

Community Connections

A MASSHOUSING COMMUNITY SERVICES UPDATE

Fall 2013

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TAP Dispute Resolution--A Mediation Story

By Josh Hoch

Tamara, a single mother, moved in to her new residence five months prior where she intended to live happily with her daughter for years to come. Carol had been living at that same housing complex for 39 years, many of which included a long lasting struggle with breast cancer. Over the phone, she had explained that she was tired and couldn't physically afford to deal with neighbor conflict. Tamara had expressed the same extent of frustration, and referred to a catastrophic amount of tension between the two women, stemming from a relationship that she once had with Carol's nephew. I could feel the animosity over the phone while listening to each woman explain the mutual hate that had come between a once amicable relationship.

When I met them in person, the very first negotiation took place before we could even escape the noisy and narrow hallway of their building. Carol initially refused to be in the same room with Tamara, while Tamara wanted to work directly with Carol so that she could be sure everything that was said would be true. After a few minutes of mediating their disagreement regarding the dynamics of the process, Carol told me that I would need to listen to the two women yelling at each other if I chose to bring them together. I explained that we would work only in ways that were productive for the two parties, and I asked them both what type of communication would be helpful to them. They both answered the question without hesitation:

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SAVE-THE-DATE

Hoarding

Wednesday, April 2, 2014
Best Western Royal Plaza Hotel
and Conference Center,
Marlborough, MA

MassHousing's Annual Community Services Conference

In partnership with the Massachusetts Statewide Steering Committee on Hoarding, MassHousing is proud to present the 2014 Community Services Conference for all staff of multifamily and elderly housing developments across the Commonwealth, as well as service providers, local and state housing and public health professionals. Featuring Michael A. Tompkins, Ph.D. and other national and local experts in the field.

A Mediation Story (continued from page 1)

they needed to let it all out. I explained that I'd be happy to facilitate whatever kind of dialogue they found to be necessary, so long as the environment is safe. They both decided to enter the room for at least an introduction.

What followed that meta-negotiation was far more than an introduction. Carol and Tamara were both very animated in expressing their disgust for one another. Profanities turned into yelling, and yelling turned into insults against each other's personal character. At one point, wondering if they needed to be separated or if they were actually enjoying the opportunity to finally unload on each other, I asked both women if the conversation was working for them. Surprisingly, they both said yes. I realized that my own communication style and ideas for productive conversation were irrelevant at that moment. Carol refused to look Tamara in the eye, and Tamara would barely let Carol finish a sentence without disagreeing. However, all that mattered was that Tamara and Carol were at last speaking to and listening to each other, and in a manner that was apparently meeting their own standards. While seeing eye-to-eye was rare during their discussion, they were eventually able to begin discussing a no contact agreement.

About an hour into the mediation session, I probed both women on what it is that they would achieve by agreeing to no contact, and what a scenario without speaking to or even looking at their next door neighbor would actually look like to each of them. Carol explained that she didn't have the energy to fight, while Tamara revealed that safety was her primary interest. When I asked her to say more, she explained that, ever since a nearly violent confrontation occurred between she and Carol a month ago, her eight year old daughter, Lilly, has been scared of going outside to play with friends. Almost immediately, and for the first time during the entire meeting, Carol snapped her head toward Tamara and asked why her daughter should be scared. Now fighting back tears, Tamara told us that Lilly assumed Carol's hate to be for both mother and daughter, and that Carol's grandchildren might try to hurt Lilly.

With a suddenly disheartened stare and a declarative tone, Carol looked Tamara in the eyes and affirmed that Lilly had nothing to be scared of, and that it pained her to know that such a young and beautiful child was frightened by her. Tamara's already reddened eyes turned into puddles of tears, while Carol continued by explaining that with permission, she intended to approach Lilly and explain that she had nothing to be scared of, and that she would warn her grandchildren not to treat Lilly with anything other than kindness. While Tamara sobbed and could utter no other words than "thank you," Carol shook her head continuously and repeated, "This is terrible...just awful."

When Tamara could again verbally communicate, she agreed that it was sad to imagine how a once friendly relationship had turned so far backwards. Within minutes, the two women were suddenly asking me if I could edit the no contact agreement that had been drafted, this time with language that would only prohibit negative communication in the future. We discussed what that meant to both of them, what they hoped could change within their neighborhood environment, and what they both felt would improve their own relationship. In the end, neither woman wished to sign an elaborative written agreement, choosing instead to keep things simple. However, it was clear that the dynamic which only two hours prior caused an emotionally abusive conversation had transformed into mutual respect and understanding.

This process for Tamara and Carol allowed each of them to truly feel heard, to express what was bottled up inside, to view each other on a more humane level, and to provide a space for mutual understanding. Eventually they reached a mutually agreeable resolution.

Note: This mediation was a membership benefit to this development through [TAP, MassHousing's Tenant Assistance Program](#). TAP's dispute resolution services address on-site conflict through mediation, facilitation, consultation, and/or presentation.

What Residents are Saying after Dispute Resolution Services:

"Things are better now."

"I am really surprised with how well it all worked out."

"There have been no more complaints. I feel like it is going really well."

"The mediator was very good. She knew exactly what she was doing. It was wonderful."

"It was very worthwhile. I did not think that it was going to work. But it has worked out really well. I'm very glad that I did it."

"He says 'hello' but then keeps on walking. He leaves me alone. That is what I wanted."

If you have residents in conflict at your site, contact Josh Hoch (MWI) at 800-348-4888 x23, jhoch@mwi.org.

TENANT ASSISTANCE PROGRAM

Supporting Management and Residents in Rental Housing

TAP

Owners and managers of 90 Management Companies across the Commonwealth enrolled more than 500 housing developments in TAP 2013. TAP sites receive membership benefits that include trainings, conferences, on-site programs for residents and dispute resolution services.



Go to:
www.masshousing.com/TAP and
learn what TAP can do for you!