

Telephone Mediation: A better approach to dispute resolution

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Property Service Regulatory
Authority Seminar
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About the RTB

Vision

An effectively regulated residential rental sector that is fair, accessible and beneficial to all

Information
Education
Awareness

Tenancy
registration

Dispute
Resolution
Service

Research/
Rent Index

Overview

- About the RTB
- Dispute Resolution Services
 - ❖ Telephone Mediation
- Future of the RTB

The rental sector is growing and changing,
and we're growing and changing with it.

We've also extended
our opening hours.

08:30 – 18:30

We launched our new
One Stop Shop and **Webchat service**.

336,890
tenancies were
registered with RTB

695,142
people living in
the rental sector.

173,197
landlords registered
tenancies with RTB

Since April 2016, over
29,542
Approved Housing Body
tenancies had been
registered with the RTB

We've answered over...

165,453 calls

70,313 emails

Disputes Resolution Process

Landlords and tenants have a number of options to resolve disputes should they arise



Dispute Resolution Activity 2017 v 2018

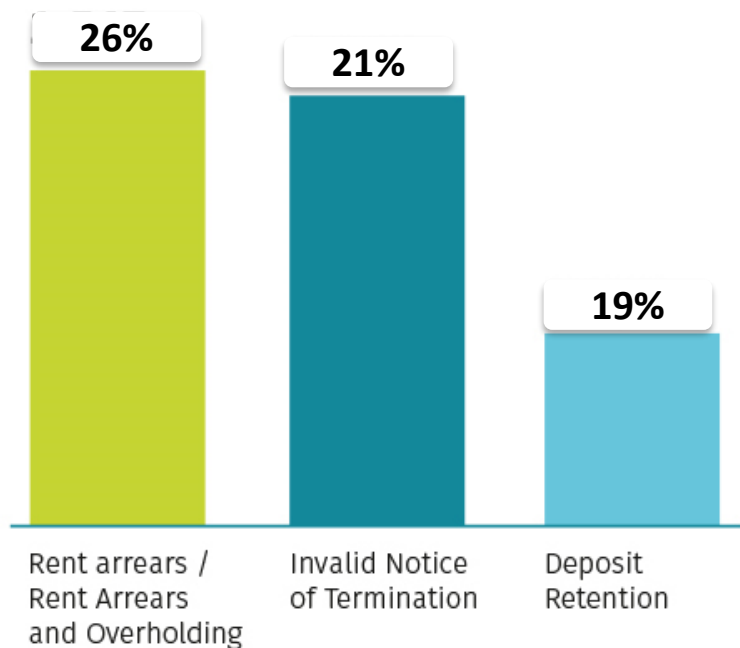
In 2017, 5,823 applications for dispute resolution received

