

CONFLICTS BETWEEN LANDLORDS AND TENANTS IN IRELAND AND THEIR MEDIATION

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ABSTRACT

Ireland's housing crisis, compounded by the COVID-19 epidemic, is a well-known problem. With the pandemic, the uncomfortable pre-COVID-19 scenario has worsened significantly. Issues between landlords and tenants have become increasingly obvious.

The frequency of issues between landlords and renters that are presented to the Residential Tenancies Board is cited by McCrave (2019) as an increasing issue in Ireland (RTB). He claims that between 2015 and 2018, and between 2018 and 2019, the quantity of requests for information and services increased before COVID-19.

The main objective of this project is to collect data on the use of alternative dispute resolution approaches in the Irish rental market. In addition, the precise goals and objectives of the research are as follows: 1 - Determine and verify the most common problems between tenants and landlords, knowing whether or not external help was requested to resolve conflicts; 2 - Check how is the use of restorative practices in the rental sector in Dublin, whether it is effective or not; 3 - Identify the number of cases that go through mediation for conflict resolution and how many of these cases are effectively resolved.

The 22-question survey was produced using Google Forms and distributed in accordance with the guidelines in the methodology chapter. Over the course of the online survey session, 179 responses from landlords and renters who were included in the rental market and distributed at random were received. The survey results showed that many individuals, particularly in Ireland, encounter housing difficulties and are unaware of the conflict resolution procedures used by the bodies responsible for the organizations. The results of the study's statistics indicate that there is an opportunity to increase public awareness of conflict mediation techniques, making it clear to all rights and duties related to accommodation.

There is a noticeable difference in the distribution of information possessed by people who do or do not resort to outside groups for aid in settling conflicts, and it is generally known that both landlords and renters encounter a considerably larger variety of challenges.

INTRODUCTION

The cost of housing is something always highlighted in all cities in the world, especially capitals. Dublin is among the least “financially viable” cities in the world to live in (Burke-Kennedy, 2022a). Even with the high prices to rent and price inflation reaching five-year high, Dublin has just 851 homes available to rent nationally (Burke-Kennedy, 2022b).

Tenant-landlord disputes are rather frequent, as I have consistently seen since moving to Ireland. I could also see other unique aspects of the lodging industry, like how very common it is for individuals to be ignorant of their obligations and rights. Uncomfortable circumstances have been experienced and still are by both sides. It's vital to note that the time frame for accommodations from March 2020 – when COVID-19 began – through January 2022 was unusual.

Many people arrived in Ireland, while others left their home countries. The government made every effort to protect tenants throughout the epidemic, even prohibiting landlord eviction during some of it (PDRTA Planning and Development Residential Tenancies - ACT 2020). This suggests that many evictions that may have happened during the epidemic were delayed and took place later.

There are some well-known organisations in Ireland that deal with disputes between tenants and landlords, such as RTB (Residential Tenancies Board), Threshold and CATU (Community Action Tenants Union). These organisations have detailed information related to these conflicts, based on complaints made by both sides (landlords and tenants).

Through this information it is possible to verify which are the most common problems encountered. Of course, as we well know, many people do not look for any agency to resolve conflicts, so these cases end up not being included in any statistics. A pity, because if all the people sought out these responsible bodies, we would have a complete picture. It is a sector that lacks a lot of attention from the authorities and is becoming more and more critical.

There is literature on the subject, but the data on the conflicts that have happened is restricted to those who are looking for organisations to help them resolve their due claims.

Something that is also well understood is that many people are unaware of their rights, of how matters related to accommodation work in Ireland, which may or may not be done by both parties, and of the importance of using alternative dispute resolution techniques such as mediation and restorative practices in all cases.

Although there are no mechanisms in place in the rental sector to deescalate, resolve, restore, or avoid conflicts, studies (made from the organisations mentioned before) demonstrate that programs that use mediation and restorative practices techniques are highly beneficial in other industries, both in and outside of the country.

The primary goal of this project is to gather data on the use of alternative dispute resolution approaches in the Dublin rental market. Furthermore, the research's precise goals and objectives are as follows:

1. Determine and verify the most common issues between tenants and landlords, knowing if any outside help was sought to resolve conflicts or not;
2. Check how is the use of restorative practices in the rental sector in Dublin, whether it is effective or not;
3. Identify the number of cases that go through mediation for conflict resolution and how many of these cases are effectively resolved.

The data collection process of this work may help disseminate information to both tenants and landlords about the alternatives available to them and about the means to access updated information in regards to their rights and duties. This is important because as much as the market is always undergoing changes, so is each ones' responsibilities.

Trying to demonstrate to both parties also that through mediation and restorative practices, numerous problems can be solved in a less "painful" way, with a win-win relationship.

With so much information being obtained and the matter spreading, it is possible that current conflicts or problems that have been handled but not satisfactorily for both parties will escalate.

Of course, with the resolution of conflicts regarding accommodation, the number of evictions will be reduced and with greater knowledge on the part of the people, future problems can be avoided.

1 LITERATURE REVIEW

1.1 FUNDAMENTAL STUDIES

In accord with Burke-Kennedy (2022a) and Tyrrell (2022) until the moment of this research, Dublin is among the least “financially viable” cities in the world to live in. This was calculated by deducting the average pay from the cost of living and the average cost of rent. In a study of 56 major cities around the world, Dublin was determined to be the seventh most expensive or least financially viable. The conclusion was reached based on the fact that average monthly income in Dublin were £2,559 (€3,035) and the average rent for a three-bedroom apartment in the city was £2,468. Consumers were left with a £663 difference between their monthly outgoings and incomings after factoring in a £754 cost-of-living expense, which includes transportation, grocery shopping, energy bills, sports and leisure activities, childcare, and apparel costs.

The newest statistics from the Department of Housing indicate that the number of persons in emergency housing in August reached a record high of 10,805, according to a report by Threshold in 2022. (Murphy, 2022 and Threshold, 2022).

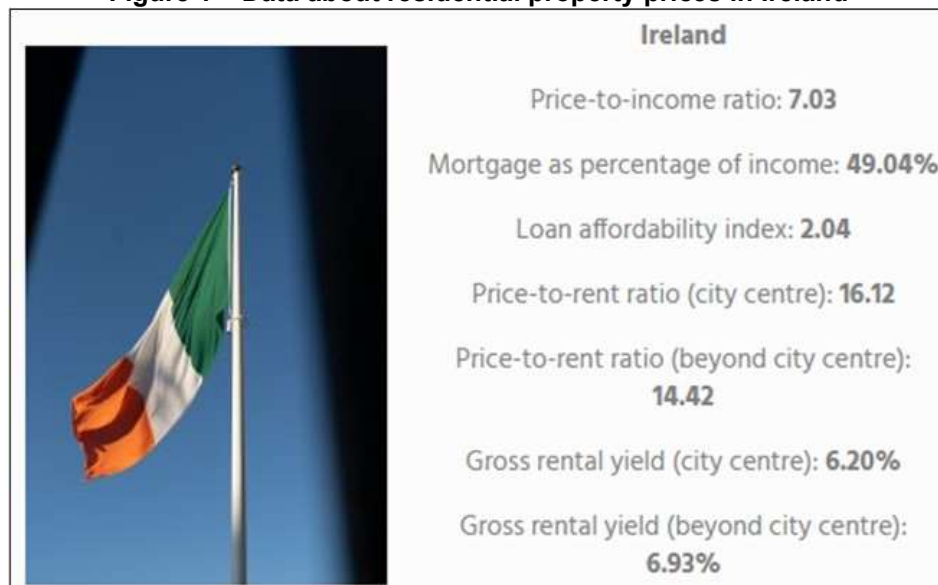
Based on 90,000 inquiries from renters that Threshold received over a two-year period, the report. 20% of families reside in leased housing and lease termination is the most frequent problem experienced by private renters, and customers with fixed incomes who are susceptible are more likely to suffer a setback. (Murphy, 2022 and Threshold, 2022).

According to Ireland’s Housing Magazine (2021a), the "world's largest cost of living database," Numbeo, crowdsources data on quality of life, cost of living, and property price indexes on a worldwide scale. The price comparison website ranks Ireland as the 12th most expensive country in the world in its cost of living by country index for 2021. To compare data on residential property prices throughout the world, Numbeo's property price index uses numerous indexes. These indexes consist of:

- **Price-to-income ratio:** A fundamental test of apartment affordability (lower is better). The ratio of median apartment costs to median family disposable income, given as years of income, is used to compute it.
- **Mortgage as percentage of income:** A proportion of take-home family income calculated using the average monthly wage to the actual monthly cost of the mortgage (lower is better).
- **Loan affordability index:** A mortgage expressed as a percentage of income in reverse (higher is better).
- **Price-to-rent ratio:** The average cost of ownership divided by the revenue from rent received (if purchasing to rent) or the anticipated rent payment if renting (if buying to own). Higher values imply that renting is preferable to buying, while lower values imply that buying is preferable to renting.
- **Gross rental yield:** The annual gross rent sum divided by the percentage of the home's price (higher is better).

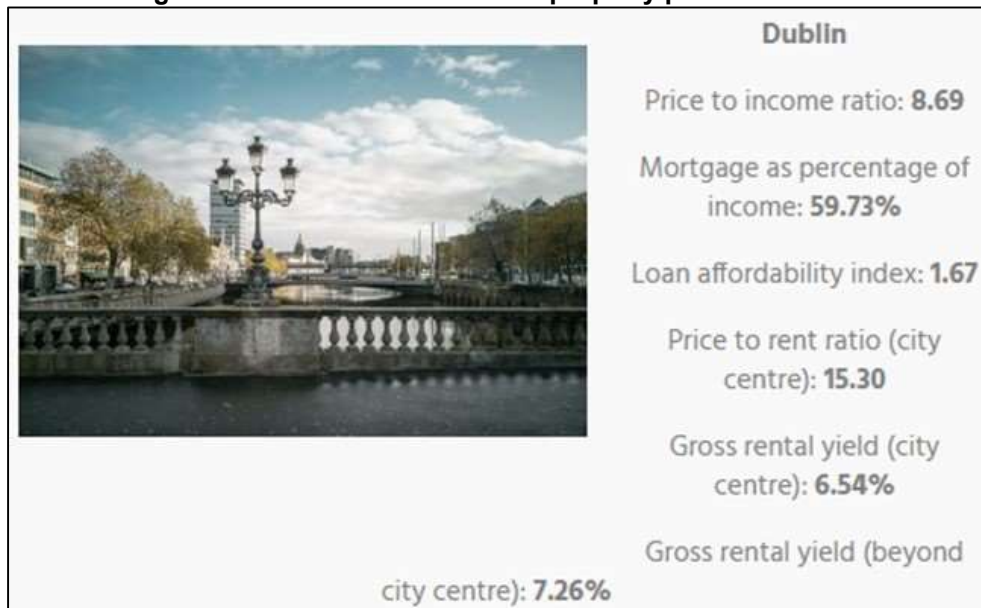
Figures 1 through 4 below include information on housing prices in Ireland, namely in Dublin, Galway, and Cork.

Figure 1 – Data about residential property prices in Ireland



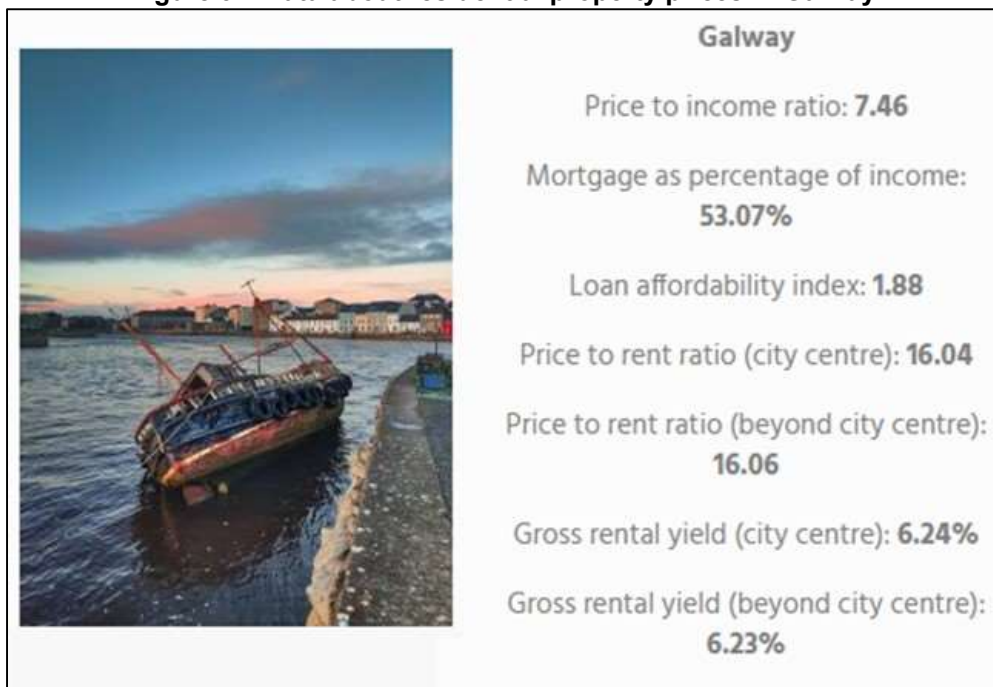
Source: Ireland's Housing Magazine (2021a)

