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# **The Greensboro Landlord Tenant Dispute Program: Developing and Sustaining a Responsive Dispute Resolution Program**

**Sherrill W. Hayes, Ph.D., Jessica Roberts, Robert Nunn, MPA., Cathie Witty, Ph.D.<sup>i</sup>**

## **Introduction & Summary**

This article discusses the Greensboro Landlord Tenant Dispute Program, a partnership between the Program in Conflict and Peace Studies at the University of North Carolina at Greensboro and the City of Greensboro's Human Relations Department. The program was developed through consultation with a wide range of local stakeholders to help landlords and tenants address and resolve disputes not falling under City and/or Federal Fair Housing guidelines. Launched in April 2010 and primarily using graduate students, the program has met the informational needs of residents and provided a forum for addressing disputes. The program has been responsive to the changing needs of the partners through data collection, analysis, and developed groundwork for a long-term partnership.

The Greensboro Landlord Tenant Dispute Program (GLTDP) is a conflict management program created through a partnership between the Program in Conflict and Peace Studies at the University of North Carolina at Greensboro and the City of Greensboro's Human Relations Department. Although initially designed as a program to mediate disputes between landlords and tenants, the GLTDP has grown into a responsive, community-based partnership that pulls together resources from students and faculty at UNCG, staff and programs within the City of Greensboro, and a range of non-profit agencies in the Greensboro community. While the program is only into its third year, the successes thus far demonstrate best practices in community-engaged research<sup>ii</sup> through the deliberate application of the planning-evaluation

cycle;<sup>iii</sup> an understanding of the range of dispute resolution interventions;<sup>iv</sup> and dispute systems design.<sup>v</sup> At each stage of the program, partners have been challenged to think systemically about program development by incorporating human and technological resources, reflect on the results of formative and summative evaluation research, and to design a system responsive to the clients and stakeholders.

The development of the GLTDP program has progressed through several definable stages: phase one – consultation and development; phase two – funding and evaluation; phase three – developing sustainability. These three phases have been accompanied by active discussions with the major stakeholders about program development informed by the embedded data collection processes.

Assuming most readers of this article will be interested in how the program developed and demonstrated success, the article will follow the development of the program and share quantitative and qualitative data. The authors will also provide information related to the major stakeholders from field notes, quantitative data from the program databases, stakeholder surveys, unstructured interviews, written reports by students, and forms and training materials developed for the program. The article will conclude with some lessons learned for those planning similar programs and thoughts about the future of the program partnership.

### **Phase One - Consultation and Development (2008-2009)**

The City of Greensboro's Human Relations Department (HRD) was the first to identify the need for a new program to address disputes between landlords and tenants. In early 2008, Robert Nunn, HRD division manager, and Cheryl Gant, HRD fair housing specialist, noticed an increase in the volume of telephone calls received by the HRD's Fair Housing Division (as many as 80 per month). Their analysis revealed while the majority of these calls did not fulfill the

criteria for investigation of discrimination complaints under fair housing guidelines; the focus of many of these calls was around issues like repairs and security deposits that could benefit from additional assistance and intervention. The HRD has a work-sharing agreement with the U.S. Department of Housing and Urban Development (HUD) to investigate complainants of discrimination in housing related to the following protected classes; race, color, sex, disability, religion, national origin, and familial status. Gant is well known in the City for issues related to fair housing because of her investigative role, conducting education, and conducting outreach on fair housing laws. Residents were simply at a loss of where to turn for assistance with their issues and believed the City should help them. There were housing related resources and a community mediation center in Greensboro; however, no formal dispute resolution program focused on housing existed. The Greensboro Housing Coalition (GHC), a nonprofit agency, typically tried to assist residents with safety-related issues such as mold, repairs, and pest infestation; however, due to staff and budget constraints, GHC was unable to serve the majority of the residents requesting assistance. Nunn was familiar with mediation as he once worked for a nonprofit agency that provided mediation services to residents of Guilford County (which encompasses the City of Greensboro). Through his knowledge of mediation and conflict resolution, he knew that this type of model would be well suited for disputes between landlords and tenants. An organization that could focus on interest-based disputes instead of investing only in power or rights-based solutions could provide an opportunity to save money, find better solutions, and better engage stakeholders.<sup>vi</sup> Additionally, Nunn was familiar with the (then) Conflict Resolution Program at the University of North Carolina at Greensboro, since he was an alumnus of the University, and believed this could provide an excellent opportunity to form a partnership. After exchanging emails and telephone calls with Dr. Cathie Witty, the program director at

UNCG, they determined this was an opportunity to offer a needed service to the residents of Greensboro using graduate students and volunteers trained in conflict resolution.

#### Process of developing the program

A program development team formed; which initially included Witty and Hayes from UNCG and Nunn and Gant from the HRD. This working team sought advice and background information from city/county government in North Carolina with similar programs in both Charlotte (Charlotte-Mecklenburg Community Relations Committee) and Winston-Salem (Winston-Salem Human Relations Department). A key outcome from discussions with representatives of the other programs was the importance of engaging the potential community stakeholders, especially landlords, as well as housing-related and tenant advocacy organizations. In 2008 and 2009, the program development team convened several meetings of key stakeholders, including two representatives from the Greensboro Landlords' Association, GHC, several attorneys from Legal Aid of Central North Carolina, property management personnel from several large apartment complexes, representatives from Triad Real Estate and Building Industry Coalition (TREBIC), and an attorney who mostly represented landlords. These meetings allowed stakeholders to provide input into the program, ask questions about the process, and provide some initial awareness for the future program. In addition, the team then held several additional meetings with representatives from legal aid, the local magistrates, and the chief district court judge to discuss the potential implications and feasibility of the program to reduce caseloads in magistrate's (small claims) courts. Typically, cases are resolved between landlords and tenants including summary ejectment in these courts.<sup>vii</sup>

HRD staff created marketing materials such as GLTDP brochures which continue to be used for outreach. Brochures were distributed to six of the most highly used city recreation

centers and public library branches, ones with the most traffic and located in various sections of the City in an effort to ensure that all socio-economic classes are aware and being served by the program. The HRD *Strengthening Communities* brochure includes a narrative about the GLTDP along with other work the HRD is doing in the community. Press releases were developed and distributed to various media outlets resulting in newspaper, television, and website promotion. In addition, awareness meetings were held across city departments.

The GLTDP team developed program forms and evaluation materials including the agreement to mediate, intake forms, participant evaluation forms, and the data collection methodology. The program-specific forms and processes were developed through an examination of forms from other mediation programs such as those operated by the Mediation Network of North Carolina,<sup>viii</sup> North Carolina Agricultural Mediation Program,<sup>ix</sup> and national examples of best practices in mediation program development.<sup>x</sup> Faculty also agreed to integrate practicing in the program into their graduate level service learning and the capstone practicum course, which meant that students serving in the program could receive academic credit and additional professional supervision. It also meant that some additional program outreach could be done by students working on professional projects in other parts of the community.