In 2018, 6,398 applications for dispute resolution received

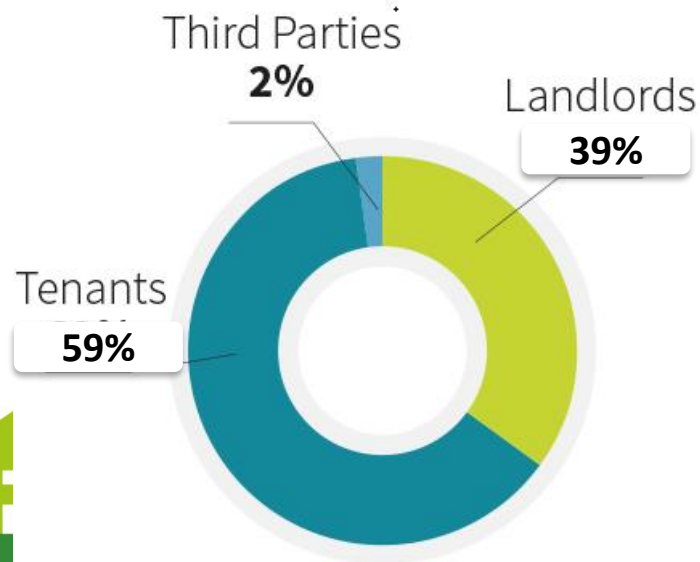


Dispute Resolution Activity 2018

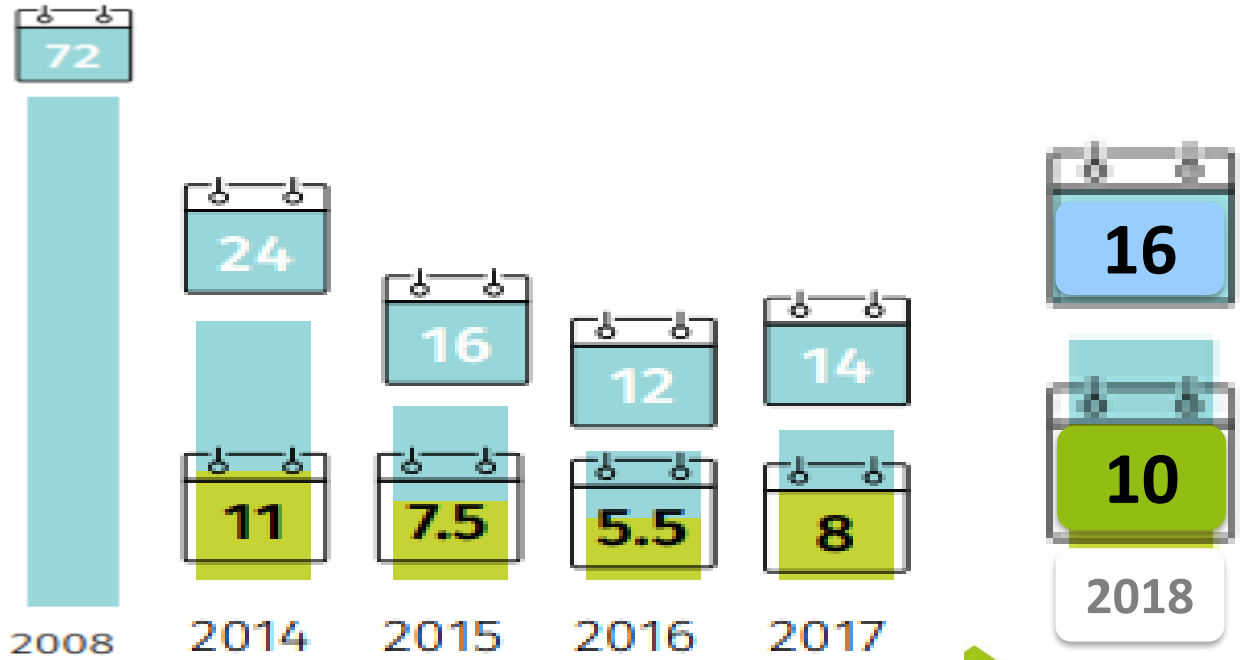
Most common dispute types



Who took cases?



