

## Rule - Mediation Timeline Abbreviation –

This is the key **timeline** for mediators to follow based on the adopted mediation rule Order.

Please be aware that the **30-day stay** provided for in SB1 is quickly reduced to only **16 days** due to mediator case assignment window, mediator notice period, mediator court submission deadline and non-working days. Judicial working days are further reduced in the Las Vegas region justice courts (Las Vegas, North Las Vegas, and Henderson) due to COVID-19 Friday closures. Make sure to map out the days available for your case to meet deadlines.

- A landlord or tenant may request mediation when filing a complaint or answer regarding an eviction.
- If either a landlord or tenant requests mediation, immediately upon the landlord filing the complaint, the court will serve a written Order that sets the date, time, location and method of the summary eviction hearing, which date shall be no sooner than 30 days after the filing of the complaint.
- The Clerk of Court will then direct the case to the Administrator of the Eviction Mediation Program
- The Administrator is **Home Means Nevada (HMN) through *The Renter Connect*** program
- **Withing 2 working days** – HMN will randomly select and assign a mediator to the case
  - HMN may direct a mediator to group mediations with a single landlord
- **No later than 3 working days** - after notification of selection by the Administrator, the assigned mediator shall send notice to the landlord, tenant, Administrator, and interpreter, if one has been requested, of the date, time, location, and method of mediation
- Mediator may continue the mediation date upon request by landlord or tenant for good cause to a date not later than 3 judicial days prior to the hearing.
- **No later than 3 judicial days before the hearing** – the mediator shall set the mediation for a date not later than 3 judicial days prior to the hearing
- Phone or videoconference mediations are preferred, and in-person mediations should be limited due to the COVID-19 pandemic
- The mediator shall consider the tenant’s and the landlord’s stated preferences with respect to the form the mediation takes but the ultimate decision is up to the mediator.
- **At the mediation, the mediator must discuss with the parties and counsel, if any, the facts and issues involved, and assist the parties in identifying and resolving issues and exploring rent relief and other funds available to resolve the dispute and settlement alternatives. The mediator may also request that representatives of existing programs for rental or other assistance or representatives from Nevada’s DETR participate in the mediation.**
- The mediation will continue until a settlement is reached or the parties have reached an impasse.
- If a settlement is reached the mediator will assist the parties in reducing their settlement agreement to writing, which writing shall be signed by both landlord and tenant. Electronic signatures are welcome.
- Agreements must specify the terms:
  - Payments
    - When, where, and how payments are to be made;

- The amount of payments; and
    - The acceptable method of such payments, i.e. cash, check, or money order
  - Surrender of tenancy
    - Date and time complete
  - Agreements must include this “Noncompliance Clause”
    - “All agreements must inform the parties that any allegations of noncompliance of the opposing party must be addressed by the court by way of a motion to enforce the settlement agreement. Such motion must be accompanied by an affidavit or declaration under the penalty of perjury setting forth the details of the noncompliance. Such motions must be served on the opposing party.”
- **At least 2 judicial days prior to the court date** - the mediator must file either:
  - A copy of the written settlement agreement with the court; or
  - A document identifying that no settlement was reached and whether either party failed to appear.
- If the landlord fails to appear at mediation, the court may dismiss the complaint.
- If the tenant fails to appear at mediation, the court must proceed with the hearing.