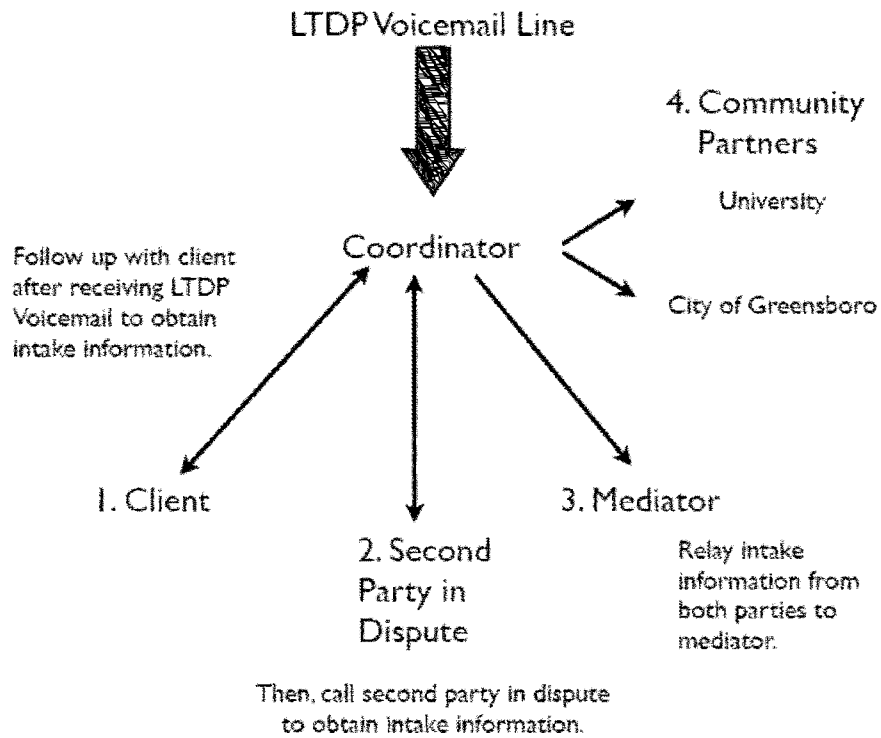
#### Initial design of the program

The GLTDP was designed as an impartial, voluntary program to provide a mediation forum for landlords and tenants to eliminate communication barriers and work together on interest-based disputes. The primary referral sources for clients were also stakeholders in the original planning, including legal aid, HRD Fair Housing Division, self-referrals from tenants and/or landlords, and magistrate's court. The program would be administered from the City by division manager Nunn, and staffed by a program coordinator from UNCG Conflict and Peace

Studies. The program coordinator would also be a trained mediator; most likely a UNCG staff member or graduate assistant. Program intake workers and mediators would be trained volunteers supervised by UNCG faculty.

The initial plan for the program (see Figure 1) was that calls would be received through a dedicated phone line in the HRD. The initial call to the program telephone line would be screened by the coordinator and s/he would conduct a brief telephone intake. For a mediation to be scheduled, both parties must agree to come together and discuss the issues. The mediator's role then would be to assist both parties in: (1) defining and clarifying issues; (2) reducing obstacles and facilitating more positive communication; (3) exploring possible solutions; and (4) reaching a mutually satisfactory agreement. If parties agreed on substantive issues, a memorandum of understanding would be created to document a resolution to the current issues and manage any future issues. A copy of the agreement would be shared with both parties and kept on file in the HRD.

**Figure 1 – Initial Design of the Program Phase One**



Based on feedback during the consultation period, program developers determined that cases that were clear matters of law and procedure (e.g. eviction, matters already filed and/or adjudicated in magistrate’s court, alleged fair housing violations) would not be suitable for the program. Instead, the program would focus on communication issues or problems in the landlord and tenant relationship (e.g. unreturned phone calls, repairs, pest infestation, etc.).

Summary of Phase One

As with any partnership, negotiation of roles, responsibilities, and expectations is a crucial part of development. The key issues from the planning phase were:

1. Initial contact and establishment of need for the program,
2. Identifying individual and joint strengths of the partners and partnership opportunity,



3. Deliberate consultation involving major stakeholders from across the community, including landlord and tenants organizations, the legal community, and researchers, and
4. A review of best practice literature, especially program forms and evaluation instruments
5. The establishment of a Program Coordinator role, who serves as a point person between the University and the City.

Although the program development phase took almost one year longer than initially expected, the partners would come to understand that the extra time spent in the planning set the program up for further successes in the short and longer terms.

### **Phase Two – Funding and Evaluation (2010-2011)**

During phase one both partners had examined possibilities for acquiring funding for the startup of this project. The City's HRD had already communicated to UNCG faculty during initial discussions about the partnership that there were no funds available to operate the program besides Nunn's time to administer. The GLTDP was fortunate to receive one-time funding from the Graduate School at UNCG for the Spring semester 2010 for a graduate assistant (GA) who assisted with the development of forms, initial administration, and recruiting and training volunteers for the program during its startup<sup>xi</sup>.

