



## What is Mediation?

Mediation is one way for people to settle disputes. The Residential Tenancies Branch offers landlords and tenants the choice of trying mediation instead of going to a hearing. It is a voluntary process and both landlords and tenants must agree to try it. If an agreement is reached, it is legally binding and both the landlord and tenant must do what is agreed on. If an agreement is not reached, there may be a hearing.

In mediation, a neutral person (someone who will not take sides) is called the mediator. The mediator sits down with landlords and tenants and tries to help them agree on a claim or an application for an order of possession.

All three of these things apply when an agreement is mediated at the Residential Tenancies Branch. The agreement is:

- **binding** – as soon as you agree to it, you must do what you have agreed on
- **final** – unless there was a mistake in the process, the agreement cannot be changed, and
- **enforceable** – if either the landlord or the tenant do not do what they agree to, the other person can have the order enforced (ex: A mediated agreement says that if the tenant doesn't pay the rent on time, the tenant has to move out. Then, the tenant is late with the rent, so the landlord gets an immediate order of possession [that means the tenant has to move] without a hearing.)

## What are the benefits of mediation?

Usually, the best solution to a problem is one that the two sides come up with themselves. These agreements are often more realistic and have the benefit of being:

- **manageable** – reasonable dates and time for repayment or completing repairs can be set
- **faster than a hearing** – landlords and tenants can agree on how to solve the problem during the mediation meeting
- **confidential** – only the branch, the tenant and landlord know what the agreement is, the agreements are not public record

If you are having a dispute, it's best to talk to the other person first to see if you can agree on a way to fix it. If you can't agree, contact the branch for information on the mediation and hearing process. This will help you make the best decision about how to work things out.

(see over)

## **For more information:**

This fact sheet is only a brief explanation. For more information about **mediation**, contact the Residential Tenancies Branch or go to [www.manitoba.ca/rtb](http://www.manitoba.ca/rtb).

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***This information is available in multiple formats upon request.***

***Cette information existe également en français. Composez le 204-945-2476.***