Figure 2 – Data about residential property prices in Dublin



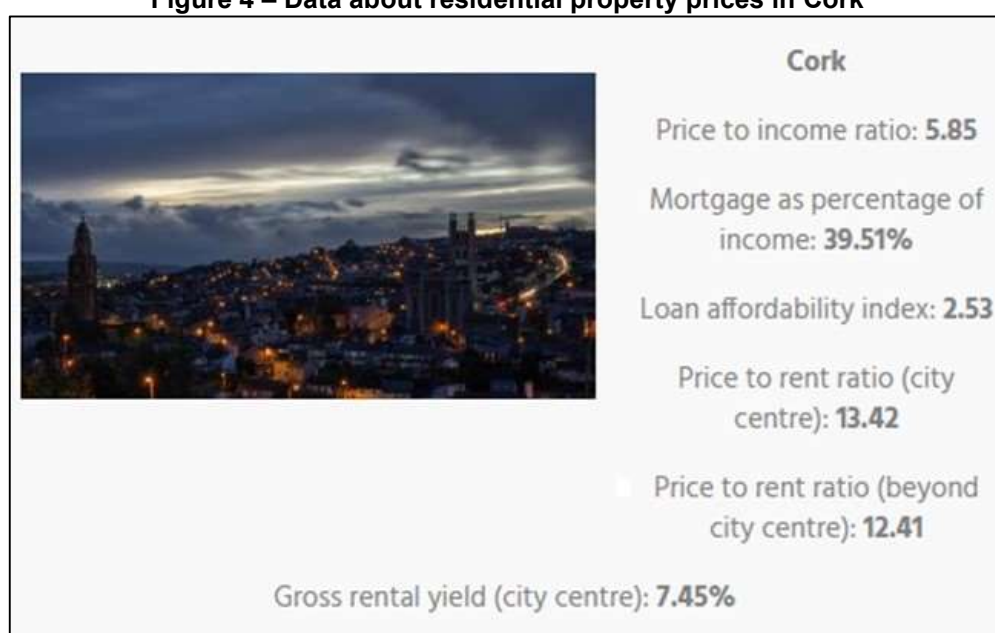
Source: Ireland's Housing Magazine (2021a)

Figure 3 – Data about residential property prices in Galway



Source: Ireland's Housing Magazine (2021a)

Figure 4 – Data about residential property prices in Cork



Source: Ireland's Housing Magazine (2021a)

The findings came amid a substantial increase in Dublin rentals. According to Daft, a property website, rents are currently growing at an 11.7% yearly rate across the state. According to Daft, the national average monthly rent in the first quarter of this year was €1,567. This was more than double the low of €765 per month in late 2011 and more than 50% higher than the Celtic Tiger peak of €1,030 per month in the first quarter of 2008. (Burke-Kennedy, 2022a and Tyrrell, 2022).

According to the Daft.ie Irish Rental Report for the first quarter of 2021, the national average rent is €1,443. Dublin's average rent rose by 1.2% in the first quarter of 2021, the largest quarterly rise since the third quarter of 2018. In Connacht-Ulster, on the other hand, rents rose by 4.6% in Q1 alone, making it the region's second-largest quarterly rise ever. Rents there are now over 8% higher than they were a year ago. Munster had an increase of 8.8% over the previous year, while Leinster (outside of Dublin) saw inflation rise beyond 6%. The national average rent grew 1.7% year over year, making this the 35th consecutive quarter in which rentals have grown. (Ireland's Housing Magazine, 2021b).

Lyons (2019) says Ireland will need to go through some planning on the housing issue, as demand for housing has grown tremendously. This is reflected in the prices also applied in relation to rentals in Dublin, mainly, where values have risen a lot.

The fourth quarter of 2019 marked the end of 29 straight quarters of national rent inflation, indicating that rents have not grown nationally in a three-month period for the first time since mid-2012. Rents were 0.1% lower in December 2019 than in September 2019. However, rents were still 3.8% higher year over year in the first quarter of 2020 than they were in 2019. Since late 2012, this is the lowest inflation rate. (Ireland's Housing Magazine, 2020).

In an attempt to restrict the uncontrolled growth in rental prices, the Irish government implemented measures such as rent pressure zones. According to the Department of Housing, Local Government, and Heritage (2020), rentals in a Rent Pressure Zone (RPZ) cannot rise faster than general inflation, as measured by the Harmonized Index of Consumer Prices (HICP). This is true for both new and current leases (unless an exemption is applied).

Rent increases in RPZs were limited to no more than 4% yearly until July 16, 2021. The HICP formula has now taken its place. (Department of Housing, Local Government and Heritage, 2020).

The Housing Assistance Payment (HAP) is another mechanism in place to help with high rent costs. HAP allows local governments to provide housing assistance to households that qualify for social housing subsidies as well as many Long-Term Rent Supplement applicants as a type of social housing support. (HAP Ireland, 2021).

Despite the country's high rental costs, the CSO's (2016) latest tenure and household numbers reveal that the percentage of rented residences in Ireland, whether from a landlord or from local authorities, is very high, at 27.6% (almost 1/3) of all families.

In 2019, 356,500 houses were privately rented in Ireland, representing an increase of about 15,000 over the same period in 2018. (Ireland's Housing Magazine, 2020).

In 2019, nearly one-fifth of all Irish households (19.1%) were privately rented. When compared to 2004, when only 8% of the dwellings were rented, this figure reflects a significant growth. Over a quarter (25.9%) of the dwellings in Dublin, Ireland's capital, were privately rented. In the same year, 910,300 people lived in leased houses in Ireland, out of a total population of 4,857,000. (Ireland's Housing Magazine, 2020).

An article published in The Independent in August of 2021 revealed that the RTB had received 496 termination notifications by June of that year.

Previously, the Irish Property Owners Association (IPOA, 2021) cautioned that some market conditions, such as rent pressure zones, are driving landlords to exit the rental market.

Another reason why landlords are exiting the rental market and selling their properties is to maximize their profits by capitalizing on the lucrative property market that has developed in the country before the stats change. (Gataveckaite, 2021).

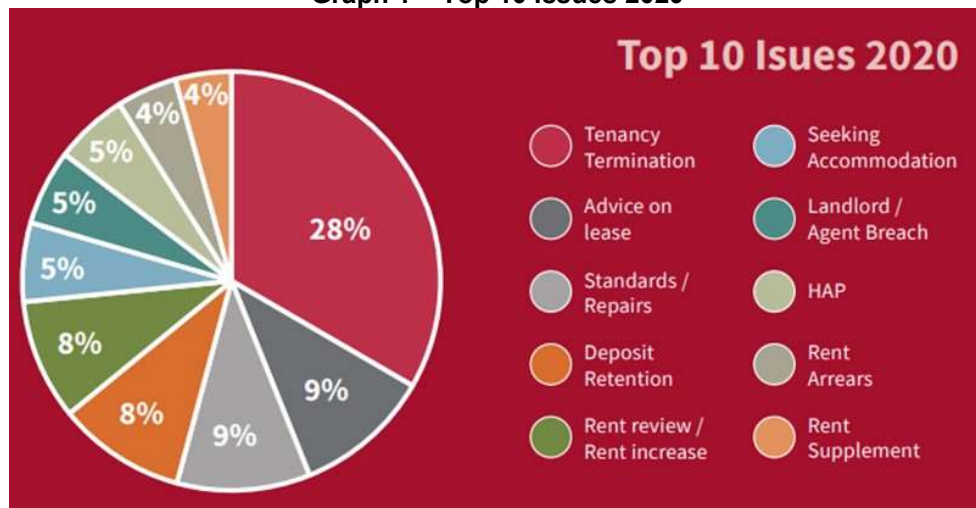
Rents would undoubtedly rise if the availability of rental houses decreases, according to author Gataveckaite (2021), a prediction backed up by the IPOA (2021).

1.2 TENANT-LANDLORD DISAGREEMENTS

Common grievances that might spiral out of control and overcrowd courts include landlord-tenant disputes. Because both the renter and the landlord depend on the rent they get, these disagreements frequently turn unpleasant. However, their shared desire for the tenant to remain in the rental property may also serve as a basis for a compromise. (Malek, 2013).

Threshold (2020) – a well-known national non-profit company limited by guarantee, incorporated, domiciled and tax resident in the Republic of Ireland with charitable tax exemption status, that advises and supports people with housing concerns across Ireland – have in its annual report the most common issues related to accommodation as we can see in the graph 1.

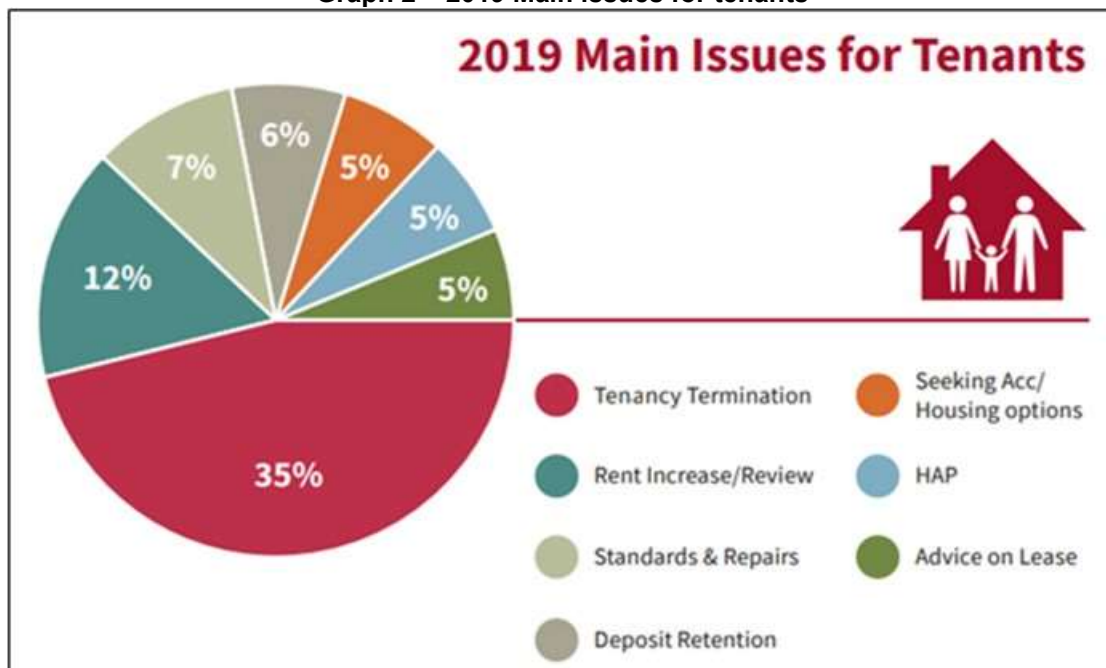
Graph 1 – Top 10 Issues 2020



Source: Threshold (2020b, p. 20)

It is possible see the difference with the graph 2, that is related to 2019.

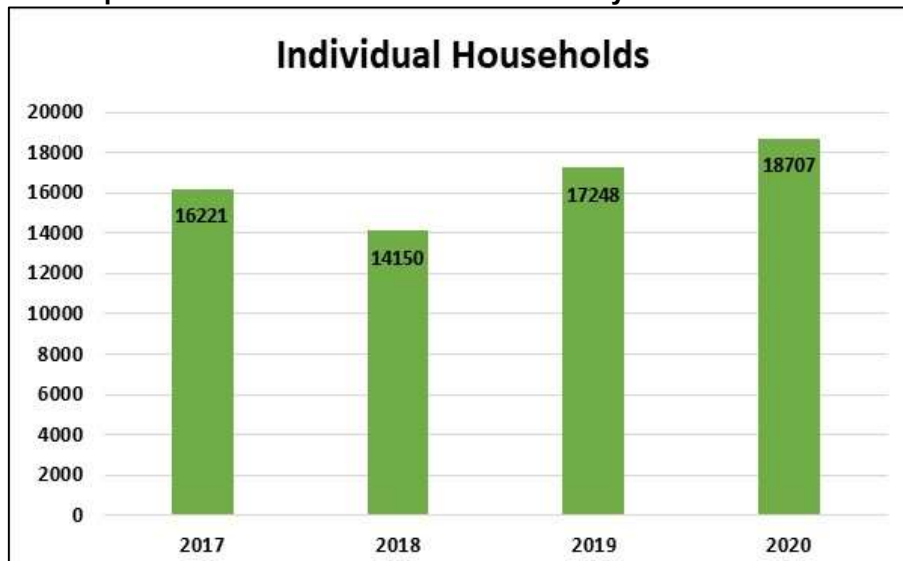
Graph 2 – 2019 Main issues for tenants



Source: Threshold (2019, p.18)

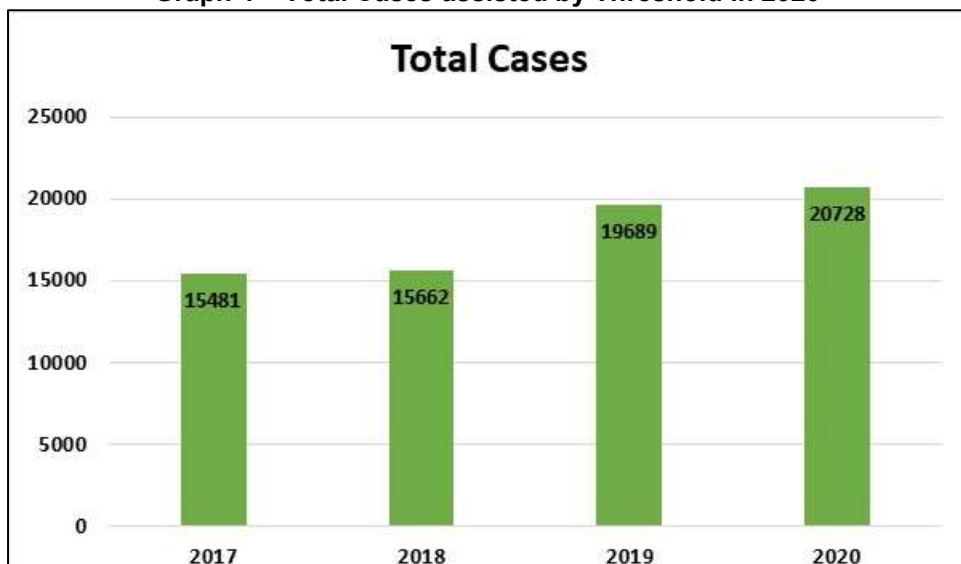
In 2020, Threshold advisors assisted 18,707 households, across 20,728 cases and carried out 116,751 individual actions, as can be seen in the two graphs below (Graphs 3 and 4).

