



Metropolitan Mediation Services

40 Webster Place, Brookline, MA 02445-7937 - (617) 241-0300

<http://metromediation.org>

Role Play Exercise #2 Tenant's Role

You are a tenant in the middle floor of a three story building. You have lived here for 12 years. About three years ago, the current owner bought this building. Over the nine years you lived here under the previous owners, you developed a very friendly relationship with them. They knew that you didn't make a lot of money and kept the rent low. When this new landlord bought the building, the first thing the new landlord did was to raise the rent \$200, from \$1,100 to \$1,300. Now the rent is \$1,340.

You are 52 years old and have worked for the Stay-Fast Fastener company for 25 years. You were a shift foreman until about eight months ago, when you were laid off. The company is in bad shape and you do not know when or if they will be hiring again. You have been looking for work, but have had no success. The only jobs you have seen so far, that you are qualified for, pay much less than you were making and not much more than you get now from your unemployment check. You made \$42,000 a year. Now, collecting only unemployment, you have had difficulty paying your rent. You can't pay the whole month out of a single paycheck anymore. You have had to make rent payments in bits and pieces and have fallen behind \$1,600.

The landlord has asked you a number of times for the back rent and each time you have tried to pay as much as you can. You have almost nothing in savings. You have some money in a retirement fund, but if you use that, you will have to pay a large tax penalty and, besides, you can't afford to start spending your retirement money now. You have been afraid to tell this landlord about your circumstances. You were afraid that if this landlord knew your situation were, he/she would try to evict you. You guess that it doesn't matter anymore if the landlord knows or not.

You are scared and somewhat resentful. You didn't work hard all your life to end up like this. The landlord's making good money at the landlord's own job and doesn't know what its like to be in a jam like this. The landlord can afford to give you a break!



Metropolitan Mediation Services

40 Webster Place, Brookline, MA 02445-7937 - (617) 241-0300
<http://metromediation.org>

Role Play Exercise #2 Landlord's Role

You are the owner of a three unit building that you bought three years ago. You live on the first floor and rent the units on the second and third floors. You bought this building with the intention of making it your home for a long time and to generate some extra income and security for you when you retire. You are 38 years old and a computer programmer by profession. Right now, the rents you are collecting for this building just about cover the costs of owning it (mortgage payments, utilities, taxes, and a small reserve fund for repairs). You are a good landlord, responding as quickly as you can to problems as tenants bring them to your attention. Though you have a friendly relationship with your tenants, you are not really *friends* with either of them.

The third floor tenant moved in just a year ago. His rent is \$1,450 per month. You have had no trouble with this tenant. The tenant on the second floor has lived in the apartment for 12 years. This tenant is about 50 years old. Obviously, you inherited this tenant from the previous owner. You had no problem with this, as this tenant's income was adequate (about \$45,000 per year) and the tenant had been dependable to the previous owner. Shortly after you moved in, you increased this tenant's rent moderately from \$1,100 to \$1,300 which was still a great deal for such a nice apartment at this location. The rent now is \$1,340. You would like to raise the rent higher, but, on the other hand, you don't want to alienate or lose this tenant.

Suddenly, over the last five months, the second floor tenant has been paying each month's rent in bits and pieces... two hundred here, three hundred there. He is \$1,600 behind in rent now. You have asked him politely for the back rent a couple of times, and each time the tenant has put you off or made a promise for a payment that either doesn't materialize or only partially materializes.

You have finally sent a fourteen day notice to quit for non-payment, and have filed an action in court to get your rent. This is a summary process (eviction) action, though all you really want is your back rent and an assurance that the tenant will keep up in the future. When you and the tenant showed up in court, the court offered mediation as an option. You decided to give it a try.