Dispute Resolution Timeline



Adjudication weeks Telephone mediation weeks



Almost half of all cases are **processed and closed within 4-8 weeks**



Only 1-2% of registered tenancies access our Dispute Resolution Service

Telephone Mediation – The Evolution

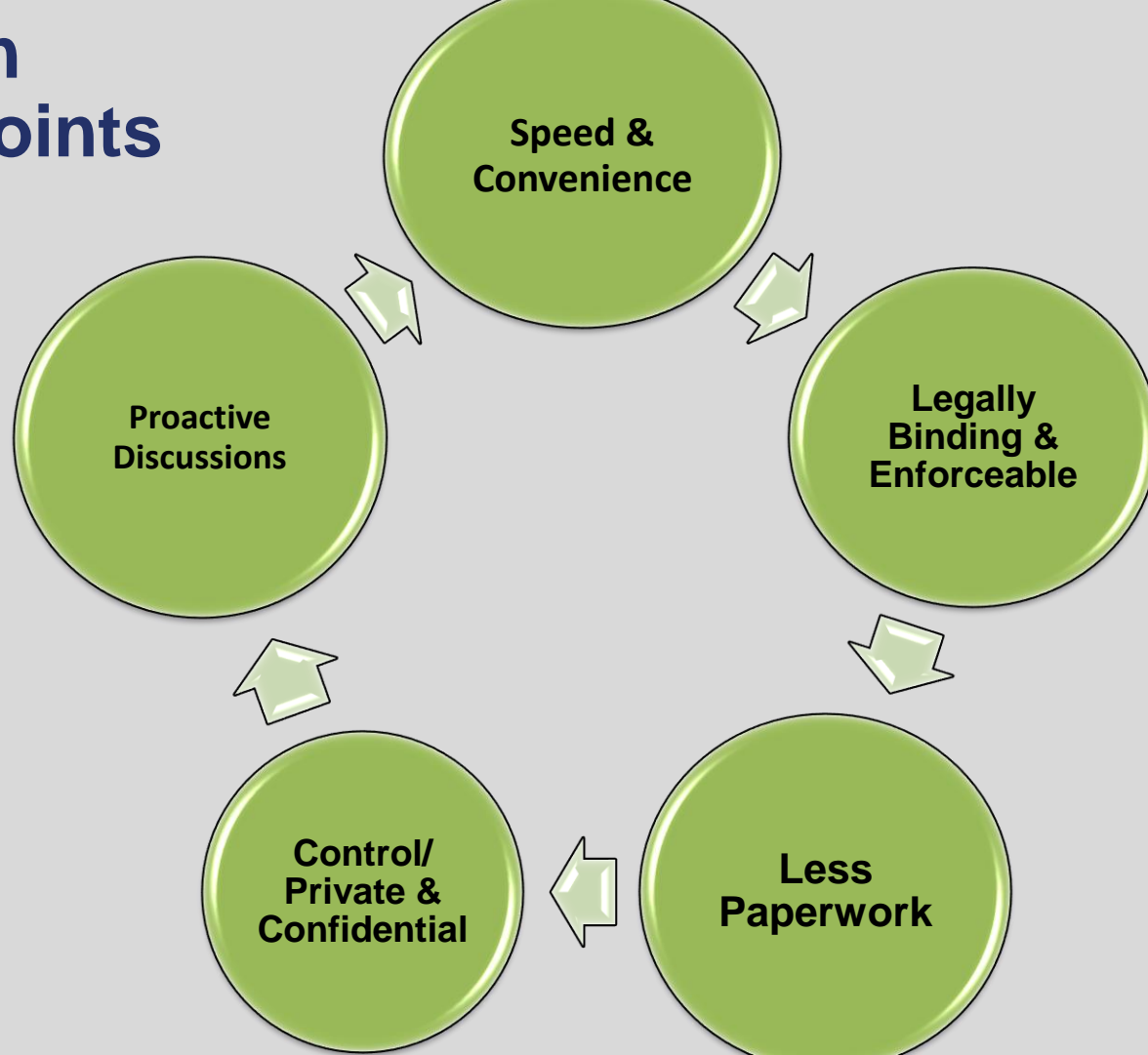
- Face to Face Mediation service
- Low uptake,
- Similar timeframe & process to Adjudication
- Researched international jurisdictions, UK & NZ
- First Telephone Mediation Service in Ireland

Telephone Mediation – The Stats

- Introduced in December 2013

Year	% of cases	Appeal Rate	Enforcement Rate
2013	5%	N/A	N/A
2014	17% (582 cases)	8%	1%
2015	21% (856 cases)	8%	3.6%
2016	23% (1,121 cases)	10%	1%
2017	28% (1,630 cases)	13%	3%
2018	26% (1663 cases)	11%	4%

Mediation Selling Points



Successful telephone mediation needs:

- Genuine willingness to engage
- Requires compromise & an open-mind
- Key question for all parties: What do I want?
- Letting go of idea of 'winning', convincing a mediator to agree with you or proving other case party wrong
- Less reliance on evidence, not necessary to submit documents or respond in writing to submissions
- Set time – focus the mind has worked for the RTB

Why it works :

- Speed – walk away on the day with an agreement
- Tenancy sustainment
- Parties comply – control
- Mutual understanding – minor technicalities overlooked
- Terms agreed that simply can not be made at Adjudication
- Damages awarded by mutual consent

Case Studies / Types of Agreements

1. Agreement to pay Rent arrears by Instalments
2. Tenancy Sustainment Agreements
3. Agreements for Tenancies to be terminated where notices technically invalid
4. Minimum Standard / State of repair cases
5. Third party cases where confidentiality and reaching a workable solution became important

Telephone Mediation – The Stats

2018

- 2018: 26% of applications opting for Telephone Mediation
- 75% Agreement Reached
- 25% No Agreement Reached
- 4% of all Enforcement requests stem from Mediation



The Future

- Regulatory Powers
- Updated online systems – RTB360
- Annual Registration
- Better Let Landlord Accreditation Scheme
- Remedial Notices



**Thank you
Questions?**