Graph 3 – Individual Households assisted by Threshold in 2020



Source: Threshold (2020a, p. 11)

Graph 4 – Total Cases assisted by Threshold in 2020



Source: Threshold (2020a, p.11)

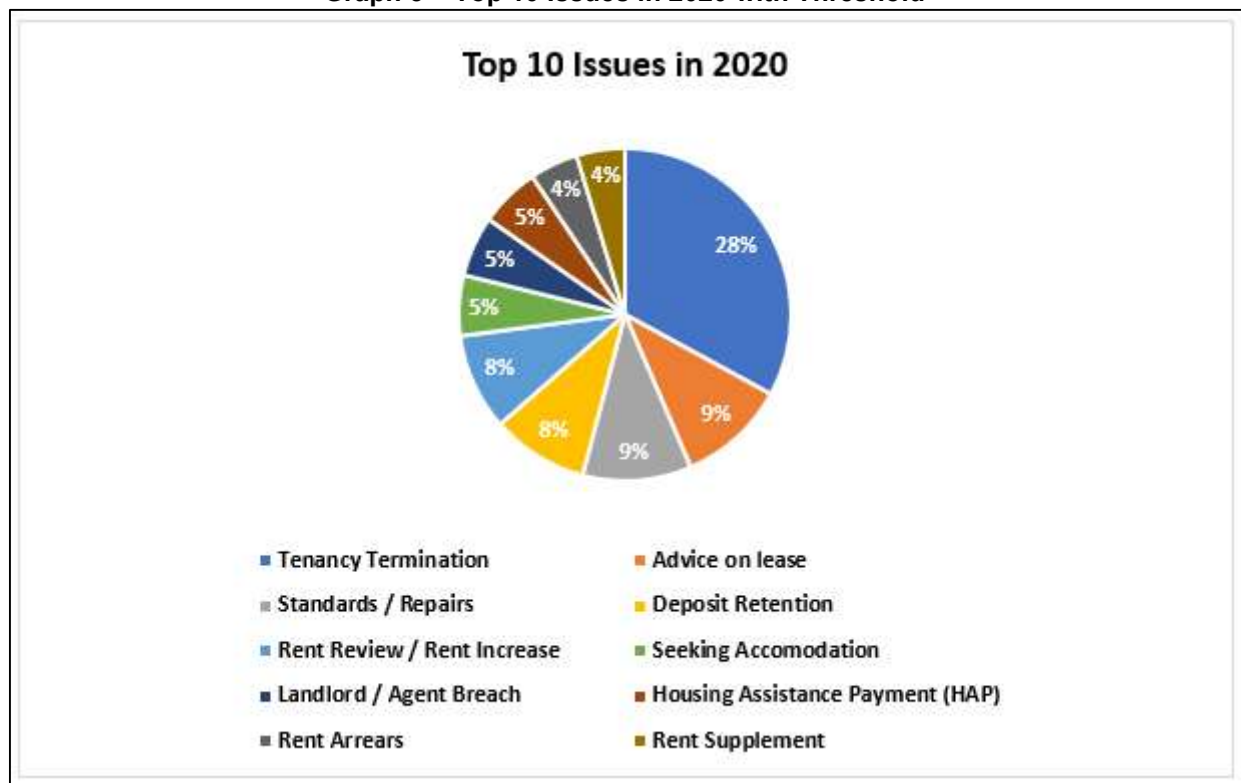
The main issues tenants required support with Threshold in 2020 were:

1. Tenancy terminations
2. Advice on Lease
3. Standards and repairs
4. Deposit retention
5. Rent Review/Increase
6. Seeking Accommodation

7. Landlord / Agent Breach
8. Housing Assistance Payment (HAP)
9. Rent Arrears
10. Rent Supplement

It can be demonstrated on the Graph 5 below.

Graph 5 – Top 10 Issues in 2020 with Threshold

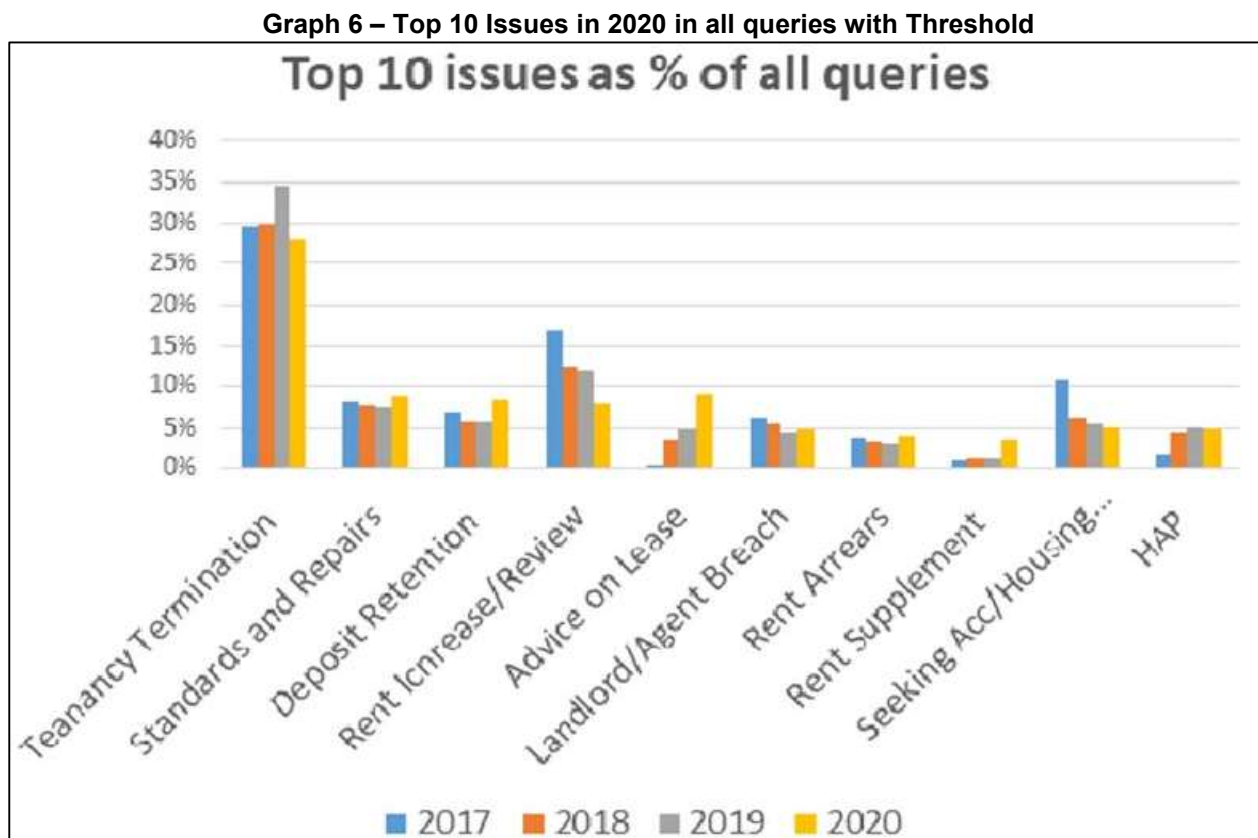


Source: Threshold (2020a, p.12)

Tenants' top concern in 2020 will still be lease terminations. However, the number of instances it accounted for decreased, from 35% in 2019 to 28% in 2020. The eviction moratoria imposed in reaction to COVID-19 can be used to explain this. The ban on evictions was in effect from 27th March to 31st of July, from 24th October to 1st December, and once again from 31st December to 12th April, 2021. In addition, a moratorium on evictions based on arrears for tenants who lost their income as a result of COVID-19 began on 1st August and lasted through 2021. By making up 27% of the notifications submitted to Threshold by private tenants, sale continued to be the top cause for a landlord to terminate a rental in

2020. 47% of terminations were illegal, including illegal evictions and threatening evictions as well as invalid notifications. (Threshold, 2020a, p. 12).

On the Graph 6 below is possible see the Top 10 Issues as % of all queries with Threshold.



Source: Threshold (2020a, p.13)

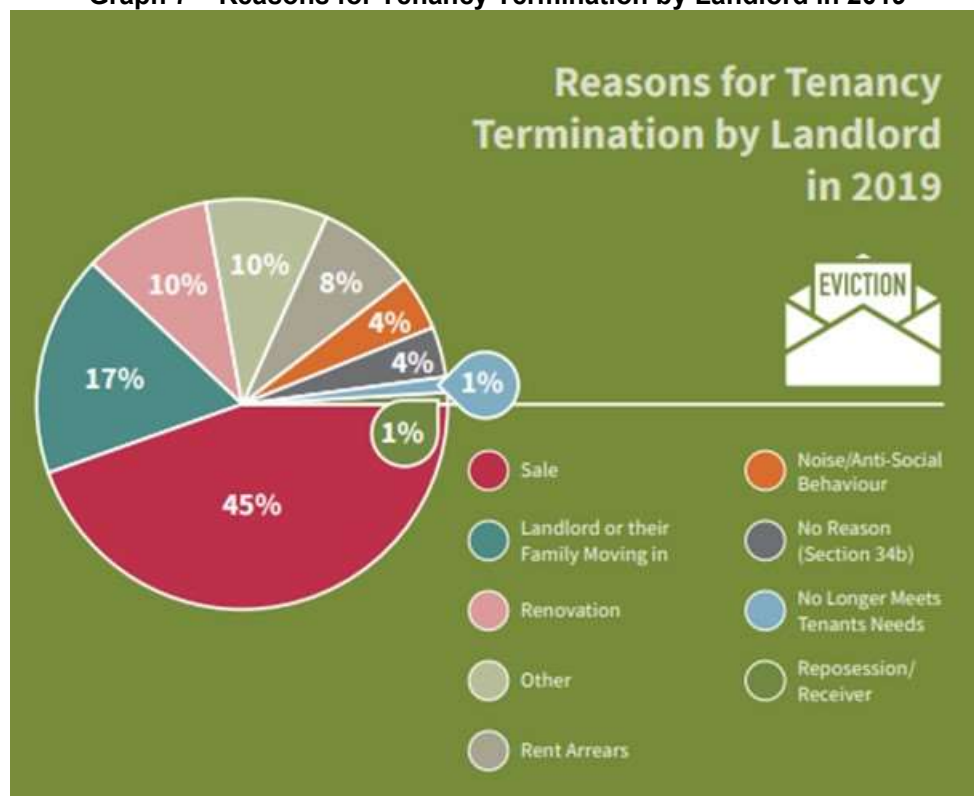
As mentioned earlier, one of the things that the RTB provided in 2020 to prevent many people from being evicted from their homes was the creation of the PDRTA Planning and Development Residential Tenancies – ACT 2020. An action that is very constant made by bodies such as RTB, Threshold and CATU is the issue of eviction prevention.

Threshold (2019, p. 10) also claimed to have stopped 8,351 households from being evicted across Ireland due to a range of concerns in its report dated 2019 (Annual Report 2019). In the following graph (Graph 7), a few of the reasons given by landlords for eviction are displayed.

Threshold found 11,346 families at risk of being homeless in 2020. Due to the eviction moratorium, this is lower than in 2019, probably certainly. In the cases that were resolved in 2020, 5,173 families were spared from becoming homeless. There were 4,026 children and 7,121 adults living in these 5,173 homes. (Threshold, 2020b, p. 22).

Ireland was among the OECD (Organisation for Economic Co-operation and Development) nations with the largest rises in homelessness rates, but it should be emphasized that the homelessness rate remained at less than 0.15 percent of the population. Between 2014 and 2017, the number of homeless persons in Ireland more than quadrupled, rising from around 3,000 to over 6,000. According to 2020 OECD research, among other metrics, certain OECD nations recorded an increase in the number of homeless teenagers. Ireland had the highest increase, with an 82% increase from 2014 to 2018. (Ireland's Housing Magazine, 2021c).

Graph 7 – Reasons for Tenancy Termination by Landlord in 2019



Source: Threshold (2019, p.19)

In 2019, 45% of the NoTs submitted to us by tenants were due to a landlord's intention to sell the rental property. Similar to previous years, NoTs due to the landlord or a family member moving in (17%) and for remodelling purposes (10%) ranked highly on the list of

causes for why people's houses were in danger. 78% of the justifications given for ending the leases were "no fault" evictions, in which the tenant had not broken any of their commitments. (Threshold, 2019, p. 10).

Turnwald (2018) identified four primary factors as the root causes of landlord-tenant disputes:

Security Deposit Disputes: Many arguments arise because neither side makes an effort to check out and inventory the property before tenants move in, and difficulties might arise when they leave regarding differences of opinion about the conditions of the property. In many circumstances, photos are quite useful as proof.

Late Rent: The due date for rent payments is always included in lease agreements. Tenants occasionally linger and make late payments. Because it may be a sign that a tenant is unwilling to pay rent but is attempting to extend the time before leaving without doing so, it becomes very difficult for landlords. On the other side, a good tenant could have had trouble making their rent payments on time in a particular month.

Belongings Left Behind: Some tenants vacate the rental home without taking their stuff with them. Landlords are uncertain as to whether tenants have disposed of them or will return to pick them up. Owners are required to let tenants know what will happen to any items left behind.

Problems With the Property: The property can have a number of problems. Water heaters might break down, pipes can start to leak, and windows can shatter. In an emergency, landlords must take prompt action to protect renters from major interruption. At the start of the Lease, the Lessor should designate the person who shall be in charge of rent collection and emergency maintenance response. The renter and landlord may agree to employ city contractors and inspectors to fix the problem if there is serious property damage. They must also come to an understanding on costs and other issues in order for the maintenance process to go well.