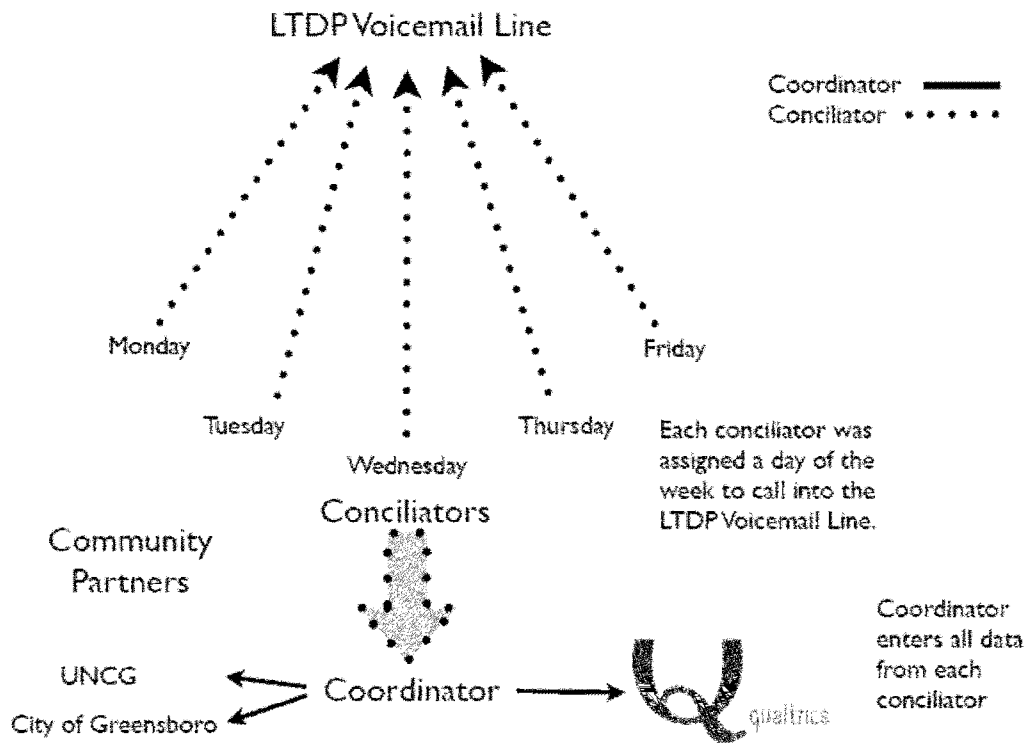
The program partners were fortunate to receive a grant from the Community Grants Program administered by the Community Foundation of Greater Greensboro (CFGG) to initiate the program. The grant was written to provide funding for the development of the program, especially for initial operating expenses, funding for extending the position of the program coordinator, training of volunteer conciliators and mediators, and an initial evaluation of the program after one year. The program team had anticipated being able to fund the program coordinator position for at least most of the fiscal/academic year 2010-2011. Unfortunately, the grant amount requested was not fully funded and it only covered partial pay for Summer 2010, some operational expenses for the program through the first part of 2011, and the evaluation of the program.

Two factors made the initial design of the program (See Figure 2) difficult to maintain. First, the difference in the requested and received amount of funding made fully staffing the program difficult since the coordinator was responsible for doing the intake work. Second, initial data collected in the first few months of the program indicated that the coordinator was spending, in some cases, hours rather than minutes, as anticipated, working with clients on the phone. This meant that a 20-hour position was inadequate to serve the number of callers if s/he was to continue doing all the intake work.

These changes meant that the team had to consider redesigning the process of the GLTDP to better utilize existing resources.<sup>xii</sup> They determined that the most effective way to provide continuity and consistency was to hand over the duties of the program coordinator to an individual who would occupy the existing graduate assistantship for the UNCG Program in Conflict and Peace Studies<sup>xiii</sup>.

The funding and personnel changes also meant that the expectations for the program coordinator role had to change, since it was not possible for the coordinator to be located in the City and UNCG during his/her 20-hour graduate assistantship. The program partners agreed on a phone in system, in which the program coordinator and intake workers would choose a day of the week and phone in to check the voice mail messages on the dedicated phone line (see Figure 2). Any cases on these days would be handled by the intake worker. The intake workers then completed their case reports based on the intake form and sent them to the program coordinator via email so that the data could be entered into a spreadsheet or database program. The program coordinator remained responsible to, and was responsible for, providing monthly data reports to the City and UNCG. Results from that data in phase two are presented below.

### **Figure 2 – Phase Two Program Design**



Phase Two program evaluation data

In June 2011, the program evaluation team undertook an overall review as part of the grant report to the Community Foundation of Greater Greensboro. This review included data collected from the intake forms by volunteers and mediators (n = 214 cases as of June 30, 2011). The data from these forms was entered into a spreadsheet program by the program coordinator, and monthly reports were provided to the City and the University. Also, a twelve question open-ended survey was provided to a list of eighteen stakeholders who had been involved in the project (e.g. City of Greensboro staff, UNCG faculty, students, and alumni, and volunteer mediators from the community) and twelve responses were received. The data analysis below

uses data from each of these sources throughout. UNCG faculty post-coded and developed themes in consultation with City staff during the creation of the grant report.

Results from Phase Two

Tenants were the primary initiators of the calls to the program (99%). Tenants were described by program staff as primarily coming from low income and minority communities, with many calls coming from residents in Section 8 housing. Most of the tenants were looking for the resolution of a key issue. The key issues during phase two are reported in Table 1 below.

**Table 1 –Categorized issues from callers Phase Two**

Issue Category	Number of cases	Percentage of cases with issues were reported
Housing – Eviction, Lease, & Foreclosure	59	31.38%
Financial – Security Deposits, Rent, & Bills	50	26.59%
Health & Safety – Repairs, Mold, Air Conditioning, Bugs/Vermin	57	30.32%
Interpersonal Issues & Lease Policies- Lease language, policy enforcement, neighbor problems, communication	22	11.70%
Total	188	100%

While the numbers portray one picture of the issues, the volunteer intake workers provided insights into their experiences with clients:

Many of the clients were public housing/Section 8 residents frustrated by policies for those programs. Some number of callers are residents in substandard housing; the callers were sometimes frustrated by the conditions but were unwilling to pursue enforcement through the inspections department or unwilling to engage in discussion with their landlord because they did not feel they were able to afford anything else. The housing might be substandard, but their landlord might have "special" arrangements with them where they did not have to pay a deposit, paid lower rent or whatever. Some number of the clients were of more moderate to upper income with a variety of issues.

Program staff and volunteer intake workers reported that irrespective of the issue, tenants were glad to have someone to speak with about their issue and appreciated a listening ear. The outcomes of the program (see Table 2) indicate that over half of the calls (58%) resulted in the program staff being able to assist the callers with the issues through differing levels of involvement with the program.

**Table 2 – Summarized Case Record Data Phase Two**

Case Outcome/Disposition	Number of cases	Percentage of all calls	Percentage of calls which could be addressed by program staff	Average time dedicated to issue
Resolved through conciliation efforts of staff (contact with both parties over phone)	48	22.4%	28.9%	65 minutes
Cases in which “no further contact” was/could be made (bad phone numbers, calls not returned, etc.)	36	16.8%	N/A	38 minutes
Provided information, no further contact by parties	30	14.0%	18.0%	46 minutes
One or more parties declined mediation or conciliation	33	15.4%	19.9%	57 minutes
Issue “self-resolved” (minimal involvement from program)	25	11.7%	15.0%	45 minutes
Referred to another agency	22	10.3%	13.3%	62 minutes
Cases inappropriate for program	11	5.1%	N/A	41 minutes
Impasse in mediation	5	2.3 %	3.0%	Data incomplete
Resolved through mediation	4	1.9%	2.4%	Data incomplete

These numbers tell some of the story as to the outcomes the program was able to achieve for clients, both tenant and landlords during phase two. It seemed for most of the volunteers and

staff involved, that these results were directly attributable to the impartial third-party perspective that the program offered.

