Landlord Tenant Orientation

Good morning. This is the first appearance for landlord/tenant cases. Today, you may choose to either participate in mediation with a neutral volunteer mediator or set your case for trial.

The court offers optional mediation services to you at no cost. Often parties are more satisfied with the mediation process than they are going to trial. If your case goes to trial, you may have a much shorter time (45 minutes) to try your case than you would if you participated in mediation. The goal of mediation is for you to reach an agreement that works for both parties. Your agreement will contain details you come up with and can be what works for both parties such as moving out, a payment plan, or some other action.

Mediation is voluntary and confidential. Parties will not be forced to mediate or forced into an agreement and may choose to stop at any time. The only two issues that are not confidential are alleged abuse or threat of bodily harm.

No recordings are allowed during the mediation, except twice by the mediator to record your consent to sign on your behalf. Only parties to the case are allowed to be present during mediation unless the opposing party agrees to another observing. Confidentiality applies to all parties during the mediation process.

If you reach an agreement in mediation, it will fully resolve your case without a judgement. The judge will sign an order based on your agreement and if the terms of the agreement are followed, the case will typically be dismissed and sealed after one year. If the terms are not followed, a judgment of non-compliance can be entered against you by the other party, so you want to make sure that whatever you put in the agreement you can accomplish.

If you do not reach an agreement or one-party objects to mediation, the tenant will need to file their answer by the end of today and send a copy to the Landlord. Answers can be filed either in person (no later than 4:30 at the courthouse) or online no later than 11:59 pm. There is an $88 filing fee, but you can request a fee waiver if necessary. If the tenant does not file an answer today, a default judgment may be entered against you. If the case proceeds to trial, the Landlord must pay a $139 trial fee either in person or by phone before the trial date.

In summary, your options today are to choose to go to mediation or request to have your case set for trial. If the case is proceeding to trial, the tenant needs to file an answer, and the landlord needs to pay the trial fee.