According to O'Loughlin (2021), rent arrears accounted for 31% of the 5,178 petitions for dispute resolution to the Residential Tenancies Board (RTB) in 2020, making them the most common cause of conflict between landlords and tenants. Claims of deposit retention came in second place. Rent arrears totalling €1.38 million were assessed to landlords in 2020, a decrease from the prior year due to the COVID-19 epidemic. Compared to the 1,264 instances filed in 2019, renters filed almost 1,400 lawsuits over deposit retention.

According to laws enacted by the Oireachtas, landlords are required to provide tenants with leases of less than three years with extended eviction notice periods. Legislative revisions were approved on June 1, 2022, extending the minimum amount of notice that tenants are obliged to receive in the event of a termination. The Regulation of Providers of Building Works and Miscellaneous Provisions Bill 2022 has been amended, and the new provisions will take effect in July. (Porzio, 2022 and Power, 2022).

New notice requirements will apply starting on July 6, 2022, when a landlord wants to terminate a tenancy. (RTB, 2022d).

1.3 THE COVID-19 EFFECT

The pandemic began at a period when the PRS (Private Rental Sector) in many nations was already changing and dealing with a number of problems and concerns. Some of the most significant problems in housing systems, such as lack of affordability, instability, subpar accommodation, and congestion, are frequently most prevalent among PRS residents. Additionally, PRS households are frequently concentrated in the service sector and in fact in frontline industries, such as healthcare, and generally disproportionately struggle with the effects of precarious work (Arundel & Lennartz, 2020; Bone, 2014 and Byrne, 2021a).

Numerous governments have implemented extensive emergency measures in response to these problems. These actions may be grouped into three main categories: eviction prohibitions, rent control, and financial assistance for tenants.

There is almost any element of housing that has escaped the COVID-19 pandemic's effects, which have affected all housing systems. Home-based activities increased as well;

residences doubled as offices, schools, recreation facilities, and gyms. Of course, the amount of time spent at home increased significantly as well. (Kofman and Garfin, 2020).

The pandemic had a substantial influence on housing markets as well. Over the past year, a variety of measures have been implemented in several nations, including mortgage forbearance, rent subsidies, eviction prohibitions, rent freezes, emergency homeless interventions, and new development incentives. In terms of supply, certain nations, particularly Ireland, saw a decline in output as a result of the suspension of building work during times of "lockdown." Household preferences quickly changed in terms of demand, with core metropolitan centres losing out to suburbs and more rural places, for example. (Byrne, 2021b).

A significant portion of Ireland's population experienced unemployment when COVID-19 occurred (Social Justice Ireland, 2021), depending on government support that, in certain situations, wasn't enough to provide the same standard of living as before Covid.

In an effort to control the situation, the government enacted an eviction ban, suspending evictions at any moment and limiting mobility between residents and their houses to 5 kilometres. (Citizens Information, 2022b).

New law was approved in respect to the payment of the arrears incurred during this time, as reported by RTB (2021). The law leaves it up to tenants and landlords to negotiate rent arrears and calls for a 28-day notice before eviction in the event that an agreement is broken. The ineffectiveness of the negotiating position in this situation may result in a wave of evictions after the allotted time has passed and the relaxation of the eviction restriction.

The most significant effect of COVID-19 on the service, according to RTB President Tom Dunne, was in regard to the dispute resolution service. He said that disagreement cases had to be delayed at the beginning of the epidemic and the first lockdown, which resulted in "a large and immediate delay in the processing of cases for adjudication mediation and courts." Nevertheless, he claimed that a number of dispute resolution procedures were in place to enable cases to be rapidly and thoroughly restarted and delays were stabilized early, with service levels returning to the norm by the end of the 2020. (O'Loughlin, 2021).

According to RTB, telephone mediation is now the quickest method of resolving disputes, with 2,732 telephone hearings, mediations, and adjudications occurring in 2020, and 80% of telephone mediation cases concluding with a settlement. Due to the epidemic and the fact that each side reached their own decision, there were also a lot of withdrawals. RTB added that last year, the Investigations and Sanctions Unit received more than 800 contacts from members of the public, and 44% of those interactions related to a failure to register a lease. The RTB recorded more than 342,000 leases in the previous year, including 297,837 individual renters, 34,169 authorized housing agency leases, and 10,691 leases specifically for students. (O'Loughlin, 2021).

According to O'Loughlin (2021), RTB had 68,367 webchats last year, which is a third higher than in 2019, and 96,343 emails, which is a 42% increase from 2018. The sector had 297,837 private leases as of the end of last year, with 165,736 private owners involved. Most owners had one or two leases. The research also noted that nationwide rent growth remained low. For the final three months of 2020, the national standard monthly average rent was around €1,256, while in Dublin, it was closer to €1,745.

For the purpose of comparison, let's say that the housing issue was impacted by the COVID-19 pandemic. Unprecedented federal initiatives to control evictions have resulted from the epidemic. Based on the threats to public health posed by uprooting families, the Centres for Disease Control and Prevention (CDC) established a temporary countrywide eviction prohibition in September 2020 that would last through the end of December. The interim state and municipal moratoriums that were implemented during the spring and summer were bolstered by the CDC moratorium. Rent assistance schemes have been created by state and municipal governments all around the United States, which distribute money to help suffering tenants. These often CARES Act-funded projects have a broad range of designs. Few qualified tenants could be served by the majority of programs due to a lack of funding. (Crump and Schuetz, 2021).

1.4 CONFLICT AND NEGOTIATION

Conflict is an essential element of order. However, order must be preserved, and specific criteria for claim and dispute settlement must be satisfied. To develop such rules, some

sense of fairness must be acknowledged. We should standardize this. On the other side, homogeneity develops into a problem in and of itself. It frequently ignores or dismisses allegations of specific requirements in court, which increases conflict. The emphasis on justice also runs counter to the idea of grandeur since greatness implies distinction while justice requires equality (Burton, 1990, p. 145).

Conflict is the process of eliminating potential outcomes during a disagreement until the most significant and widely accepted answer is found. If that conclusion turns out to be unrealistic, the search returns to the field of combat, and the effort at a solution may only be seen as a way to test and dismiss an apparently important possibility. (Zartman, 2008, p. 191).

People bargain in order to satisfy their unfulfilled wants or interests. Additionally, they think that the procedure will be more effective in achieving their objectives than other accessible options, such as doing nothing, being in a deadlock, going to court, or using violence. They decide to negotiate as well since they lack the capacity or authority to take unilateral action to get their goals, and so on (Moore, Jayasundere and Thirunavukarasu, 2011, p. 13).

Negotiation and conflict resolution tactics are the best ways to approach conflict resolution since it is a process rather than an event. Appropriate conflict resolution techniques aim to resolve the differences, incompatibilities, or violations that took place with a resolution that enables all parties involved to move forward with a common objective, in contrast to avoidance, which typically fails to acknowledge that an issue - and its potential adverse effects - exists. (Cochran, 2021).

When you and the other party share some interests but have completely different viewpoints in other areas, negotiation is a crucial strategy for getting what you want from them. It involves communicating with individuals whose behaviour we cannot predict because they have feelings, strong ideas, a cultural background, and beliefs. You must understand them and pay heed to them. Otherwise, the negotiation may be pointless. (Fisher and Ury, 1991, Introduction para. 2 and Chaudhry, 2011, p. 2).

An interactive communication process called negotiation may take place when you want to get something from someone else or when someone else wants to get something from you. To get what you want and persuade others that you desire it, you must negotiate. (Fowler, 1996, p. 3).

Without a third-party present, the parties engage in non-binding conversations with the aim of coming to a mutually agreeable resolution of their differences (Rao and Sheffield, 1997, p. 26).

According to Kelchner (2019), in order to negotiate successfully, one must possess the following abilities: the capacity to analyse a problem in order to ascertain the interests of each party in the negotiation; be ready for a meeting; actively listen; control one's emotions; be clear and effective in communicating; the capacity to work as a team and foster a collaborative environment during negotiations; and the capacity to consider multiple solutions.

Negotiation is not a simple process and requires good dialogue and understanding on both sides. That is why bodies responsible for conducting negotiations between landlord and tenant are so important. When RTB, Threshold or CATU act as mediators leading the negotiation between those involved, the process happens in a fairer and more comfortable way. Because negotiation mediators are people with this expertise to conduct these processes.

If the underlying source of the problem is not addressed, violent or nonviolent stages can recur years later; all it takes is a small amount of unhappiness to release the stored emotions. Conflicts run far deeper than what the parties did to start them. (Sharma, 1951, p. 15 and Wallensteen, 2002, p. 122).

It is vital to examine both the behaviour of the parties engaged in a dispute and its surroundings in order to try to understand it and have a chance of resolving it. It is known that psychological and behavioural factors, such as the structural causes of alienation, when combined, are highly fluid sources of conflict. (Jeong, 2008, p. 43).

The parties might demonstrate a lack of involvement or readiness to collaborate when a problem has already tried several modes of settlement. The parties' tiredness and discouragement can have a detrimental impact on any subsequent attempts at resolution (Bercovitch and Houston, 2000).

Finding out each person's opinion of themselves, how it affects the dispute, and how they see the problem being solved is another factor in conflict resolution. Sometimes, when trying to come to an agreement, some parties will bring unreasonable expectations to the table, which may also be a projection of how they perceive the issue in their own minds. (Wallensteen, 2002, p. 122).

In order to successfully negotiate and resolve conflicts in organisational settings, a variety of strategies must be used. When digesting conversation choices and solutions, business owners may use the following steps: defining the issue, doing an analysis, coming up with various ways, and acting on the results or ideas. (Vitez, 2021).

Although we are accustomed to recognizing our own interests, it is crucial in negotiations to comprehend the underlying demands and interests of the other party. We may discover our similarities and reduce our disparities by digging for them and exchanging knowledge. Integrative bargaining relies on understanding their interests. Failure to recognize the "integrative" component of most negotiations is the primary cause of failure in negotiations. (Wertheim, 2016, p. 7).

Different factors might cause conflicts to develop. The fight may, however, be motivated by much more than what is originally thought. Because of this, different dispute resolution strategies must respond to various conflict situations by resolving the issue or, if at all possible, avoiding it. Alternative Dispute Resolution (ADR) approaches are highly effective in resolving a variety of problems; experts in those fields are educated to comprehend the causes of conflicts and to find both temporary solutions and long-term solutions.

1.5 ALTERNATIVE DISPUTE RESOLUTION (ADR)

Alternative Dispute Resolution (ADR) refers to a variety of methods that parties might use to resolve disagreements, either with or without the assistance of a third party and offers a discrete and different way to handle legal problems that does not involve going to court. Arbitration, adjudication, conciliation, and mediation are the most popular forms of ADR. (Johnson, 2022).

The process of resolving conflicts outside of court, such as arbitration, mediation, or negotiation, is known as alternative dispute resolution (ADR). ADR processes are typically quicker and less expensive. Contrary to confrontational litigation, ADR procedures are frequently collaborative and enable the parties to comprehend each other's viewpoints, which is one of the main reasons why parties may favour ADR proceedings. ADR also enables the parties to devise more innovative solutions that a court would not be able to enforce under the law. (FindLaw, 2020).

The parties concerned must conduct an analysis and select the resolution approach that best fits their situation before the settlement process may begin. The benefits and drawbacks of each approach should be weighed in the decision-making process together with other elements including the issue's visibility, the time and resources available, and the nature of the relationship between the disputing parties. (Moffit and Bordone, 2005).

According to Johnson (2022), ADR is typically quicker and less expensive than going to court and filing a lawsuit. It should be taken into account as a more effective strategy for reaching a resolution as long as communication between the parties to the dispute has not irretrievably broken down.

The key advantages of ADR are that it is simple to use, may help an issue be resolved more quickly, often costs less than going to court, can be private, can be flexible and give a choice of options and results, and can assist parties arrive to a mutually agreeable settlement. (Citizens Information, 2022a).

According to RTB (2020, p. 34) 30% of all applications received for dispute resolution in 2020 were either withdrawn or settled before a hearing took place. The cases that were withdrawn in this case do not necessarily mean that the disputes were resolved; this percentage also includes cases in which the disputes cooled down (for an indefinite period of time), intensified to the point where conciliation was no longer an option, or the parties simply gave up trying to resolve the disputes. This represents an increase of 2.5% from 2019 when 27.5% of all applications for dispute resolution were dropped or resolved prior to an appointed hearing.

Many cases are frequently withdrawn before to the issuance of the final Determination Order after a hearing has occurred, during which the parties have participated and a resolution has been reached. 10.9% of all scheduled hearings in 2020 were cancelled prior to the issuance of the Determination Order. (RTB, 2020, p. 34).

1.6 SUPPORT BODIES IN IRELAND

The Residential Tenancies Board (RTB) is a government agency created to promote and advance the rental housing industry. The private rental, Approved Housing Bodies (AHB), and Student Specific Accommodation (SSA) sectors are all included in its purview. It has several responsibilities: regulating the rental sector; providing information and research to inform policy; maintaining a national register of tenancies; resolving disputes between tenants and landlords; starting an investigation into improper behaviour by a landlord; and informing the public. (RTB, 2020).

Under the Residential Tenancies Act of 2004, the Residential Tenancies Board was established. The board's former name, the Private Residential Tenancies Board (PRTB), was changed to its current one after the Residential Tenancies Act of 2015 included housing associations in its purview. (Citizens Information, 2022c).

The RTB supplanted the courts in 2004 and now uses the Dispute Resolution Service to resolve the bulk of tenant-landlord conflicts (DRS). The RTB's DRS provides choices such as Telephone Mediation or Adjudication as well as the appeal process through a Tenancy Tribunal. (RTB, 2022c).