... we are given a framework to work with that is non-threatening to both parties and listening seems to accelerate progress on both sides. I think listening and getting resources when you are in a difficult situation seems to really help some of the tenants. I think the landlords at times are used to being the 'heavy' in the situation. When they are treated with respect they seem to be willing to concede some points. In this sense, fairness is projected toward both sides and people respond to this. They respond to being heard...

An example of an often expressed student volunteer sentiment was, "Every time I speak to a tenant or landlord and they express their appreciation to me for assisting them, it is confirmation to me that I am providing a valuable service."

### Summary of Phase Two

Building on the plan developed in phase one and managing a series of unexpected issues, the GLTDP team developed a new plan that led to some changes in phase two. Ultimately, phase two data demonstrated success in addressing the issues clients were facing, albeit with very little use of mediation. The phase two results pointed to an apparent preference among the clients for resolving their issues over the telephone (29%), simply being provided additional information/resources (18%), resolving the problems on their own with little assistance from the intake worker (15%), with only a small proportion seeking the direct assistance of a mediator (5%). This was in contrast to the unexpectedly small proportion (20%) of people who simply refused any assistance from the program staff at all. Put in perspective, during the first year, half of the people who program staff spoke to were able to reach some form of resolution to their issue and a further one-third were provided some form of information or referral. Although the program staff and team saw positively assisting 80% of the callers a success, it was not in the way the program was originally designed. This interesting situation created the need for additional discussion and reflection about the true nature of the program and how it may need to

be again redesigned to better address the population being served. It was important to consider the meaning of the results since they were different than initially expected. Further analyses and conversations with program volunteers were the only ways to determine how best to move forward.

### **Phase Three – Developing Sustainability**

The thinking that began phase three occurred during a meeting in Spring 2011 when the role of the telephone intake worker was reframed as conciliator and an online data entry system were introduced. The monthly data reports and ongoing program evaluation demonstrated that intake workers were doing more than gathering information for an infrequent mediation process. Although the initial design of the program was to conduct face-to-face mediation of disputes-- reflection and discussion among the partners recognized that the process was operating effectively as a telephone-based conciliation program that included a range of other options. In GLTDP's application of the community engagement model and dispute system design, it was crucial that the process be fluid, adaptable, and open to change<sup>xiv</sup>

#### Conciliation

The conciliation process is one with a long history in dispute resolution theory and practice. Conciliation is defined as a process in which an impartial person acts as an intermediary to open communication between parties to resolve their dispute.<sup>xv</sup> Conciliation is used as a standard part of the dispute resolution process by organizations like the Better Business Bureau (BBB)<sup>xvi</sup>, Federal Mediation and Conciliation Service (FMCS) in the U.S., and the Advisory, Conciliation, and Arbitration Service (ACAS) in the U.K. Although typically used in labor, business, and complex multiparty international disputes, the conciliation process is utilized as an interim step before direct negotiations take place; in cases where parties may be more

comfortable or are required to address the other party indirectly; or as a way of opening a dialogue that may lead to additional dispute resolution methods such as mediation

The use of conciliation in the GLTDP did not represent a significant change in how calls were handled, but it did alter the thinking about the role of the conciliator. Calls are placed to each individual so that the parties are not required to address their disputant directly (see Figure 3). Parties can speak freely with a conciliator to achieve a mutually acceptable resolution or gain power through information and resources provided by the GLTDP to resolve the conflict on their own.<sup>xvii</sup>

#### Online data collection and information sharing

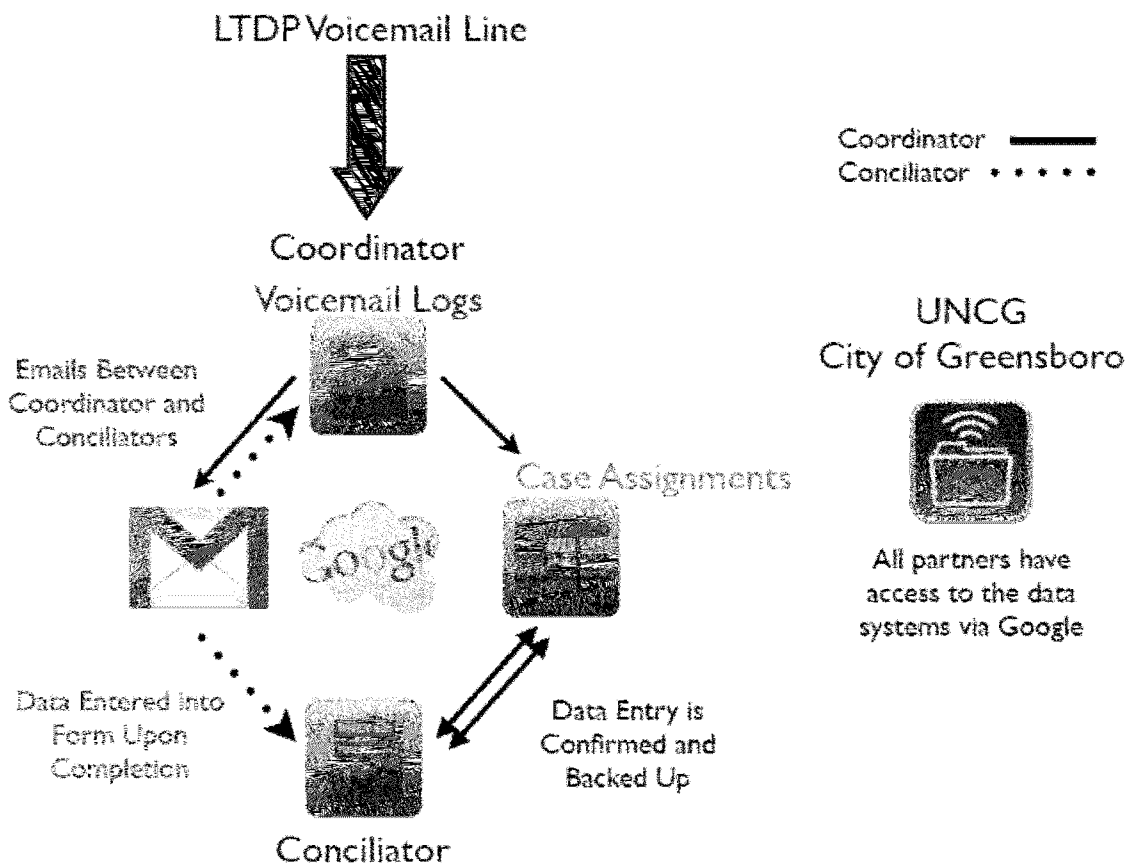
The GLTD program coordinator role was beginning to operate effectively when added to the existing job description of the UNCG Program in Conflict and Peace Studies G.A. in 2010-11; however, the coordinator continued to struggle with the amount of time it took to communicate with the conciliators and interpret and input the data they provided from the intake forms. The main issues were ensuring all the conciliators had access to the forms and resources they needed, making sense out of sometimes lengthy narratives about cases from the intake forms, and coding these forms into format for the database that was useful to both the City and the University.

