise, future rental agencies will not view tenants as potential problems because of disputes that occurred in previous arrangements.

## 5. Opportunity to Deal with Multiple Issues

Mediation is able to focus on more than one issue at a time. Often, once the mediation begins, issues come to light that were not originally part of the dispute. Using mediation to settle landlord tenant disputes provide an opportunity to settle issues related to contracts, property upkeep, disturbances, rental fees, and a variety of other topics.

## 6. Potential to Continue Living Arrangement

Mediation makes it possible to resolve disputes without hard feelings. It is tough for people to continue a relationship after a bitter court battle. Litigation destroys trust in an effort to settle a dispute. Mediation makes it possible to not only design a better resolution to a dispute, but to do so without damaging a relationship on a long-term basis. In many instances, landlord tenants disputes settled through mediation allow tenants to continue living in the property owned by the landlord with whom they are disputing.





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## 7. Focuses on Communication and Resolution

Mediation is a communication-based process that focuses on resolving an issue. It enables disputing parties to create a resolution in which they have control. It also makes it possible to address underlying issues, enabling disputing parties to resolve the issue completely and move forward with whatever arrangement best suits both their needs. For many, the skills and lessons learned in mediation can be used to avoid future disputes.



Are you involved in a dispute with a landlord or tenant? Are you a landlord who wants to put an advance plan in place to avoid lawsuits and other problems? Mediation makes it possible to settle issues affordably and effectively.

***Negia Peguero**, FRP is a Florida Registered Paralegal with more than nine years of experience in her profession. Ms. Peguero is also a Florida Supreme Court Certified County Court Mediator. As a mediator, Ms. Peguero feels she can reach out to individuals and assist them in reaching a resolution to their conflict, no matter how impossible it initially seems. Her ability to speak both English and Spanish makes it easy for her to help parties resolve issues even when there is a communication barrier related to language.*

*If you are ready to schedule a consultation or you have additional questions about using mediation to settle a landlord tenant dispute, contact Negia Peguero, FRP at **954.391.3713** or by email at [npeguero41@live.com](mailto:npeguero41@live.com).*

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