The RTB gives landlords, tenants, and the general public high-quality information and help on their rental rights and duties, both in terms of residing in and providing housing in the rental sector. Provides reliable information on the rental market, such as the Quarterly Rent Index, which not only makes it easy to track market changes but also enables people to compare and verify rentals in other places. RTB also registers landlords and tenants, is responsible for disputes resolutions and acts with investigations and sanctions. (RTB, 2020).

Threshold is a national housing charity which provides frontline advice and support services to people with housing problems. It is a well-known national non-profit company limited by guarantee, incorporated, domiciled and tax resident in the Republic of Ireland with charitable tax exemption status, that advises and supports people with housing concerns across Ireland. (Threshold, 2020).

CATU (Community Action Tenants Union) Ireland is a union for communities and tenants, that means tenants, council tenants, mortgage holders and people in emergency & precarious living situations. Organisation fighting for collective gains in the homes, communities and lives of all of our members. The essential principles of belonging, group direct action, and grassroots democracy are what CATU Ireland, a union for individuals outside of the working, intends to bring from the workplace to everyday life. They are for mortgage holders, tenants, and those in urgent or insecure housing circumstances. In essence, CATU is for everyone who conducts evictions or does not earn a profit from their property. (CATU, 2022).

According to CATU, the only way to combat the economic problems that are frequently reported in Ireland's news – such as skyrocketing rents, stagnant wages, reduced public services, and the degradation of our public spaces—is to educate the populace to a level of awareness that will prevent them from being exploited by businesses, politicians, landlords, and banks.

CATU is a successful example of how a community may organize together to address problems, inform the populace about them, and reduce harm.

1.7 MEDIATION

The goal of mediation is to reach a settlement or resolution by using an impartial, professional mediator to help the two parties in the conflict communicate. (Johnson, 2022).

A neutral third party, the mediator, works to help the parties come to a mutually agreeable conclusion through the private and confidential process of mediation. Although it is a voluntary and non-binding procedure, if and when a settlement is achieved, it may become binding. (ECCI, 2022).

All participants are encouraged to actively participate in the mediation while the mediator maintains the equilibrium and assists the parties in formulating and expressing their positions. The mediator then uses these options to arrive at a resolution that must be equally advantageous to both parties. The parties always determine if they can reach a resolution and what would be the best course of action throughout the mediation process. (FindLaw, 2020).

Mediation is a type of ADR (Alternative Dispute Resolution), a method of settling disputes, a process where the Mediator helps the parties negotiate a settlement, a process of collaboration rather than conflict, a transformative and empowering process, safe, respectful, and voluntary; constantly consultative — nothing happens without your input — and a process that welcomes an open mind. (MII, 2019).

According to the Act, mediation is "a secret, facilitating, and voluntary procedure in which parties to a disagreement strive, with the aid of a mediator, to establish a mutually agreeable agreement to resolve the issue." Any settlement agreement made by the parties only becomes legally binding on them when it is recorded in writing and bears their signatures. According to the Act, a settlement agreement reached through mediation and signed by all parties may be enforced just like any other legally enforceable agreement. (LawSociety, 2022).

The parties may still explore alternative methods, such as using another ADR or going to court, if they don't believe they are in a position to come to an agreement. The specifics of

the mediation are confidential and often cannot be mentioned in a judicial proceeding. (FindLaw, 2020).

1.7.1 ADVANTAGES OF MEDIATION

Mediation Gives You More Control: Because mediation negotiation is voluntary, the parties can retain control over the dispute; they can decide to pursue litigation or another type of ADR; and they have total control over the outcome of mediation, in contrast to certain other procedures where a third party makes the final decision. They are free to decide not to negotiate and are not required to resolve the dispute. As a result, mediation enhances the possibility that a solution will be equally acceptable to and appropriate for both parties. (Gordon, 2021 and Radford, 2001, p. 245).

Mediation is informal: Mediation is a far more relaxed procedure than the conventional adversarial one. Where online mediation is employed, mediation can be conducted from the convenience of one's home. It does not take place in a courtroom. (Gordon, 2021).

Low Cost: The use of mediation results in considerable financial savings. Although the cost of the mediator is often split between the parties, it saves money by avoiding court costs, certain attorney fees, and other costs related to going to trial. Additionally, mediation often has far lower costs than other ADR strategies like arbitration. (Gordon, 2021).

Mediation Offers Greater Privacy: The process of mediation is confidential. The parties are under no obligation to make the disagreement or any other relevant facts public. (Gordon, 2021).

Mediation can help preserve Relationships: Parties' ongoing connection might be destroyed by disagreements. Working out a settlement that both parties may accept can help to keep the relationship together. (Gordon, 2021).

The parties make the final decision: A Mediator is not a judge and just assists the Parties in their efforts to resolve their conflict. The Parties decide how their ultimate settlement will be structured. Each Party has a fifty percent veto power over whether the other's proposal

is accepted. In order to better satisfy the requirements of their families, Parties are better equipped to develop their own solutions according to the idea of Party self-determination. The right of the Parties to end the mediation and take the dispute to court is a part of self-determination. (Traceyleigh-wessels, 2022).

Mediation helps parties find workable solutions: Each proposal put up by the Parties is evaluated in light of its viability. In other words, solutions ought to be practical and realistic. The future and how each Party sees it in the future are the main topics of mediation. Mediation does not dwell on the past or evaluate prior behaviour; a court will do that. (Traceyleigh-wessels, 2022).

Confidentiality: Every phase of the mediation is private and only the parties and the mediator are aware of it, unlike the court where the hearing is open to the public. No document or information disclosed can be forced by the legal system to be brought to court, with the exception of certain cases where the information disclosed relates to a crime in the country, and the mediators are required to destroy their notes taken during the mediation session once the process is complete. Child abuse, criminal activity, or threats of criminal activity are some of those exclusions. (MII, 2019 and Radford, 2001, p. 245).

Control and Compliance: The parties to the disagreement have complete control over the outcome during mediation. As a result, mediation has a higher likelihood of resulting in a solution that is acceptable to both parties. The biggest shock for participants in mediation is that the procedure, the schedule, the issues, and the results are all under their collective control. (MII, 2019 and Radford, 2001, p.245).

Flexibility: There are an infinite number of distinct circumstances, individuals, and pressures involved in disputes. The ability to evaluate all of those variations and variances before deciding on the process's framework positions the participants for success in a manner that no other conflict resolution method can. The most crucial element in mediation's effectiveness in resolving conflicts is the ability to bring that flexibility, inspiration, and inventiveness to the challenging task of finding answers to the major issues in every dispute. (MII, 2019).

Mutuality: The need for cooperation in order to achieve a larger goal is reinforced via mediation. Due to this, when parties volunteer for the process, they are usually prepared to cooperate in finding a solution and eager to advance their positions. The synaesthesia of collaboration makes the parties more receptive to understanding the opposing party's perspective and resolving the dispute's underlying issues. Additionally, it is true that cooperation reduces conflict at the mediation table and helps keep the parties' relationship as it was before to the disagreement. (Radford, 2001, p. 245).

Voluntary: It is a free decision on the part of the parties to participate in a mediation because neither a law nor a system can compel them to do so. Additionally, the parties have the opportunity to exit the mediation at any time if one or both of them decide to stop participating. (Feinberg, 1989, p. S7).

1.7.2 DISADVANTAGES OF MEDIATION

As a preventive measure, mediation frequently falls short because it primarily focuses on acknowledging the problem rather than addressing its underlying causes, such as inappropriate behaviour or a lack of knowledge for a deeper understanding of issues pertaining to individual backgrounds. In these situations, restorative practices are more effective.

According to Woodward-Smith (2022) and LawShelf (2022), just as mediation has its advantages, it also has some disadvantages, such as:

- Not compulsory;
- There are questions about whether a mediation agreement can be enforced;
- As the outcome is not assured, all parties must consent to a settlement;
- May be challenging if one or both parties suppress information;
- If one of the parties demanded public disclosure, mediation might not be suitable;
- Using an amateur mediator's services can result in an unsuccessful outcome;
- The entire procedure might be a waste of time, effort, and money if one or both sides are reluctant to comply;

- The expense of mediation will be spent if the conflict cannot be settled during mediation;
- Anytime throughout the mediation process, either party may decide not to continue;
- During the mediation process, it is possible that information might be revealed to the opposing side that would be advantageous to them.

LawShelf (2022) and Upcounsel (2020) consider extremely unusual for an issue's full truth to be exposed through mediation. On the other hand, lawyers will be able to gather proof and summon witnesses in a court case, which is not possible in mediation. Additionally, courts are designed to treat all sides equally throughout a case. Although equal treatment is an objective of mediation, it might be challenging to fulfil in some situations. The absence of explicit guidelines for the mediation process is another drawback. Without a trained mediator, this absence of explicit guidelines frequently leads to a deadlock. Mediation also relies on the cooperation of both parties. The mediation procedure may not succeed if the parties can't come to an agreement.

LawShelf (2022) and Upcounsel (2020) still complement that the fact that it may be exceedingly challenging to ensure that the settlement is equitable to both parties is one of the mediation's main drawbacks. One side may be able to persuade the other to accept a settlement that is not in their best interests if they have access to greater resources or are more experienced with the mediation process.

Like in a typical court case, there is no discovery procedure during mediation. There is no official procedure to get information from the other party during mediation if a party needs it to support its claim. The disagreement might not be resolved even if the parties come to a settlement. Later, one side might decide they aren't genuinely content with the deal and initiate a lawsuit. (LawShelf, 2022 and Upcounsel, 2020).

Although mediation has demonstrated its effectiveness in a number of areas, most experts may make the frequent error of concentrating just on obtaining a settlement when examining the mediation process as a whole. The problem doesn't begin at the mediation table, and depending on how it is handled, it probably won't end there either. (Hoffman, 2011).

Hoffman (2011) is aware that the greatest approach to come to a solid agreement and begin to repair the harm brought on by disputes is to comprehend the problem and the reasons behind it and humanize the issue. To prevent additional difficulties from arising from the original conflict, it is also crucial to take into account all potential consequences of the issue, both now and in the future.

Despite the mediation procedure can seem to put an end to the conflict, it only lasts until the parties sign the final agreement and depends on how well the parties' relationships are maintained to prevent a recurrence of the original issue or the emergence of a new issue between the parties (Hoffman, 2011).

American studies revealed that while the majority of those who participated in mediations thought it was a fair method of resolving disputes and would recommend it to others (about 75% of this group), there was still a rate of about 24% of this population who had concerns about the fairness of the agreement reached. (Cook, Rowehl, and Sheppard, 1980; Davis, Tichane, and Grayson, 1980; Harrington and Merry, 1988; Pearson and Thoennes, 1985).

1.7.3 CAUCUS IN MEDIATION

There are times when the arguments between the parties might get quite tense. The mediator can choose to divide the parties and conduct the mediation separately if this situation arises. The conflicting parties, whether or not they are represented by attorneys, meet in mediation with the mediator, who serves as a third unbiased party. In theory, both parties attend this conference simultaneously, however it is conceivable that the mediator will decide to hold separate, equally long sessions with each party. Caucuses are the name for these gatherings. (Ross, 2007 and Sprangler, 2003).

A mediation process that is usually successful in breaking impasses is the caucus, which can either be a brief, private conference of the negotiating team held during bargaining or a secret, private meeting held by the mediator with each side. (Moore, 1987).

Its main traits include setting up private interactions, encouraging mutual trust, and forming close bonds of friendship. (CTPL, 2019).

The term "caucus" is widely used in the context of politics to describe a gathering of people. In this case, the group makes decisions on possible candidates or issues. Delegates to conventions have been chosen via political caucuses, and parliamentarians have utilized them to conduct casual talks about a particular issue. This method is well known for its usage in political mediation when the parties cannot be in the same room due to the scope of the issue or distance. (Murray, 2020 and Carter, 1982).

Although the word caucus's etymology is unknown, an early use of it may be found in a journal entry written in February 1763 by John Adams of Braintree, Massachusetts, who served as the country's second president and first vice president. In the United States, caucuses are often linked with political gatherings of a political party's or movement's supporters or members to discuss topics and make decisions. However, the caucus has been broadened to include mediation as an alternative dispute resolution method. (Leigh, 2018).

Caucus mediation is very helpful for achieving peace. It enables the mediator to meet privately and confidentially with the parties and counsel, which makes it easier for her to establish rapport and trust – two essential elements of bringing about peace. The mediator never puts a party or counsel on the defensive and always acts in a helpful manner. She doesn't play the devil's advocate, in other words. (Calkins and Lane, 2006, p. 283).

According to Leigh (2018), there are some elements of the caucus that are really important, as Purpose and use; Location; Confidentiality; Ethics; Timing; Emotional venting; Manipulation / control; Nonverbal Communication.