As a remedy to this situation, the program team decided to pilot an online web portal system. The team created a password-restricted website through Google sites that allowed the conciliators to have access to the needed forms, community resources, training materials, and a form for entering their own case data directly into the database. Although the online form was similar to the print intake form already in use, the direct entry by conciliators and application of numerical codes developed in phase two allowed for more efficient and standard data entry that



could be compiled quickly and shared among the partners. Initially, the program implemented a Qualtrics database because of an existing site license through UNCG, but in January 2012 changed to Google forms. The Qualtrics system did not allow HRD staff direct access to the data, relying on UNCG to produce monthly reports for the City. The move to Google forms provided a way of allowing protected access to the data for staff.

**Figure 3 – Phase Three Model of the Program**



Some Initial Results from Phase Three

Although phase three started less than one year ago, some interesting results have emerged. As in phase two, the key issues for callers were housing (12.93%), a drop of 18.45 % since phase two; financial issues (28.45%) an increase of 5.86%; health/safety issues (49.14%), an 18.82% increase the highest of any issue; and interpersonal issues (9.48%), a drop of 2.22%. For more information see Table 3 below.

**Table 3 – Issues from callers by categories Phase Three**

Issues – Increase	Number of cases	Percentage of cases
Housing – Eviction, Lease, & Foreclosure	15	12.93%
Financial – Security Deposits, Rent, & Bills	33	28.45%
Health & Safety – Repairs, Mold, Air Conditioning, Bugs/Vermin	57	49.14%
Interpersonal Issues - Neighbor problems, Communication, Noise Complaints	11	9.48%
Total	119	100%

The outcomes of the program in phase three (see Table 4 below) indicate that over two-thirds of cases (68.9%) resulted in the program staff being able to assist the callers with the issues through differing levels of involvement with the program.

**Table 4 – Summarized Case Record Data Phase Three**

Case outcome/disposition	Number of cases (n = 116)	Percentage of calls (n = 116)	Percentage of calls which could be addressed by program staff (n = 95)	Average time dedicated to issue
Resolved through conciliation efforts of staff (contact with both parties over phone)	28	24.1%	29.5%	110 minutes
Cases in which “no further contact” was/could be made (bad phone numbers, calls not returned, etc.)	27	23.3%	28.4%	26 minutes
Provided information, no further contact by parties	27	23.3%	28.4%	40 minutes
One or more parties declined mediation or conciliation	15	12.6%	N/A	N/A
Issue “self-resolved” (minimal involvement from program)	5	12.9%	5.3%	81 minutes
Referred to another agency	8	6.9%	8.4%	94 minutes
Cases inappropriate for program	6	5.2%	N/A	N/A
Sent to mediation	2	1.7%	N/A	120 minutes

The data in Table 4 indicates some changes in proportion of issues resolved through conciliation efforts of the program from phase two to phase three. Changes to self-resolved or resolved through a formal mediation process were small, but larger for the proportion of referrals to other agencies and informational calls. It was interesting that in cases where no further contact was made, conciliators still averaged twenty-six (26) minutes of work attempting to contact either party in the dispute. In cases where the issue was inappropriate for the program, it was most often because the caller was outside of the city limits of Greensboro. Anecdotal evidence from conciliators suggests that in these cases, they still attempt to provide information for callers about where they reside, although time serving these cases has yet to be recorded consistently.

### Summary of Phase Three

The program changes made in phase three seem to be building the GLTDP towards a more sustainable model of continuation. The centralization of case distribution in the program coordinator position has ensured that cases are evenly distributed among the conciliators and the integration of cloud-based technology has made data capture and sharing more seamless than before. The costs of the program have been kept lower, mostly out of necessity, but seem to have increased the buy-in of all the partners and the capacity to fulfill student learning goals, research, and service provision goals. The Program in Peace and Conflict Studies has been able to continue staffing of the GLTDP by incorporating a clinical conflict intervention course into a newly revised curriculum, mentored by faculty and organized by the program coordinator, hopefully ensuring a continued partnership.

Although data analyses across the phases are still in progress, the changes in case outcomes shifting to housing and health/safety issues could indicate the overall growth in awareness of the program. Conciliators often refer housing issue callers to rights-based agencies for solutions (advocacy and legal), and it is possible that conciliators have therefore become more adept at working with health/safety issues and collaborating on interest-based solutions with both parties. These data from phase three also reflects the program's evolution from a mediation program into a wider dispute resolution program. Conciliators have learned to fit the dispute to the proper forum and with that knowledge are better equipped to help callers. Reflecting on these changes for GLTDP and the clients it serves, partners will need to consider whether the program has been improving at serving the needs of the community or it is simply that the practitioners are getting better at retaining clients in the program.

### **Impacts on Partners**

Contributions to City of Greensboro

Anecdotal and empirical evidence pointed to strong satisfaction with the Greensboro Landlord Tenant Dispute Program (GLTDP) among the City of Greensboro employees. Human Relations director, Dr. Anthony Wade, says that he often discusses the program as a “model of University and City partnerships.” The GLTDP program was also recognized in the city manager’s report in 2011. Some quotes from program volunteers demonstrate some of the impact the program has had and may be able to have in the future. According to Nunn, the City of Greensboro created a Management Accountability Performance (MAP) plan that was instituted by former city manager Rashad Young during fiscal year 2010-11. Interim city manager Denise Turner Roth continues to use this effective management and planning tool. MAP measures various result areas in city departments including the Human Relations Department. As part of this process, volunteer hours and dollar amount of volunteer time is included in the plan. The City’s Human Relations Department assigns a dollar amount of \$80 per skilled volunteer hour, which includes the time spent in the program by conciliators and mediators. In the initial startup phase of the program (fiscal year 2009-10), these variables were not measured. With the advent of MAP, the variables have been included and tracked to more accurately measure some of the outcomes of the GLTDP. Since the program began tracking this data (fiscal year 2010-11) through January 2012, conciliators and/or mediators have provided the GLTDP and Human Relations Department with 336.25 skilled volunteer hours equating to \$26,900 in dollar value to the City of Greensboro.

When stakeholders were asked to outline the strengths of the program, City staff were mentioned by name and the relationship with the City was prominently mentioned by many participants in the phase two evaluation. When asked to discuss the obstacles in the program, funding and staffing were mentioned by more than half of the stakeholders. It seems that finding

adequate funding, some of which may be able to come from City budget or leveraging existing relationships between the City and other funding sources, could present a solution.

