

Two Good Faith Attempts Minimum Program Standard –

The goal of the Eviction Mediation Program (EMP) is to mediate an agreement to keep tenants safely housed during the COVID-19 pandemic and to get landlords paid. Completed mediations are paid a \$200 mediation fee.

The EMP requires that **two good faith attempts** to mediate are made by all parties – landlords, tenants and mediators.

But what happens when a case does not get mediated – and how must two good faith attempts be made when there is a no-show at the first mediation? We have seen questions about this, including when one or more of the parties are unresponsive.

So what is minimally required to earn the \$50 “attempt” fee. The following offers guidance:

- Get the COVID attestation to by paid by AOC
 - Or email Ms. Chambers for approval to proceed on a non-COVID case for HMN payment
 - Then and only then...
- **In cases where NO mediation occurs**
 - Email/call to set first mediation attempt.
 - Provide a date by which if no response *that can be considered one good faith attempt.*
 - Email/call to set second mediation attempt
 - Provide a date by which if no response *that can be considered the second good faith attempt.*
- **In cases where there is a mediation SET**
 - Email/call a couple/few days in advance of the mediation date to confirm with a reasonable deadline at least 24 hours in advance of the mediation date/time. If no confirmation prior to that time, *that can be considered one good faith attempt.*
 - Email/call to set second mediation date. Then, a couple/few days in advance of the mediation date to confirm with a reasonable deadline at least 24 hours in advance of the mediation date and time. If no confirmation prior to that time, *that can be considered the second good faith attempt.*
 - Mediation wait times are to be 10 (ten) minutes, after which a no-show can be called.

The initial focus should be on minimal effort to get the COVID attestation and/or approval from HMN to proceed with a non-COVID case, and then - *proceed with a deadline focus* - it really cleans up the process.

The EMP and 30-day stay provides a “chance” for something to happen and mediators are the conduit, but only based on reasonable effort.