1.7.4 HOUSES IN IRELAND

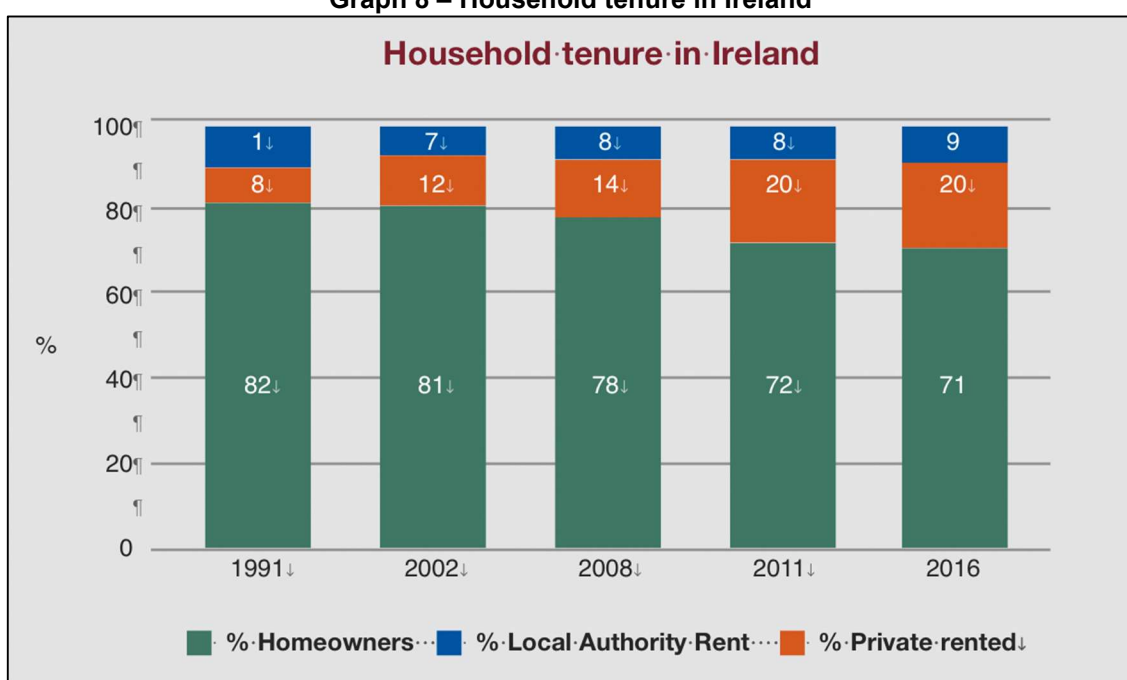
Ireland's housing crisis also extends to the inner cities. In September 2022, around 250,000 tertiary students will start their academic year, and securing housing for them has not been simple. Other places, including Galway and Limerick, have experienced the same thing. The majority of queries for accommodations are answered by the student unions at various universities, but sadly there isn't much they can do. The accommodation issue is badly in need of attention since it is now in a crisis situation. (Moloney, 2022).

Child homelessness has soared by more than 40% only in the past year. For the first time since statistics have been kept, there are more than 5,000 single individuals living in emergency housing paid for by the Department of Housing. In 2020 and 2021, the delivery of social homes lagged 30% behind schedule. This was partially a result of COVID-19, but it was also a result of the excessive bureaucracy that the Department of Housing placed on local governments and authorized housing groups. However, in 2020 or 2021, not a single affordable home for purchase was delivered. Several of them have already been finished in 2022, but only 450 will likely be delivered by the end of the year. With only 65 such units supplied in 2021 and a target of up to 700 for 2022, the progress on reasonable cost renting is not much better. While the Land Development Agency's cost rental aim, provided through Project Tosaigh turnkeys, is unlikely to produce any units this year, it will not deliver a single new home until 2024. (Ireland's Housing Magazine, 2022a).

According to a report by the Economic and Social Research Institute (ESRI), the employment of rent controls in the future should be seen as a crucial component of the rental market management instruments. The proposal follows an evaluation by the ESRI that determined the implementation of Rent Pressure Zones (RPZs), intended to keep rent rises to 4% a year in selected urban areas between 2017 and 2020, had been successful in containing rent inflation. According to the analysis, any removal of stabilization measures will probably result in further upward pricing pressure on the rental market, which is currently under a lot of stress as the economy attempts to recover from the severe consequences of the COVID-19 outbreak. The study indicated that 34% of landlords in RPZs increased rent rates over the permitted limit, even though rent in pressure zones would generally be 2% higher if restrictions were not introduced. (Ireland's Housing Magazine, 2022b).

The household tenure in Ireland is depicted in Graph 8 and it is clear that there are an increasing number of tenants in Ireland.

Graph 8 – Household tenure in Ireland



Source: Ireland's Housing Magazine (2022b)

In order to address concerns about affordability issues for private tenants in the middle of a period of fast increase in rental costs, rent stabilization measures were first implemented into the Irish private renting market in 2016. A 4% yearly rental inflation restriction was set on some regions classified as RPZs. Since then, many more regions have been designated as RPZs, and in late 2021, a maximum annualized rise of 2% was implemented owing to the economy's rising general inflation. (Ireland's Housing Magazine, 2022b).

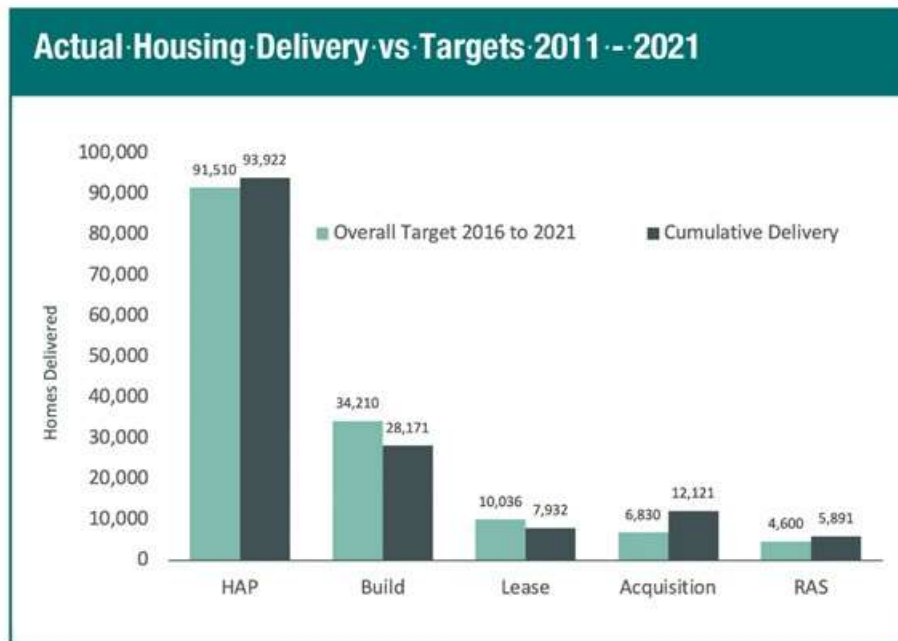
According to Marie Hunt, Executive Director of CBRE Ireland, Ireland's praiseworthy humanitarian effort to welcome upwards of 200,000 Ukrainian refugees has vividly revealed the very serious imbalances that still exist between supply and demand in the Irish property market. Public and private housing is in severe shortage, both for purchase and rental, with large cities experiencing the worst shortages. (Ireland's Housing Magazine, 2022c).

The starkness of the issue is more obvious when taken into account cumulatively over a longer time horizon, even while the majority of attention is on the gap between the Government's 34,000 yearly target and the overall amount of housing actually provided each year. In fact, since 2011, there have been an additional 240,000 housing units that have not been built, which would significantly help those looking to obtain mortgages and buy homes

as well as those whose names are on the exceptionally long waiting lists for social housing in every local authority in the nation. (Ireland's Housing Magazine, 2022c).

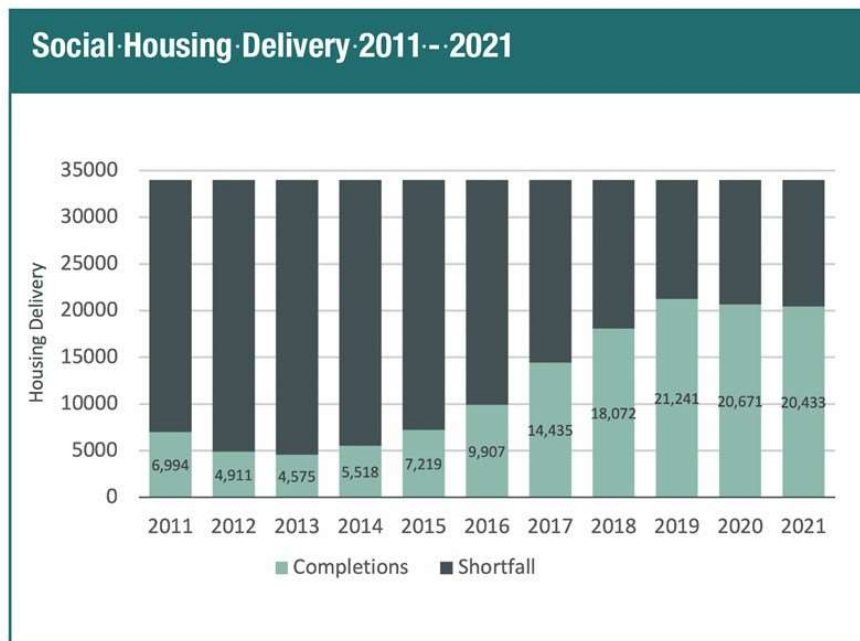
As can be seen in Graphs 9 and 10, the housing delivery aim is to be met between 2011 and 2021.

Graph 9 – Actual Housing Delivery vs Targets 2011-2021



Source: Ireland's Housing Magazine (2022c)

Graph 10 – Social Housing Delivery vs Targets 2011-2021



Source: Ireland's Housing Magazine (2022c)

Ireland's housing crisis is so severe that there are instances of UCD students asking the school board for permission to pitch tents on the UCD campus. Many students who return to the capital for the new semester the following year may have a difficult time finding housing. Homeowners are being urged by the UCD Student Union to think about renting a room to a student. According to Molly Greenough, president of the UCD Student Union, this year is unusual for students seeking for housing in the capital. Last year, students had trouble finding inexpensive housing; today, there is a general supply issue. (Grennan, 2022).

Figure 5 – UCD students have asked if they can pitch tents on campus due to the shortage of accommodation



Source: Grennan (2022)

The government is aware of Ireland's housing need and will continue to invest additional funds for housing in an effort to allay the natural frustrations and concerns of those living in this region. The true issue, however, is one of quality, boldness, and capability. (Horgan-Jones, 2022).

1.7.5 RENTAL HOUSING MARKET AROUND THE WORLD

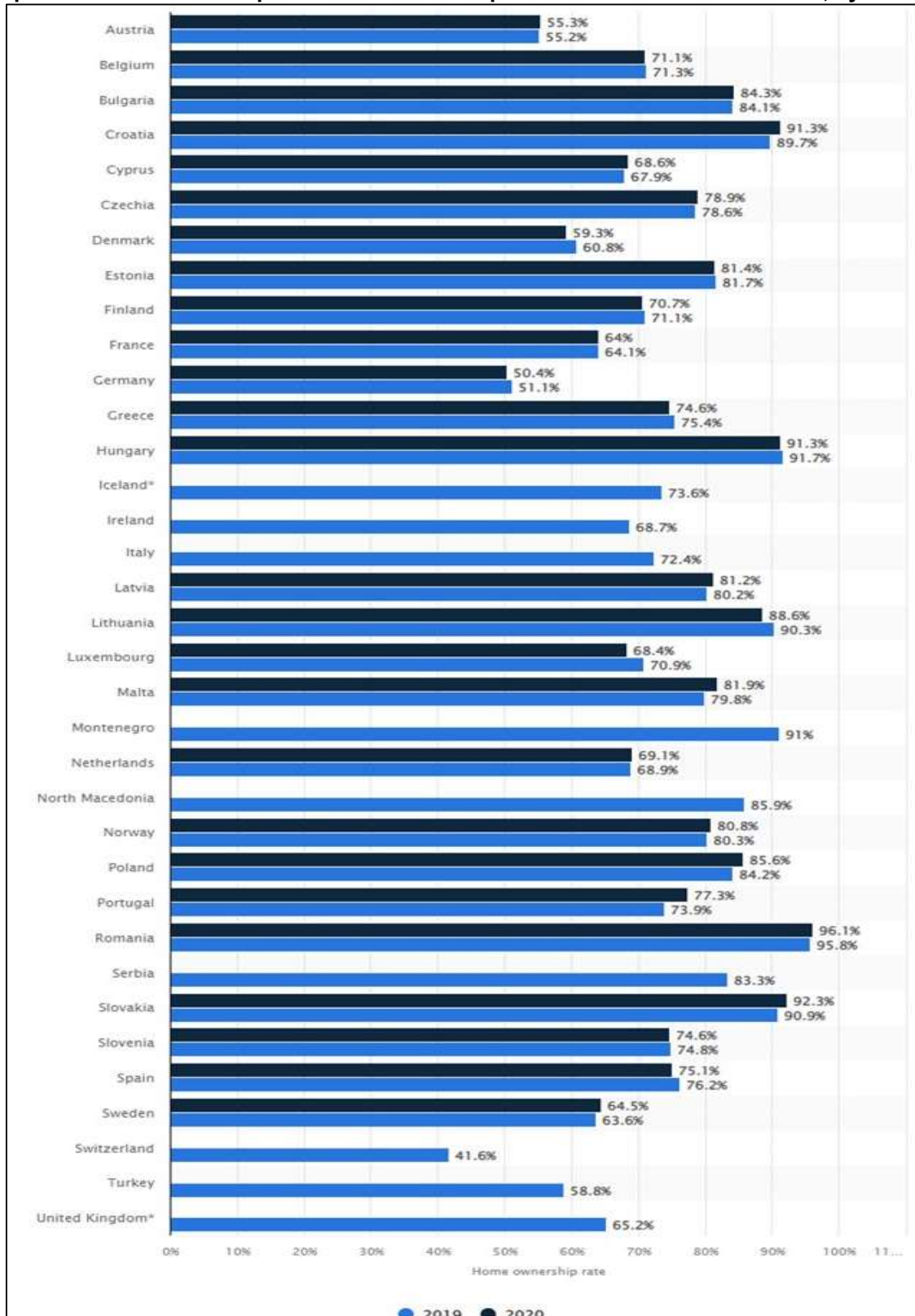
In many nations, especially those with significant immigrant populations who often do not enter the country with the intention of purchasing a home, renting is a much more prevalent choice.

In Ireland, for instance, where there are many immigrants from throughout Europe, you frequently see these individuals influencing the property market.

There are still students among these people, who make up a substantial portion of the population and transfer a sizable sum of money throughout the nation, but who must choose to rent since it is more inexpensive because they are students.