The partnership has also resulted in several opportunities for media outreach. In addition to several local news segments when the program initially launched,<sup>xviii</sup> Hayes, Witty, and volunteer conciliators and mediators working in the GLTDP program staffed a landlord tenant phone bank during the *Good Morning Show* on WFMY 2,<sup>xix</sup> a local television station; Nunn appeared on the *Good Morning Show* on WFMY 2 and a local talk show with WLXI Channel 61.

#### Contributions to student learning and professional development

UNCG's Master's program in Conflict and Peace Studies is committed to providing students opportunities to apply theory to practice by engaging in community based learning. The students involved in the GLTDP have been the most significant asset to the development of the Greensboro Landlord Tenant Dispute Program. In addition to ensuring its very existence through their work as volunteer conciliators and in the program coordinator position, the phase two program evaluation data demonstrated a high level of tangible benefits for students involved in the program. One student clearly articulated the importance of the connections among students, faculty, City staff, and clients.

I like the experience I am getting by working with the landlords and tenants and the professors and students involved in the program...the support and the debriefing I receive from everyone involved has been valuable for me as a student who will be mediating in the future.

The previous quote also refers to several developments by UNCG Conflict and Peace Studies faculty that have occurred as a response to the need to recruit and better train student volunteers including: (1) co-creating GLTDP training materials; (2) the development of a mentorship scheme; (3) the creation of two credit-bearing graduate courses; and (4) a concentration in the master's degree program focused on conflict practice. Each of these developments recognized

the importance of additional academic and professional development incentives for students and volunteers since it has not been possible to provide monetary compensation.

Attending and developing trainings and creating training materials are important professional skills for graduate level conflict resolution professionals. Involvement in this program has allowed students the opportunity to undertake additional training from experienced landlord tenant attorneys and Fair Housing professionals. They have also taken the knowledge learned as conciliators and created the materials the GLTDP uses to train future conciliators. Likewise, the mentorship scheme paired new conciliators with experienced conciliators. This mentorship system allows new conciliators access to an experienced student, alumni, or community volunteer to ask questions and guide them through the process of their first few cases.

In response to the opportunities in GLTDP, UNCG faculty created two new courses in which students' work in the program receiving academic credit towards their degree (CPS 605 – Skills and Techniques of Conflict Resolution; CPS 650 – Conflict Practice), in addition to existing courses that integrate practical skills into academic learning (CPS 690 – Integrated Colloquium). These opportunities provide more direct faculty-student contact, active reflection, and integration with course readings. The credit-bearing courses (CPS 605 & 650) are both focused on practice designed to allow students to gain supervised practice experience working in the program.

The students' response to working in the program has demonstrated both commitment and positive learning.

It is very rewarding for me to be able to assist tenants and landlords work out their differences. As a graduate student in UNCG's Conflict and Peace Studies program, LTDP has enabled me to gain practical experience and apply the theoretical knowledge that I am learning in the program.

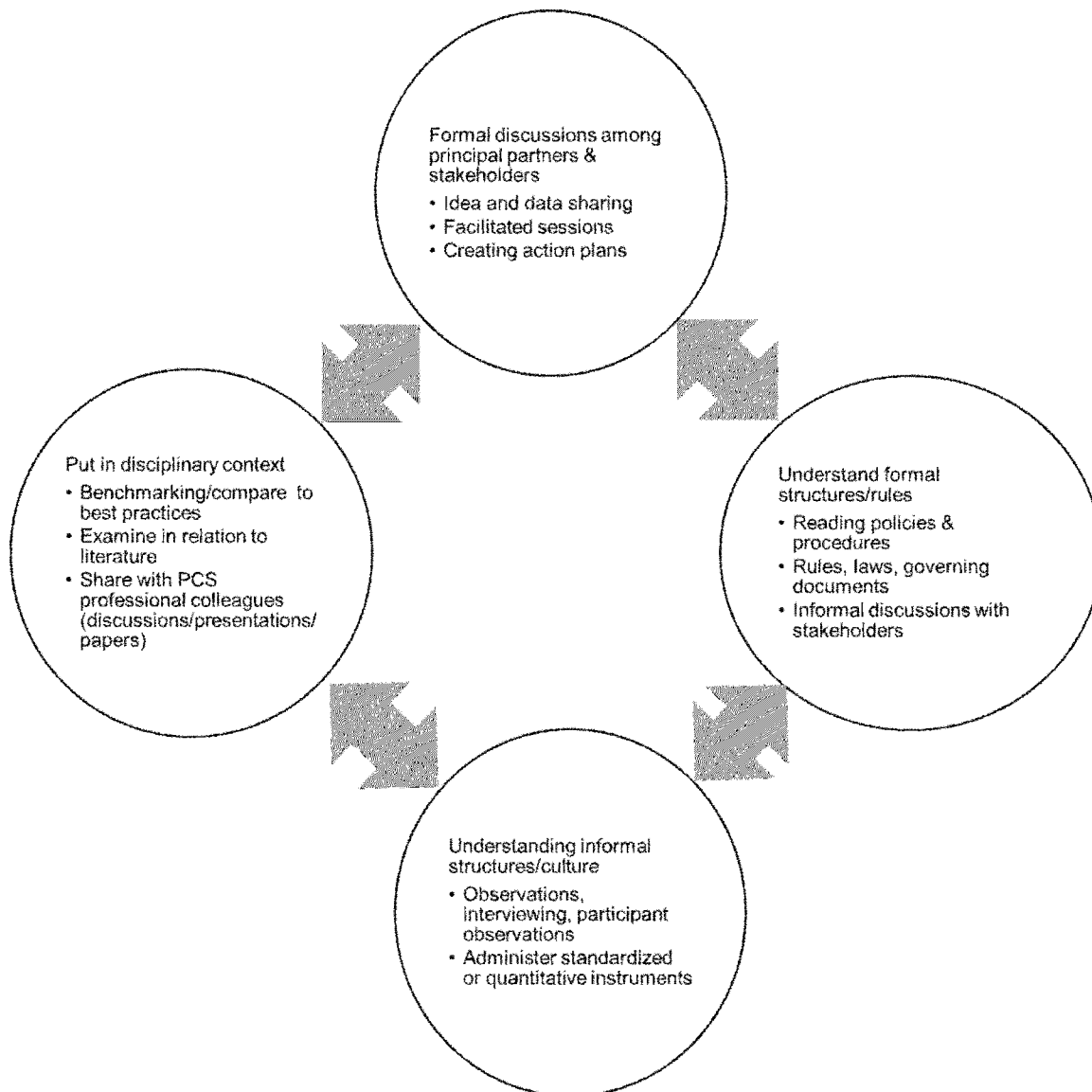
Integrating student learning and professional development into this program will continue to be critical to its success.

