

Hawai'i's eviction mediation program following the end of the moratorium

What You Should Know as a Landlord

The moratorium that has prevented you from evicting your tenant for non-payment of rent over the past 15 months will end on August 6, 2021.

Starting August 7, 2021, if your tenant is four months or more behind on their rent, you may send a notice to your tenant informing them that you will move forward with the eviction process if they do not pay the rent or schedule a mediation session within 15 days from the notice.

Dates to Note:

- On September 6, 2021, you may send a notice to tenants who are three months behind in their rent.
- On November 6, 2021, you may send a notice to tenants who are two months behind in their rent.
- On January 6, 2022, you may send a notice to tenants who are one month behind in their rent.

What is Mediation?

- Mediation provides you with the **opportunity to negotiate a payment plan** with your tenant, help you agree on applying for rental assistance together, to repay rent owed, or for rent moving forward, or reach other agreements that will support the needs of you and your tenant. You can only receive rental assistance if your tenant still resides in the unit.
- Mediation is not part of the legal system and there is **no cost to participate**. It is safe, private, and you make your own decisions.

What are the Steps I Need to Take for Mediation?

If your tenant lives on Maui, you must at the same time provide the notice to Maui Mediation Services (MMS) via email to landlordtenanthelp@mauimmediation.org. Email or call MMS at (808) 344-4255 with questions.

- On the same day, you must **immediately email MMS** the notice you provided to your tenant, along with the tenant's contact info, including mailing address, phone(s), and email(s).
- Once the notice is received, you will get a **reply email confirming receipt** and asking for any additional information.
- **MMS will reach out to your tenant** to schedule a mediation session **within 15 days** from the date of the notice.

What Can I Expect?

- You will **work with a mediator** who does not take sides or tell you what to do.
- You will first **meet together with the mediator** and your tenant, and then you will **meet privately with the mediator** without your tenant present.
- If you are not comfortable being in the same meeting with your tenant, **you do not need to** do so.
- If you reach an agreement with your tenant, the mediator will put the agreement in writing and then you and your tenant will not have to go to court, **saving you time and money**.
- If English is not your primary language, MMS will **provide you with an interpreter**.
- Meetings are held **remotely through Zoom**. If you do not have online access, MMS will help you make arrangements.
- If mediation does not result in an agreement, you can move forward with the eviction process and **MMS will provide you with a form** verifying that you participated in mediation and no agreement was reached.

