ADKT 567

Washoe Legal Services

October 5, 2020

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ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY
DEPUTY CLERK

Elizabeth A. Brown
Clerk of the Supreme Court
201 South Carson Street
Carson City, NV 89701
Submitted via email: nvscclerk@nvcourts.nv.gov

Re: ADKT 0567 – Additional Comments Concerning Proposed Temporary Residential Summary Eviction Mediation Rules

To whom it may concern:

I am submitting comments in response to the Supreme Court's latest circulating temporary residential summary eviction mediation rules. **I strongly support adoption of the current rules being circulated.**

I am the Supervising Attorney for Washoe Legal Service's (WLS) Housing and Consumer Department. WLS is a non-profit legal aid agency that provides free legal assistance to some of Washoe County's most vulnerable populations. Our housing attorneys spend a significant amount of time defending indigent individuals in summary eviction proceedings. In carrying out this work throughout the corona virus pandemic, we have seen numerous landlord abuses of the Governor's eviction moratorium. With the help of the Attorney General's office, we have been able to successfully assist numerous tenants who have otherwise become homeless during the pandemic. To continue our work of protecting tenants and the community during a public health crisis, is crucially important that as the moratorium is lifted, a mediation program is established to help prevent the mass displacement of families.

The current mediation rules that have been proposed are fair and ensure that any tenant that wishes to negotiate a payment plan with their landlord has an opportunity to do so in an impartial and unbiased setting. Of particular importance, is the fact that these rules make it simple for any tenant to choose mediation. Tenants are often not sophisticated parties, unlike landlords who generally have experience in filing evictions. Additionally, the mediation rules will address one of the biggest complaints that we have received from tenants in the last month. We have been told by tenants, with increasing frequency, that landlords are now refusing to fill out their share of the forms for rental assistance, choosing instead to attempt to evict tenants. Many of these tenants are on the verge of receiving rental assistance that would bring their rental arrears

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current, but often find that landlords refuse to cooperate and instead, lord this power over tenants. The currently proposed mediation rules will ensure that landlord have an incentive to work with, instead of against tenants who are doing their best to pay back their arrears and stay in their homes.

In conclusion, we strongly support implementation of the currently proposed mediation rules. We believe these rules will reduce the burden of mass eviction filings on the courts, while also giving landlords and tenants an effective and proven way to settle their disputes. We know that orders stemming from mediation have a higher rate of compliance than orders stemming from litigation. For this reason, we believe the proposed mediation rules will allow more tenants to remain housed and more landlords to receive the rental arrears they are owed.

Sincerely,
Rita Greggio
Washoe Legal Services