

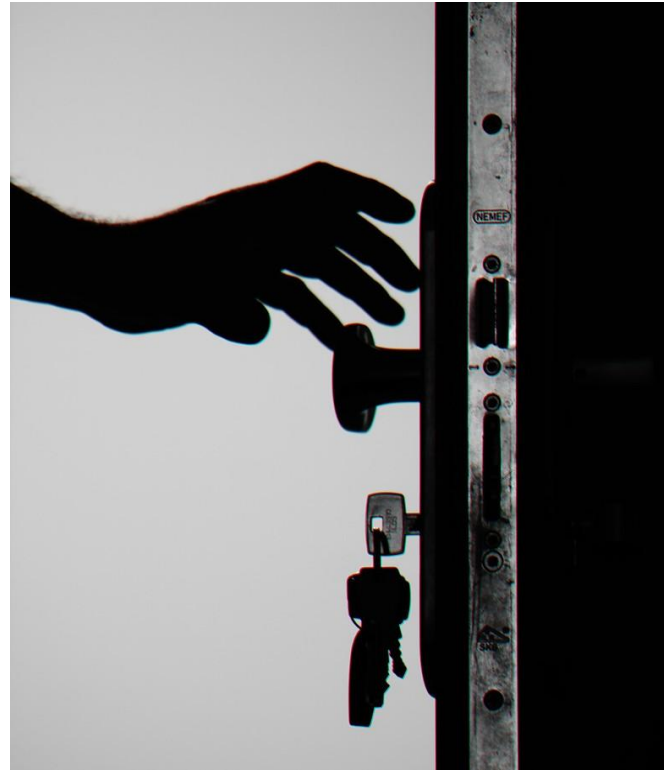
Hawaii's Pre-filing Eviction Mediation Program (PEMP)

A Program designed to encourage landlords and tenants to engage in conversations early... as soon as residential tenants are unable to pay their rent. Through mediation, landlords and tenants can work out a payment plan or other agreement with the help of an impartial mediator and avoid the eviction process.

To implement the Program, the Hawai'i State Judiciary contracted with Mediation Centers of Hawai'i, a community-based organization comprised of the five community mediation centers located throughout the State.

How Does the Program Work?

1. Landlords must provide a 10-day eviction Notice to tenants for nonpayment of rent and provide the Notice to the community mediation center on the island where the rental property is located.
2. The Tenant must request mediation from the community mediation center on their island where the rental property is located within ten (10) days from the receipt of the Notice.
3. Mediation must be scheduled within ten (10) days and take place within thirty (30) days from the date the mediation center makes contact with the tenant and the landlord.
4. Landlords may file for eviction after twenty (20) calendar days from when the tenant receives the Notice.
5. Mediation is FREE. Landlords and tenants are responsible for their own attorney's fees and other costs they incur in the mediation process.



How Do Landlords Create the Required Notice?

Landlords may go to the Mediation Centers of Hawai'i website and click on the link of the island where the rental property is located to create the Notice.

<https://www.mediationcentersofhawaii.org/>

After creating the Notice, landlords must mail the Notice to the tenant or post the Notice on the rental property.

Landlords should also upload the Notice and an Intake Form to through the Mediation Centers of Hawai'i website. The Notice and an Intake Form will be directed to the community mediation center where the rental property is located. The landlord will receive a confirmation that the Notice was received by Mediation Centers of Hawai'i.

What is Mediation?

- Mediation is a private, informal process that provides landlords and tenants with the opportunity to talk with the help of an impartial mediator and negotiate agreements that restore their business relationship and avoids court.
- Mediation is not part of the legal system. Landlords and tenants make their own decisions.
- If no agreement is reached and an eviction process is filed, the mediation center will provide the landlord and tenant(s) with a Mediation Status form to show the judge that mediation was attempted.

What Can I Expect?

- If English is not a participant's primary language, the mediation center will provide an interpreter.
- Meetings are held remotely through Zoom. If a participant does not have internet access, the mediation center will provide access at its office.
- Before the mediation, participants are required to electronically sign a confidentiality agreement. Reminders are sent via email. Make sure to check your email regularly and double check your junk mail folder.
- A mediation session will be scheduled for 1½ hours at a day and time agreed to by landlord and tenant.
- Participants first meet together with the mediator, and then each will meet privately with the mediator while the other waits in the waiting room. If the participants are not comfortable meeting together, either may request to only meet privately with the mediator.
- If you reach an agreement, the mediator will put the agreement in writing to be signed electronically.

How Do I Schedule a Mediation?

Call the mediation center where your rental property is located:

PEMP COMMUNITY MEDIATION CENTERS

Kaua'i – Kauai Economic Opportunity Inc.
(KEO) Mediation Center
808-245-4077 x237
mediation@keoinc.org

East Hawai'i – Ku'ikahi Mediation Center
808-935-7844 x2
landlordtenant@hawaiimEDIATEHAWAII.ORG

O'ahu – The Mediation Center of the Pacific
808-521-6767
landlordtenant@mediatehawaii.org

West Hawai'i – West Hawai'i Mediation Center
808-885-5525
info@whmediation.org

Maui, Lana'i, Moloka'i – Mediation Services of Maui
808-344-4255 / 808-446-0511
landlordtenanthelp@maui-mediation.org