

Message for CPR and OCHO Landing Pages: Dispute Resolution for Covid-19 Housing Cases

Dispute Resolution Services Offered through the Center for Peace and Conflict Resolution

If landlords and tenants fail to reach a settlement on their own, either party may submit their controversies to the Center for Peace and Conflict Resolution for binding mediation and/or arbitration services. Parties may begin BYU's dispute resolution process for off-campus housing by submitting a mediation request form available at: <https://ccr.byu.edu/mediation-form.php>. For questions and concerns about dispute resolution processes, please contact the Center for Peace and Conflict Resolution at 801-422-5068 or ccr@byu.edu.

Contractual Provision for Center's Mediation and Arbitration Services:

As outlined in Section Nine of the [BYU Student-Landlord Rental Agreement](#), "all controversies with respect to the rental facilities or the rental agreement, may be submitted to the CPR for binding mediation/arbitration. Both parties agree to make a good faith effort to settle such controversy through mediation and to be governed by the Mediation Rules of the CPR unless the CPR declines to mediate the controversy. If mediation fails to resolve the problem, either party may request arbitration by the CPR."

Mediation and Arbitration Format:

In the current environment, all mediations and arbitrations will take place by teleconference (i.e., Zoom). Typically, mediation sessions are scheduled within 2-3 weeks, but this may take longer given the widespread nature of the disputes. An average mediation session takes about 1 ½ hours to complete, as does an arbitration hearing. In advance, we ask for your patience as we seek to schedule mediation and arbitration services for you.

BYU's Center for Peace and Conflict Resolution does not provide any parties with legal counsel, but our staff encourages you to seek the counsel you need in order to participate in good faith whether in mediation or arbitration processes.

Mediation is a process that uses an impartial third-party to help you try to resolve a conflict with another person. A mediator does not impose a decision; rather, he or she will help facilitate a discussion between two parties. The responsibility and authority for reaching an agreement remains with you and the other person. BYU students living in BYU-contracted housing and their landlords are required by contract to make a good-faith effort to resolve their disputes through mediation at the CPR. The CPR is available to mediate BYU housing disputes for non-BYU students, but because there is not a contractual requirement, both parties must be willing to participate.

Arbitration is available to those who sign the BYU student housing contract, both landlord and BYU student. Before someone can go through arbitration at the CPR, they must make a good faith effort to resolve their issues in mediation, as stated in paragraph 23 of the BYU Off-Campus Housing Agreement. Mediation gives you the opportunity to be proactive and create an

agreement that you feel good about with someone you are in a conflict with. We find that meeting together, with the help of an impartial third party, can be very empowering. If, however, you do not reach an agreement in mediation, you can elect to turn the problem over to an arbitration board to decide the issue for you. You may request arbitration via the following form: <https://ccr.byu.edu/demand-arbitration.php>