### Connections to dispute resolution theory and research

The entire program creation and evaluation process was designed within a paradigm of community engaged research and practice in conflict and peace studies<sup>xx</sup> that intentionally included the planning-evaluation cycle<sup>xxi</sup>, community based research, and academic service learning<sup>xxii</sup>. The community engaged design (See Figure 4) was intended to allow for the program to remain responsive to the needs and goals of the multiple stakeholders in the process, which included: (1) developing and maintain a responsive program to resolve disputes between tenants and landlords; (2) demonstrating the impact of the HRD on human relations in Greensboro; (3) providing hands-on professional training for graduate students in Conflict and Peace Studies; and (4) creating opportunities to share research on best practices in the development and maintenance of dispute resolution programs within the field of conflict and peace studies.



**Figure 4 – Community Engagement in Peace and Conflict Studies<sup>xxiii</sup>**



The mechanism for making this engaged system work was the early development of the responsive data collection system. The student and community volunteers were the first to report the low uptake of mediation in favor of telephone conciliation, which was then easily supported by the aggregate data. This “discovery” then resulted in some additional meetings, trainings, and a project-wide revision. Understanding these developments had implications for recruiting and training volunteer mediators and students to operate in the program.

The process also demonstrated that looking at dispute resolution more broadly than just the mediation process can have an important impact on the real issues. Telephone conciliation's asynchronous nature supports working conciliators, conciliators and landlords who may live outside of Greensboro, and also speeds up the dispute resolution process. Setting up a face-to-face mediation can take five to six weeks to arrange, court hearings can take thirteen to fourteen weeks to schedule, but GLTDP's longest telephone conciliation took only six hours over a month long period to resolve.<sup>xxiv</sup>

Further investigation discovered that GLTDP was not the only program using such a model and similar telephone conciliation programs have been created around the world. The Marquette Foreclosure Mediation Program in Milwaukee, Wisconsin and others like it have been launched in over fifteen states since 2007<sup>xxv</sup> *Swift*, the New Zealand Government's dedicated telephone mediation service for landlords and tenants<sup>xxvi</sup> launched in 2006. As the GLTDP continues to develop, the team will continue to integrate other forms of dispute resolution as possible avenues for working with clients, disseminating results in academic and professional circles, and develop trainings and workshops to share this model with colleagues in the field.

### **Lessons Learned**

A key element behind the success of this program so far has been the dedication of the individuals involved. Start-up dispute resolution programs, especially those that rely on volunteers, tend to have significant initial difficulties and steep learning curves. However, similar dispute resolution and mediation programs seem to go through similar stages of development and encounter similar road blocks.<sup>xxvii</sup> Knowing this information then anticipating, normalizing, and working through situations by carefully selecting, training, and supporting/coaching all the team members was crucial. This was done and will continue to be an

important part of the future of the program. It cannot be stated strongly enough that if it were not for the dedication of the graduate student volunteers, this program would not have the successes it has already demonstrated.

The GLTDP team has learned a few important lessons during the process of developing and evaluating the program, which may benefit students, practitioners, researchers, and program developers. These are shared below.

1. Partners are allies – Partnership programs work best when everyone is engaged and fully participating at each stage in the process. If questions or concerns arise, it is better to work together since everyone is interested in the success of the program.
2. Invite the stakeholders early – Inviting stakeholders to help contribute with ideas, comments, and questions in the initial stages of the process may save time later. Nothing is more likely to derail a program than a key community stakeholder feeling slighted. A surprised conciliator noted, “at least half of the ‘landlords’ that I speak to are property managers.” This was not news to the program, and provisions had already been made to allow property managers to negotiate as full participants in the conciliation or mediation process.
3. Know community resources – Related to the point above, meetings and discussions with the stakeholders early was key to clarifying the goals of the new program, and listening to the existing concerns in the community. Since many calls ultimately involve information about referrals, hearing these resources and developing a list was important. Non-profit and government agencies have been essential. This also helped clarify the boundaries of the program. While GLTDP extends only to residents in the city limits, knowing something about resources in the county or neighboring areas is also helpful.

4. Anticipate community needs – As the third largest city in North Carolina and a designated refugee resettlement city, the City of Greensboro is home to many nationalities, languages, and cultural backgrounds. GLTDP ensured that a Spanish-speaking translator would be available, has added a French-speaking conciliator, and encourages students with multiple languages to consider volunteering. Having these individuals as resources early on prevents further complications when a non-English-speaking caller reaches out to GLTDP.
5. Careful selection, training, and ongoing communication with volunteers - Using the graduate students who already had some knowledge of dispute resolution strategies, techniques, and interventions was intentional. Their basic knowledge and ability to be self-reflective allowed them to function more independently and encouraged them to be innovative in the work. As noted above, listening to conciliator feedback and suggestions led to several positive changes in the program. In addition, several conciliators in GLTDP developed their own script/outline for calls as an aide memoiré. This script was shared among the conciliators, which they peer reviewed and edited, and has become an integral training resource. Many past student conciliators continued to be involved in the program as alumni volunteer conciliators, mentors, and trainers.
6. Integrate technology appropriately – The use of the telephone and cloud-based technology has allowed a great deal of both flexibility and accountability for volunteer conciliators. Conciliators have the flexibility to return calls on their own time rather than sitting in a cubicle waiting for a phone to ring during business hours. This flexibility means that a wider range of individuals can be involved as active members of the program than in traditional clinic settings, including working parents, distance students, and even a former conciliator who moved to another state. It is important to monitor the level of client access to program

staff via technology. With the intention of giving callers the greatest access possible to services, GLTDP conciliators have at times opened so many lines of communication (voicemail, direct line to coordinator, direct line to City of Greensboro Human Relations, and direct line to conciliators) that it has occasionally caused communication overlap and required disentangling all these lines. Technology has also allowed (a) conciliators to look up addresses to confirm city residency; (b) faster delivery of information brochures, community resources, and more follow up options if clients can provide email addresses; (3) instantaneous data entry and analysis for UNCG faculty and HRD staff.

### **Conclusions and Implications**

The Greensboro Landlord Tenant Dispute Program (GLTDP) was designed through a multi-party stakeholder process two years in planning before the launch. The primary goals of creating the program were to impartially resolve disputes and improve the relationship between tenants and landlords contacting the program. The larger goals have been to serve as a first point of contact for clients for referrals to community based resources, which ultimately would better educate the public about housing and their rights under North Carolina Landlord-Tenant Laws.