The rate of house ownership in a few European nations in 2019 and 2020 is depicted in Graph 11 below.

Graph 11 – Home ownership rate in selected European countries in 2019 and 2020, by country



Source: Statista (2022)

For instance, renting is a safe and long-term choice in Germany. Because of this, the country's ownership rates are extremely low; around 48.5% of homes are rented, compared to 51.4% of owners. In certain regions of Germany, the value of using mediation techniques has become so clear that it has been made mandatory before going to court for disputes with a value of less than €750. (Ireland's Housing Magazine, 2020).

Instead of owner-occupiers, the German government has opted to concentrate its subsidies on renters. Even among those with greater incomes and wealth levels, rentership is nevertheless common despite the fact that renter households are often younger and less wealthy than homeowner households. In the midst of the COVID-19 epidemic, strong renter protection is a crucial component of government law. (Schmidt, 2021).

Spain has 18.6 million households, and less than one in four of them rent their homes, which reflects a significant political tilt in favour of property ownership. Younger, less wealthy, and more likely to be immigrants are tenants. Although recently, foreign firms have begun to create and operate rental homes, the rental sector is still dominated by amateur landlords. Public policies have historically been intended to encourage house ownership and have fallen short in providing enough rental housing, particularly public housing. (Ouasbaa and Marsal, 2021).

Two of the biggest issues affecting Spain's real estate sector are the cost of housing and a lack of rental homes. Even while the market started to rebound following the financial crisis, the levels of construction and mortgages did not. From 850,000 in 2006 to 100,000 in 2018, fewer new houses were developed, and over the same time, there were 482,000 fewer new mortgages originated. Due to a supply shortage, the rental market was forced to change as a result of this gap. In metropolitan regions where rents are rising, this issue is considerably more severe. Compared to 25% of Europeans, over four out of ten Spanish pay more than 40% of their income on rent. (Ouasbaa and Marsal, 2021).

In Netherlands, according to the Dutch government, there are 2.9 million social (or private rental) dwellings and 4.4 million owner-occupied homes, or 60% of the housing stock, in the Netherlands (8%). The laws governing landlord and tenant relationships in The Netherlands are outlined in the Dutch Civil Code, which places a strong focus on protecting tenants. For

instance, the Civil Code's "ill reliance doctrine" stipulates that a contract can only be terminated when both the tenant and the landlord have good grounds to suspect that one party is doing so in reliance on provisions that are recognized to be true. (Ireland's Housing Magazine, 2020).

In Netherlands, similar to the Residential Tenancy Board in Ireland, the Huurcommissie (Rent Tribunal) is a nationwide, independent organisation that can handle tenancy disputes involving rent amounts, maintenance costs, or service fees. It does not, however, mediate or decide issues regarding nuisance, housing benefits, or commercial or office space. Although an appeal to the Dutch courts is an option, the Huurcommissie's decision is final. Local "rent teams", which have been set up in several city municipalities, are another option and function as a temporary tribunal, offering free aid in rent disputes. (Ireland's Housing Magazine, 2020).

In 2019, 71.1% of households in Finland were owner-occupied, while 28.1% were rented. In Finland, strict rent restrictions were eliminated in the early 1990s, which resulted in a shift from a heavily controlled private renting industry to one that is remarkably flexible. The changes, which were implemented in the wake of an economic crisis, were successful in expanding the supply of rental properties. Finnish private renting market no longer has a legislative cap on starting rentals or yearly rent increases. Tenant security of tenure has been compromised by complete contractual independence. (Ireland's Housing Magazine, 2020).

Finnish landlords are prohibited from unilaterally raising rent unless the justification is spelled out in a lease agreement. Tenants must also get written notice before any such increase about when it will take place. Guidelines for "Fair Rental Practices" advise that any increases be proportionate and that talks begin at least six months in advance. These increases cannot be more than 15% every year, unless a home is undergoing significant improvements. (Ireland's Housing Magazine, 2020).

About the resolution of disputes, Finnish courts have authority over tenancy problems, and upon a tenant's request, they may examine the proportionality of a rent, lower it, or change the clause establishing the rent if it exceeds the market rate for a comparable property in

the area. The Consumer Disputes Board has been involved in tenancy disputes since 2007, making suggestions for how to resolve them where private landlords are parties. (Ireland's Housing Magazine, 2020).

In terms of housing, Finland has distinguished itself from other countries and has steadily decreased the number of people living on the streets. There is an operational framework based on the two tenets of housing as a human right and the obligation to offer assistance and services. The provision of housing solutions near to where other people are living is a third component that has been quite successful in Finland. The number of homeless people in Finland has decreased from 20,000 in 1985 to 4,341 in 2020 before the epidemic, which was a success. (Ireland's Housing Magazine, 2022d).

Through the Law Enforcement Assistance Administration, the Department of Justice in the United States created efforts to establish justice centres in neighbourhoods (LEAA). These facilities were created to assist individuals in resolving disagreements that have an impact on the neighbourhood, including landlord and tenant disputes. The major goal was to raise the probability that connections would last (Baird, 2004).

In places where mediation is required, authors like Baird (2004) have examined how mediation is utilized in tenant and landlord disputes in the United States. They note that the approach has a high percentage of success and satisfaction when implemented in the region.

The best method to resolve conflicts between landlords and tenants is via communication, rather than turning to the court, according to guidance on the USA Government website. The U.S. Department of Housing and Urban Development's material, which outlines the rights and duties of both renters and landlords, is available on the same page. In addition, it also mentions a non-profit organization founded in 1974 under the name of LSC (Legal Service Corporation). 132 independent non-profit legal assistance groups in all 50 states, the District of Columbia, and US territories presently receive funding from the Corporation. (USAGOV, 2022).

44 million households across the nation are served by the huge and diversified rental housing industry in the United States. Tenant households are more racially diverse, younger, and less wealthy than homeowner households. The federal tax laws and municipal land use laws have historically significantly benefited landowners over renters in U.S. housing policy. The absence of financial assistance for low-income households and the heterogeneity of state and municipal legal safeguards are only two examples of how the COVID-19 epidemic and economic crisis have shown the inadequate legislative protections for tenants. (Crump and Schuetz, 2021).

The government of the UK also offers instructions on how to use mediation to settle issues between landlords and tenants. You may get a step-by-step, in-depth explanation for this kind of problem on the official government website. The rights and obligations of the landlord and tenant may also be seen there. (Government Digital Service, 2011).

Connected to UK, there is The Dispute Service Ltd., an ADR organisation, which has been approved by the UK government as a new path for consumers to take. In order to assist in resolving tenancy deposit disputes involving rented property from one of its tenancy deposit scheme members, the service has now been authorized as an ADR organisation. For many years, The Dispute Service Ltd (a non-profit organization) has run a number of statutory tenancy deposit protection programs in United Kingdom. Agents, landlords, and tenants all have access to free dispute resolution as part of the overall service in the event of disagreements about the distribution of the deposit at the conclusion of the tenancy. (CTSI, 2022).

Since 2015, if a client has exhausted their internal customer care channels, law requires UK businesses to advise them of an accredited ADR agency that can assist in resolving the issue. The ADR body must be pertinent to the concerned industry. The Housing Act of 2004 mandates that in England and Wales, landlords and letting agents safeguard tenants' security deposits under so-called "assured shorthold tenancies." The Dispute Service Ltd offers free, impartial dispute resolution for a number of tenancy deposit protection schemes in England and Wales. Furthermore, it offers programs for Scotland and Northern Ireland. (CTSI, 2022).

In Denmark, there is a body called the Tenant Complaints Board (Beboerklagenævnet) that can hear complaints from tenants against landlords who are part of housing associations. The Rent Control Board (Huslejenævnet) is another option. Residents and landlords of private tenement homes may disagree, and this dispute may be addressed to the Rent Control Board (Huslejenævnet). Aarhus Legal Aid (Aarhus Retshjlp), which offers free legal assistance with rental law, including vacation and notice of termination without notice and review of the lease agreement, may be contacted by people with any issues about tenancy. (Aarhus, 2022).

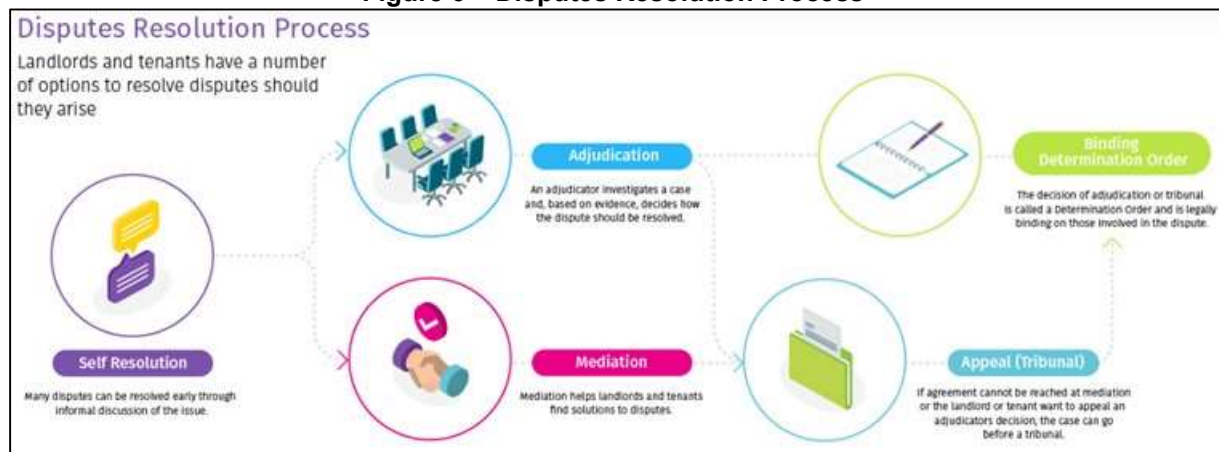
1.7.6 MEDIATION IN IRELAND'S HOUSING SITUATION

The primary piece of law covering the rights and duties of tenants and landlords in Ireland is The Residential Tenancies Act of 2004. The Act was designed to specify mandatory notice periods and to offer security to transactions and agreements.

The Residential Tenancies Board (RTB), which handles the bulk of complaints in the rental sector, took the position of the courts under the Act of 2004. Any tenant or landlord who chooses to continue their complaints has the option of choosing mediation or adjudication through the RTB's dispute resolution program. Any agreement made with the RTB's aid is enforceable in court. (Citizens Information, 2022a).

The case may be appealed in a Tenancy Tribunal if the agreement cannot be achieved via any alternative dispute resolution method or if either the tenant or landlord is dissatisfied with the settlement. Three individuals chosen by RTB will hear the case and provide a decision at this tribunal. The method was created to address urgent issues rather than constantly concentrating on long-term solutions. (Byrne and McArdle, 2020; Ireland's Housing Magazine, 2020 and RTB, 2022a).

Figure 6 – Disputes Resolution Process



Source: RTB (2022b)

Figure 6 is split down into five figures (Figures 7 to 11) below to aid with comprehension.

Figure 7 – Self Resolution



Source: RTB (2022b)

Figure 8 – Adjudication



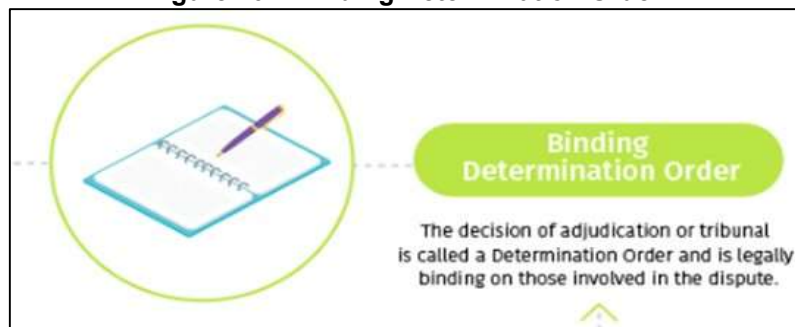
Source: RTB (2022b)

Figure 9 – Mediation



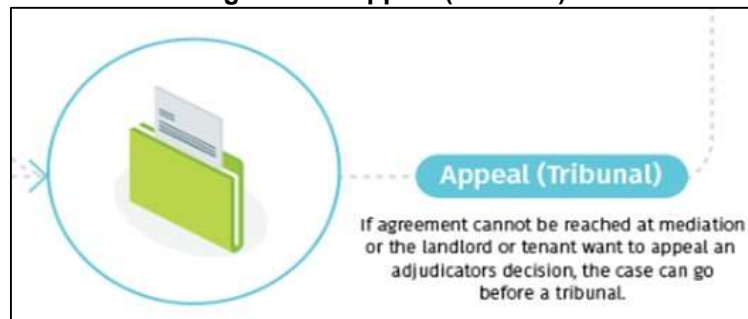
Source: RTB (2022b)

Figure 10 – Binding Determination Order



Source: RTB (2022b)

Figure 11 – Appeal (Tribunal)



Source: RTB (2022b)

1.8 RESTORATIVE PRACTICES

Restorative practice is a strategy of handling conflict that concentrates on repairing the harm already done. It is a technique for settling disputes that includes all parties and studies how to strengthen bonds within communities and between individuals. (ABA, 2022 and IIRP, 2018).

Restorative justice is a procedure where the court system examines the main parties involved and the offenses committed in order to determine the best course of action for repairing the harm done to those relationships and fostering reintegration or rejuvenation. (Sherman and Strang, 2007).

It places a strong emphasis on empathy and problem-solving abilities, making it simpler for people to develop their capacity for mutual trust. It aids in establishing and maintaining connections and acts as a hub for creating potentially beneficial encounters between people. (PDST, 2019).

Restorative approaches have been successfully used at any point of the problem-solving support spectrum, from prevention to early intervention, despite also being used to bring communities together with the intention of tackling a wider range of topics and giving them a voice, such as a lack of services, community events, and initiatives. (ABA, 2022).

