

Leticia and Maria faced a dire situation and an impossible decision:evict their beloved niece from an apartment in their home, or give up the home that had been in their family for four generations in foreclosure proceedings.

Their niece Elena, a young mother struggling to make ends meet for her four children, had lived in the ground floor apartment of the home for 13 years, and paid an amount of rent that was well below market rate. She made her rent payments most months, but often missed payments during the holidays, which her aunts always forgave without mention. Elena was unaware of the struggle Leticia and Maria had faced in keeping the family home, and was also unaware of the home’s imminent foreclosure until the day of mediation.

The mediator introduced the process and then asked Leticia and Maria to talk about their reason for coming to court. The two women had a difficult time telling their story, explaining that they had each lost their jobs in the last couple of years, picking up work as they could, but unable to secure steady income to support their mortgage and other expenses. They each talked about how much the family home meant to them and how hard they had worked to keep it. They were embarrassed about the foreclosure proceedings and had kept them a secret from Elena.

When it was her turn to speak, Elena explained how appreciative she was for her aunts’ help over the years. She explained that even with public assistance and a part-time job, she struggled to keep on top of her finances. She was worried about finding a new apartment that she could afford.

All the parties talked about options for Elena to stay. The only viable situation for Leticia and Maria would be for Elena to pay all the back rent and increased monthly rent moving forward. Elena did not have the ability to do that. In the end, the aunts agreed to let Elena stay in the apartment for another six weeks while she found a new place. Elena agreed to help them fix up the apartment and find a new renter. Leticia and Maria agreed to help Elena find an affordable place.

The mediator was able to open up a line of communication between the parties that hadn’t existed before, creating a safe space for everyone to share their feelings and talk about solutions. By coming to agreement in mediation instead of going to court, Elena was able to avoid an eviction on her record, which undoubtedly would have made it difficult for her to rent in the future. Leticia and Maria were able to save their home and move on with the knowledge that they had done everything they could for their niece.