Results from the first two years of the program have been encouraging and illustrate the potential for effective community engagement and collaboration between university programs and local communities in identifying local needs and interests, strengthening community outreach, local government responsiveness and involvement on the part of local governments, active contributions by faculty and students in community issues, and joint civic initiatives and programs that foster greater citizen participation and input into local government. GLTDP has permeated into the organizational fabric of both UNCG and the City of Greensboro. Volunteers are staying on after graduation from UNCG, which works to transcend the traditional divide

between University and community building stronger ties between conciliators and their community. The program may ultimately also raise questions and open new dialogue with the city government about the nature of governance and effective responsiveness to citizens in relation to city policy, responsibilities, and the need for more open forums.

Irrespective of the future directions, resolutions are being reached by providing clients with access to knowledgeable, listening individuals, who are focused on managing and resolving disputes, and willing to use a full range of strategies and techniques including information and community resource networks. While this work may not be recognizable as a mediation program, it is certainly serving a purpose in resolving disputes between tenants and landlords in Greensboro and expanding the openness of city government.

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<sup>ii</sup> R. STOECKER, *RESEARCH METHODS FOR COMMUNITY CHANGE: A PROJECT-BASED APPROACH* (2005); K. STRAND, S. MARULLA, N. CUTFORTH, R. STOECKER, & P. DONOHUE, *COMMUNITY-BASED RESEARCH AND HIGHER EDUCATION: PRINCIPLES AND PRACTICES* (2003).

<sup>iii</sup> W. Trochim, *The Planning Evaluation Cycle*. RESEARCH METHODS KNOWLEDGE BASE (Feb. 2012), *available at* <http://www.socialresearchmethods.net/kb/pecycle.php>.

<sup>iv</sup> *THE HANDBOOK OF DISPUTE RESOLUTION* (Michael L. Moffitt & Robert Bordone eds., 2005).

<sup>v</sup> CATY A. CONSTANTINO & CHRISTINA SICKLES MERCHANT, *DESIGNING CONFLICT MANAGEMENT SYSTEMS: A GUIDE TO CREATING PRODUCTIVE AND HEALTHY ORGANIZATIONS* 33 (1996); W. URY, J. BRETT, & S. GOLDBERG, *GETTING DISPUTES RESOLVED: DESIGNING SYSTEMS TO CUT THE COSTS OF CONFLICT*, (1998).

<sup>vi</sup> A. K. Schneider & N. C. Fleury, *There's No Place Like Home: Applying Dispute Systems Design Theory to Create a Foreclosure Mediation System*, 11 NEV. L.J. 368, 1-29 (2011).

<sup>vii</sup> N. C. GEN. STAT., ch. 42, art. 3 (2011), *available at*

[http://www.ncga.state.nc.us/EnactedLegislation/Statutes/HTML/ByArticle/Chapter\\_42/Article\\_3.html](http://www.ncga.state.nc.us/EnactedLegislation/Statutes/HTML/ByArticle/Chapter_42/Article_3.html).

<sup>viii</sup> MEDIATION NETWORK OF NORTH CAROLINA, <http://www.mnnc.org/>.

<sup>ix</sup> NORTH CAROLINA AGRICULTURAL MEDIATION PROGRAM, <http://www.ncamediation.org/>;

<sup>x</sup> D. FOWLER ET AL., *PLANNING MEDIATION PROGRAM: A DESKBOOK FOR COMMON PLEAS JUDGES* (2000), *available at*

<http://www.afccnet.org/Portals/0/PublicDocuments/ProfessionalResources/planningmediationprograms.pdf>.

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- <sup>xi</sup> Ms. Nancy Sharpless, served as the first official Program Coordinator and point person between UNCG and the City.
- <sup>xii</sup> Ms. Sharpless left the Coordinator position in the Summer of 2010.
- <sup>xiii</sup> Mr. Borawski took on the Program Coordinator responsibility in addition to his regular GA duties and continued to serve in this role until his GA position ended in May 2011. He was awarded the 2010-11 UNCG Gladys Strawn Bullard Award for Leadership and Service for “contributions made to the University which go beyond the scope of the normal responsibilities of a student, faculty, or staff member.” Ms. Kathryn Wilson fulfilled the role of Program Coordinator from May-August 2011. Ms. Jessica Roberts, a co-author on this paper, began serving as Program Coordinator in September 2011.
- <sup>xiv</sup> S. Hayes, *Community Engagement in Peace and Conflict Studies: Connecting and Advancing Pedagogy, Research, and Practice*, in CRITICAL ISSUES IN PEACE AND CONFLICT STUDIES: IMPLICATIONS FOR THEORY, PRACTICE AND PEDAGOGY 329-348 (T. Matyok, S. Byrne, & J. Senehi eds., 2011).
- <sup>xv</sup> BETTER BUSINESS BUREAU, DISPUTE RESOLUTION PROCESSES AND GUIDES (2012), *available at* <http://www.bbb.org/us/Dispute-Resolution-Services/Process/>.
- <sup>xvi</sup> *Id.*
- <sup>xvii</sup> Jordi Agustí-Panareda, *Power imbalances in mediation: Questioning some common assumptions*. 59(2) DISP. RESOL. J. 24-31. (2004).
- <sup>xviii</sup> WFMY News 2, *City Wants to Help with Landlord-Tenant Disputes*, DIGTRIAD.COM (Mar. 30, 2010), <http://www.digtriad.com/news/local/story.aspx?storyid=139740&catid=57>; WFMY News 2, *An Answer to landlord-Tenant Disputes*, DIGTRIAD.COM (Mar. 31, 2010), <http://www.digtriad.com/news/local/story.aspx?storyid=139759>.
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- <sup>xx</sup> Hayes *supra* note 15, STOECKER, *supra* note 1.
- <sup>xxi</sup> Trochim, *supra* note 2.
- <sup>xxii</sup> STRANDE ET. AL., *supra* note 1.
- <sup>xxiii</sup> Hayes, *supra* note 15.
- <sup>xxiv</sup> O. Bowcott, *Mediation by Telephone Aims to Speed Up Small Claims*, THE GUARDIAN, Feb. 9, 2012.
- <sup>xxv</sup> Schneider & Fleury, *supra* note 6; S. H. Khader, *Mediating Mediations: protecting the Homeowner’s Right to Self-Determination in Foreclosure Mediation Programs*, 44 COLUM. J.L. & SOC. PROBS. 109, 109-144 (2010).
- <sup>xxvi</sup> J. Carter, *What’s New in Telephone Mediation? A Public Sector Mediation Service Steps up to a New Level of Telephone Access for Parties in Mediation*, 11 ADR BULLETIN 1, 15-18 (2009).
- <sup>xxvii</sup> FOWLER, ET. AL., *supra* note 11.