



Resolution #19-08

The University Park Undergraduate Association (UPUA)

The Pennsylvania State University

2008 - 2009 Session, 3rd Assembly Session

[December 3, 2008]

*Be it Enacted by the Association, having been considered by the
Assembly of Student Representatives' Committee on Governmental Affairs a*

Resolution

Creation and Funding for the Tenant-Landlord Mediation Center Pilot Program

(Decided: [28/0/0])

Nature of the Situation:

The purpose of the Tenant Landlord Mediation Center is to provide a no cost alternative to the court systems for tenants seeking to redress grievances with their landlord, as well as for landlords to redress grievances with their tenants. There is a current lack of these services, as no alternative to the court systems currently exists in the Borough of State College.

Purpose of the Request:

Structure:

The pilot Tenant Landlord Mediation Center program will be open to all Penn State students, as well as non-student tenants who reside in the borough. The program will operate the same for both students and non-students, with the exception of funding sources.

A Director will be appointed to serve on the UPUA Executive Board in charge of the Department of Tennant –Landlord Mediation Pilot Program.

UPUA Legal Affairs will assign and advisor trained in both town affairs and tenant’s rights to prepare the tenant’s who seek assistance for possible mediation with their landlord, and if at all possible, to assist the tenant or landlord with a resolution to the issue before needing either the mediation center or the court system. The advisor will also act as a filter for the mediation process. The purpose of this duty is to ensure that the funds allocated for the program are used most efficiently. The advisor will use a list of criterion that will determine if a case goes through to the center or not. Generally, cases that involve a value that outweighs the cost of the time spent on that case would go through. Based on the \$5000 UPUA allocation to the center, \$4000 shall be allocated for student medication.

1 Funding for a website will be provided in through the role of a webmaster. \$1000 may be
2 used for marketing and promotion under the discretion of the President.

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4 **Funding:**

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6 The Borough of State College will be providing \$2500 to the Tenant Landlord Mediation
7 Center Pilot Program. The UPUA, pending legislation, will provide \$5000 to the pilot
8 program.

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10 The Center for Alternative in Community Justice (CACJ) has agreed to a flat rate of \$100 per
11 hour of mediation. The CACJ reports that typical mediation usually takes between one and
12 two hours.

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14 **Mediation:**

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16 An impartial, trained mediator paid for through the funding plan will lead the mediation in
17 the center. The session will be completely fact based a non-biased, and will allow each side
18 of the dispute an equal opportunity to present their case. The parties present during the
19 mediation session will be the tenant, the landlord, and the mediator. No lawyers will be
20 permitted into the session; however, landlords with substantial properties may designate
21 an agent to represent them in the process.

22
23 The mediation sessions are voluntary and a binding resolution is only appropriate when a
24 agreement has been reached by both parties. If an agreement is not reached, the case is
25 referred to an attorney. (See attached flow charts.)

26
27 The mediation sessions will physically take place in the Center for Alternative Community
28 Justice (CACJ) located on Burrowes Street in downtown State College.

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30 **Plan of Action:**

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32 The UPUA will allocate \$5000.00 to the Executive Board for the Tenant Landlord Mediation
33 Center Pilot Program that will run from January 12, 2009 until the funding runs out.

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35 The Tennant –Landlord Mediation Center Pilot program will be a Department of the
36 Executive Board for the spring semester and be re-evaluated by the next Assembly.

37
38 A report by the Director of the Department of the Tennant-Landlord Mediation Center Pilot
39 Program summarizing all expenditures of the program, mediation results,
40 recommendations for the program, etc. shall be presented by the end of the semester to the
41 Assembly.

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44 Respectfully submitted,

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46 Samantha Miller, At Large Rep

Mike Smith, Off-Campus Rep

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Jim Byrne, Off-Campus Rep

Dan Lersch, Off-Campus Rep

Colleen Smith, Freshmen Rep

Committee Vote: 5/0/0

Signature of the Assembly Chairman:

Ralph K. Ciavella

[Signature]

Affirm

[President]

Veto

President, University Park Undergraduate Association