The restorative justice paradigm, which is extensively employed in legal and law enforcement systems across the world and allows offenders and victims to interact in an effort to be heard and given the chance to make apologies, served as the historical foundation for the restorative practice movement. (Smith, Fisher and Frey, 2015 and Webber, 2009).

1.9 GOOD PRACTICES IN SOME COUNTRIES

When it comes to renting out real estate, Germany and Finland are regarded as two countries where best practices and lessons may be learnt.

German tenants have high levels of tenure security. The majority of leases are perpetual, and landlords can only dismiss tenants under extremely specific conditions. As a result, German tenants have greater security and certainty in their housing arrangements and move into new homes less frequently than tenants in other nations. (Davies *et al.*, 2017 and Phillips, 2014).

According to Davies *et al.* (2017), 40% of German households are PRS (Private Rented Sector) households, making up a sizable political power base. Three-quarters of these German tenants are reportedly registered voters. Three million German renters join to local tenant organizations that can lobby in addition to offering legal protection, guidance, and arbitration for conflicts between tenants and landlords. Important tenant organizations further support this political power.

All parties involved in the housing market in Germany agree that the country's tenancy laws are robust and fairly balanced. Tenancy protection laws provide the basis of renting as a tenure. They serve as the foundation for every tenant's belief that renting offers long-term tenure stability. The German housing market places a strong emphasis on balancing the interests of renters and landlords, and tenancy security has remained virtually unaltered for decades. Rental housing is viewed as a secure tenure that is nearly as reliable as owner-occupied housing. (De Boer and Bitetti, 2014).

Only 23% of renting families in Germany have a renter who is overwhelmed by housing costs, paying more than 40% of their salary for housing. The lengthier leases (which postpone the process of rent rises) and the greater availability of rental properties in Germany are not the only factors contributing to this discrepancy. Strong limitations on in-tenancy rent increases are imposed by Germany's rent controls, and the new "rent brake" will make it more challenging for landlords to demand higher rents when re-letting a property. (Davies *et al.*, 2017).

Over the past 20 years, Finland has undergone a number of significant policy developments that have an impact on the PRS. The majority of the country's housing market appears to be operating efficiently. In Finland, 4% of households live in cooperative housing while 65% of households are owner-occupied. Private rentals account for around 17% of the market, while social housing accounts for 14%. Numerous tax incentives, like the mortgage tax deduction and the exclusion of imputed rent from taxation, support home ownership. A little less than half of all rental housing is supported by the state, however since the early 1990s, less social housing is included in new residential development. (De Boer and Bitetti, 2014).

The removal of stringent rent control laws at the start of the 1990s and the elimination of tax deductions for owner-occupied property in Finland have been the two most significant changes to the rental housing sector. Owner-occupied housing continues to be tax favoured in comparison to private rental housing notwithstanding reductions in the mortgage interest deduction. Since the reform in the 1990s, Finland has completely unrestricted contractual flexibility and decreased tenancy security. There are no legislative restrictions on starting rents or yearly rent increases in the PRS. As a result, the rent system in Finland is among the most flexible in Western nations. (Lyytikäinen, 2006).

Although there are no significant price discrepancies between social and private housing in much of the nation, rentals in the social housing sector are cost-based and price hikes are limited. The supply of PRS homes rose from 12% of the housing stock in 1990 to 17% of the stock in 2012, demonstrating the effectiveness of the deregulation of the PRS. Home ownership is the preferred tenure for the majority of households due to the favourable tax treatment of owner-occupied homes. Additionally, given that eligibility is extensive (covering 70% of the population), there is no means testing, and many tenants in social housing have higher salaries, the relatively large stock of social housing creates difficulties for the PRS. These inequalities might not cause issues in the majority of the nation, but in areas with limited housing options, such as Helsinki and other large cities, there are long waiting lines and residents with higher wages living in social housing. (De Boer and Bitetti, 2014).

1.10 APPLICATION OF RESTORATIVE PRACTICES IN THE RELATIONSHIP BETWEEN LANDLORDS AND TENANTS

With the goal of spreading the advantages of restorative thinking to favourably affect tenant behaviour and eventually help people on their road to being self-supporting, the authors Hobson *et al.* (2021) designed a program employing restorative techniques. The program was conducted in England, the United Kingdom, in residential assisted housing for boys ages 16 to 25. (UK).

The program used the idea of "contractualized" assistance (McDonald, 2005, p. 281), which in this context implies that the residence was bound to a set of guidelines outlining appropriate behaviours and acts, which the participants obliged in adhering to. This may

entail receiving further help, participating in particular therapies, finishing independent living programs, and continuing to exhibit certain acceptable behaviours (Hobson, Lynch and Lodge, 2020, p. 10).

In this particular study, Hobson *et al.* (2021) concentrated on the more general idea of restorative practices, supporting a methodology that doesn't always involve the three core groups, shifting the focus from a specific offense or harm to an overall behavioural improvement with the aim of mitigating and preventing new issues. Due to circumstances including conflicting issues, the participants' disorganized histories and backgrounds, and a lack of outside assistance, this program struggled to provide effective outcomes. The facilitator does acknowledge that there was a change in the residents' behaviour, moving them from "Acceptable Behaviour" to "Positive Behaviour."

Wales Restorative Approaches Partnership (WRAP), an organization in the UK, is creating support groups to enhance communication and address the nation's housing and rental concerns. The initiative focuses on highlighting the value of communication and relationship maintenance. Understanding the people behind the problems, according to the organization, aids in the search for solutions and encourages people to develop more nuanced, harmonious connections. Although both examples still require improvements, the endeavour to apply restorative practices to this industry demonstrates a shared conviction that the way disputes are handled in this sector has to be improved and that the restorative approach is the most appropriate one for it. (Clark, 2022).

1.11 USE OF RESTORATIVE PRACTICES IN LANDLORD-TENANT RELATIONSHIPS IN IRELAND

Even though research has shown that the use of the models in the nation would result in a decrease in expenditures and greater benefits for the community, it is noteworthy that restorative justice models are not yet very popular within the Irish legal system (Chavez *et al.*, 2015, p.42).

Studies have demonstrated that restorative justice programs that were implemented in Ireland, such as the "Le Chéile" program in Limerick, working with juvenile offenders enrolled

in the probation system (Le Chéile), or the Donegal ETB Restorative Practices project, for conflict prevention in schools, achieved successful practices and results. (McGarrigle and O'Connor, 2015, p. 06).

Ireland's criminal justice system is where restorative practices' contemporary origins may be discovered. Juvenile liaison officers were educated in restorative practices and the management of restorative conferences/cautions as part of the Garda Diversion Program and the Children Act of 2001. The idea is derived from Brehon law as well as indigenous and tribal traditions from all over the world. (Horgan, 2021).

In order to bring the equal principle back to Ireland and instruct local mediators across the country, three Irish mediators made the trip to the United States to study and train with them. The San Francisco Community Board had an impact on the creation of the Ballymun Community Law Centre (BCLC).

The Ballymun Community Law and Mediation Centre was founded in 2002 to address the community's unmet legal needs. By offering top-notch free legal advice, information, and representation, the community law centre seeks to empower individuals who are disadvantaged and give members of the community access to justice. It offers free legal aid in all areas of the law through clinics and has been recognized as an independent law centre by the Law Society of Ireland. In addition, the law centre offers advocacy and representation in legal matters that are not covered by the civil legal assistance program, such as court and tribunal representation. Additionally accessible are a mediation service, a program for legal education, and training in mediation techniques. The Law Centre is a member of the Independent Law Centres Network. (BCLC, 2022).

The BCLC offers support to residents in settling disputes and upholding social order. Legal assistance, mediation training, information, and advice are all provided without cost. To "empower the people of Ballymun to exercise their rights and achieve social justice and equality," according to the centre's mission statement.

The Ballymun Community Law Centre offers alternative dispute resolution methods such community mediation by volunteers as a result, similar to the Community Boards of San

Francisco.

According to the Law Centre's most recent annual report, despite the challenges the epidemic presented in 2020, the Law Centre was able to continue offering legal counsel, guidance, and representation to our clients. Demand for our services increased throughout the year, perhaps as a result of the pandemic's effects on the neighbourhood. ADR services were delivered remotely wherever possible, and new rules and procedures for doing so were developed. Support for mediation was offered over the phone whenever possible.

The requirements of those who apply to the program continue to be dominated by family, housing, and employment legal difficulties. As in previous years, our legal education program included a range of courses, including luncheon talks and courses on child and family law. These services were successfully provided remotely via Zoom in 2020 after the March lockout. Without the assistance of our volunteers, which include mediators, barristers, instructors, presenters, and leaders of organizations, the Law Centre would be unable to do most of its work.

Regarding the employment of restorative methods in the context of tenant and landlord conflict resolution or prevention, there is yet no literature accessible in Ireland. An application of the strategy in the nation's rental market, however, would be appropriate in light of other nations' attempts to use the concept.

Perhaps the creation of a platform or system for education targeted at the rental market, working toward objectives similar to those of the Walsh Partnership and English program, with the aim of addressing conflict resolution for the biggest and most prevalent problems in this area while improving communication and relationships, might help to stop problems or the escalation of disputes.

1.12 MIXED APPROACHES

According to Sullivan and Tifft (2006), mediation was first seen as a kind of broad restorative practices, much to how restorative practices were sometimes seen as an addition to mediation. This was true at the beginning of the development of ADR.

In the Minnesota Restitution Centre, where victims and perpetrators were instructed to meet, mediation as a restorative technique was first applied in criminal cases involving property offenders in an effort to accomplish three key goals: (Fogel *et al.*, 1972; Hudson and Galaway, 1974).

1. Discuss how the crime has affected their lives;
2. Exchange knowledge;
3. Create a reparation arrangement that satisfied both parties.

The first major generational mediation movement in the USA emerged in the 1970s and gave rise to the second wave of restorative practices in the 1980s by employing the community to mediate and resolve conflicts by acknowledging the impacts of disagreements (Sullivan and Tifft, 2006, p. 24).

Reports from the Institute for Mediation and Conflict Resolution. Inc (IMCR. Inc) in the United States have demonstrated the use of mediation and restorative practices approaches in community cases, such as those involving businesses and customers, students and faculty, and tenants and landlords in New York in the 1970s. Much earlier than the present concept of applying restorative justice as a single approach, the IMCR created a standard for mediation and restorative practices (Wright, 1996 and McGuillis, 1997).

Mediation and restorative practices have developed through time into two distinct procedures with separate goals. The notion of restorative practices is more linked to the emotion behind, the impact of the damage, and management of outcomes, before or after the escalation of a dispute, whereas the present methods of mediation are more focused on problem-solving in collaborative participation (McCold, 1999).

However, other programs continue to employ hybrid strategies, which combine the use of restorative justice and mediation to address problems in more comprehensive ways. Byer (2016), where the mixed method is used to resolve disputes in a group of 12 schools, and Vynckier (2009), where the same mixed approach is utilized by the police force in Flanders, to de-escalate and manage crises in the region, are some instances of the efficacy of this mixed approach.

1.13 OVERVIEW ABOUT LITERATURE

A better understanding of the nation's rental issues may be influenced by the lack of precise data on frequent disputes between tenants and landlords, whether or not they seek assistance, the lack of information on cases in which disputes are attempted to be resolved through mediation, and the acceptability and applicability of restorative practices that are currently being developed in the field.

A decrease in the current number of conflicts in the industry and ultimately averting such a large number of evictions and illegal evictions would result from having the right information and asking the right questions. These issues got worse due to covid restrictions and unemployment levels.

Additionally, it should be emphasized that the most recent RTB report including data is dated 2020. Despite the report's September projection, it has not yet been released. There were attempts to interview someone from RTB so that the work completed here may be discussed and expanded upon, but no RTB representative was able to be assigned to this interview. Nevertheless, they responded to all of the interview-related questions (Appendix 02).

Another significant element is that COVID-19 has had an impact on housing concerns since 2020, in addition to several other areas around the nation.

2 RESEARCH METHODOLOGY AND METHODS

2.1 INTRODUCTION

The approach and manner in which research is conducted are critical to the success of any study. The precision and quality of a study's methodology are key factors in its potency and success. A well-established step-by-step process ensures that all the factors are taken into account, analysed, and that the intended outcomes may be attained without sacrificing quality. The following approaches were selected to conduct this research, as explained.

The survey will focus on the population currently living on rent. Results from residents of Ireland will be more prevalent because Ireland had the highest percentage of survey respondents. As not all elements of this population can be identified, the sampling applied will be non-probabilistic sampling. The idea is to reach as many people as possible during the development of this research, whether tenants or landlords. To minimize bias, the survey will be conducted anonymously. That is, questions that could generate the identification of respondents will not be asked.

Surveys are research techniques used to gather data from a designated set of respondents in order to learn more and acquire insights into a range of interesting topics. Depending on the technique used and the objective of the study, they can be conducted in a variety of methods and serve a variety of objectives. (QuestionPro, 2022).

Because the research is the outcome of the work of a single researcher, the researcher's relationship and proximity to the research can lead to bias in the interpretation of data and results.

The study also notes that the conclusion of the dispute can influence each respondent's experience, and that all professionals engaged, such as the mediator or a representative from a care organisation, have a direct impact on the outcome and experience throughout the process.

Due to the limited time and resources available for this study, it is thought that doing a follow-

up experiment in which the findings of this study may be assessed in a more practical manner, such as constructing and implementing a practical model, could yield more accurate results in the future for the Irish rental market.

Descriptive nominal data for data that cannot be quantitatively quantified and discrete data for numerical data will be found in the sought data. The survey will also look at material from the literature, triangulating questionnaire responses with study goals and applicability.

An interview with an RTB employee was done to further enhance the work's substance. