



Office of
**INDIAN RIVER COUNTY
ATTORNEY**

Dylan Reingold, County Attorney
William K. DeBral, Deputy County Attorney
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MEMORANDUM

TO: Board of County Commissioners
FROM: Dylan Reingold, County Attorney
DATE: May 27, 2021
SUBJECT: Eviction Prevention & Diversion Mediation

BACKGROUND.

With approximately 150 eviction cases pending in Indian River County, a CDC moratorium extended through June 30, 2021, and resources designated to avoid COVID-19 related evictions, Judge Menz has approached the County about establishing a mediation program for tenants and landlords. The primary goal of the mediation would be to keep tenants in their homes, while at the same time adequately compensating landlords.

In order to incentivize landlord participation in the program, Judge Menz has reached out to the County to utilize some of the funds from the Mortgage and Rental Assistance Program under the CARES Act allocation. After communications with Judge Menz, Judge Menz has proposed that the County provide funds to pay back rent and 3 months of future rent for a total amount not to exceed \$7,500 per landlord tenant case. However, the amount provided per case could be increased up to a maximum of \$9,000 as approved by the County Administrator. A maximum of \$2 million would be set aside for the program.

As noted by Judge Menz, there will be two avenues for arriving at mediation before cases are filed with the Court and after cases are filed with the Court. Whichever avenue brings the parties to mediation, once there, the support and incentives will be the same. Indian River County Bar Association (IRCBA) pro-bono attorneys will be recruited and trained to act as mediators in the program. Florida Rural Legal Services (FRLS), through its Housing Emergency Advocacy Response Team (HEART) program, will provide training, guidance and additional legal support for the pro-bono attorneys. Additionally, a representative from the County will be involved. And as noted by Judge Menz, United Way resources will be available through September 30, 2021 for any filing/court fees if the parties reach an agreement. The Court has suggested that potential locations for mediation could include the County Administration conference rooms, the public library, and the women's center.

FUNDING.

Funds of up to \$2 million for the Eviction Prevention & Diversion Mediation will come from Mortgage and Rental Assistance Program under the CARES Act allocation.

RECOMMENDATION.

The County Attorney's Office recommends that the Indian River County Board of County Commissioners vote to support the Eviction Prevention & Diversion Mediation and authorize the use of up to \$2 million from the Mortgage and Rental assistance program under the County's CARES Act allocation.

ATTACHMENT(S).

Eviction Prevention & Diversion Mediation proposal