



The Pinellas Eviction Diversion Program (“PEDP”) is a newly launched initiative of the Community Law Program designed to assist qualified tenants and landlords who have been financially affected by the COVID-19 pandemic. This program has several elements which can assist landlords whose tenants have been affected by the COVID-19 pandemic.

PEDP Services:

1. Virtual Mediation. Qualified tenants and landlords involved in active eviction cases (cases already filed with the Court) or eviction-related disputes (pre-filing cases) can be offered a free of charge virtual mediation session with a Florida Supreme Court certified mediator. Participation in mediation is completely voluntary, and all necessary parties must agree to mediate.

If all parties agree to mediate, a staff member of PEDP will assign the mediation to a PEDP contract mediator. The contract mediator will then coordinate a Zoom mediation. This Zoom mediation can last up to 2 hours and is completely free of charge. The mediation is an opportunity for the parties to express their respective positions and work towards a resolution of the outstanding issues associated with the tenancy (for example, past due rent due owed to the landlord or repairs requested by the tenant). **If an agreement is reached at mediation (which is entirely voluntary - the mediator has no decision-making authority and cannot make either party reach an agreement or sign a document), then the mediator will memorialize the agreement.** For cases that have been filed with the Court, this Agreement can be filed with the Court and will become a Court Order. In most cases, the Agreement will end the litigation. For cases that have not been filed with the Court, this Agreement becomes a binding contract between the parties.

2. Rental Assistance. The COVID-19 pandemic has had a dramatic impact on our country. Not only have people lost their jobs or experienced a reduction in hours or income, but schools have closed, so many parents have been forced to leave their jobs to care for their children or sick family members. According to bi-partisan statistics, our most vulnerable populations (such as African Americans, the elderly, and women with small children) have been disproportionately impacted by the pandemic. Many Pinellas county residents who lived paycheck to paycheck before the pandemic were unable to make rental payments when their employers were forced to shut their doors in March. Although federal and state resources came online in March and April to address these financial needs, there were many tenants who slipped through the cracks and were not able to access unemployment benefits, loans, or governmental grants. A reason many of these tenants

were unable to access the resources is the technology gap between the rich and the poor. Many low-income residents simply do not have access to computers, high speed wi-fi, and smart phones, so they are unable to complete the often-complicated forms required by the government to successfully apply for benefits.

CARES funding, as well as other rental assistance programs remain available to tenants, and PEDP is here to help tenants complete and electronically submit these applications through 211. We have trained personnel on staff to walk the tenants through the process, gather the necessary documents, and then work with the landlords to complete the applications and submit them directly to 211 through a secure portal. 211 is able to respond in a more expedited fashion when provided with one submission in one email; therefore, relief is provided to the landlord much faster than if the tenant and landlord worked separately and submitted documents in a piecemeal fashion.

In addition to funding from 211, we have access to a new source of funding through a trusted partner in the community that can get unpaid rent into the hands of the landlord quickly.

Landlords have been adversely impacted by the pandemic because they rely on rental income to pay mortgages, property taxes, insurance, and to maintain their properties. Moreover, early emergency measures to forestall eviction actions made it possible for some tenants not adversely impacted by COVID-19 to remain in their rentals without paying rent.

3. Housing Navigators. In certain cases, the relationship between the tenant and the landlord may not be repairable, and both parties may wish to part ways. For tenants who are not able to remain in their current housing, PEDP can provide referrals to Housing Navigators for assistance in finding the tenant another place to live.

What are the advantages to a landlord of mediating instead of litigating?

Saves money:

- You save the costs associated with filing an eviction case that is likely to become contested (filing fees and attorneys' fees)
- You prevent the cost of advertising for a new tenant and making repairs or renovations to prepare the property for a new tenant
- Your income remains steady without a lapse in rental income while trying to locate a new tenant
- Mediated agreements, which are voluntary, are much more likely to be honored by both parties

Saves time/minimizes stress:

- Avoid an eviction action which can take months of your time

- Avoid time spent working with lawyers to resolve disputes between tenants and devote that time to growing your business
- No time devoted to preparation for contested hearings
- Avoids the uncertainty and stress of going before a judge
- End your case with the certainty that you have an agreement in place

What do landlords need to do to participate in the program?

Mediation is a voluntary process, but we ask that landlords approach it with an open mind and a willingness to compromise. We do not require a financial commitment.

If an agreement is reached at mediation in a litigated case, we ask that the landlord agree to dismiss the eviction action and seal the file if the tenant complies with his/her part of the agreement. **There are no other “strings attached” for landlords.**

How do I apply and what is the process after applying?

1. You can call our main phone number (727) 582-7475 or apply through the online portal.
2. A staff member will ask you for the information below as well as contact information for your tenant (a phone number and email address for your tenant).
3. We will reach out to your tenant and conduct a screening interview.
4. Our Staff will assess your case and make recommendations to you and your tenant.
5. If mediation is advisable, we will schedule a remote mediation with one of Program Mediators. This mediation can last up to 2 hours.

What documents do landlords need to provide? Our Staff may ask you for:

1. Your driver’s license (to prove identity) and verification of settlement authority
2. A copy of the lease with your tenant
3. A statement, spreadsheet, or ledger of what your tenant owes to you and why they owe it
4. A W-9 form (for rental assistance payments)

What is mediation and what should I expect?

Mediation is a non-adversarial process in which a certified mediator speaks with both parties, listens to their concerns, and endeavors to negotiate an agreement between them. The mediator will clarify the issues, identify areas of agreement, and help develop possible solutions. The mediator is not on anyone’s side and will not decide who is “right” and who is “wrong.” The mediator will not make a decision on your case, as he/she is not a Judge. Rather, the mediator helps both sides understand each other, brainstorms about solutions, and tries to help the parties reach an agreement to end their dispute.

In most mediations, the landlord and tenant will be in separate “breakout rooms” on Zoom. The mediator will go back and forth between the virtual rooms endeavoring to find common

ground with you and your tenant. Mediation is confidential (with certain exceptions), so this means that neither you nor your tenant are to share any communications made during mediation with third parties.

If any agreement is reached, the mediator will generate it, and you and your tenant can sign it. If the case has been filed with the Court, this can be submitted to the Court to end the case. If the case has not yet been filed with the Court, this document becomes a binding contract between you and your tenant.

How do I prepare for mediation? You will receive a Mediation Intake Form and an Agreement to Mediate form to complete. Please complete these forms and return them to our office via email 24-48 hours before your mediation. This form will ask you for a complete copy of the lease, a ledger of unpaid rent, and a statement of other issues you may be experiencing with your tenant. Please think ahead about possibilities for the resolution of your contested issues. The more prepared you are in advance, the easier and faster your mediation will be!

What if we don't agree at mediation? If an agreement is not reached at mediation, either party may pursue remedies available to them under the law. It is advisable for both parties to obtain advice from an attorney as to their rights under Florida law.

We encourage active negotiation even if mediation is not successful. You can negotiate an agreement up to the point of going to court, and even after going to court. An agreement can be reached at any point and you can always end your case amicably.

We thank you for your interest in our Program and look forward to working with you!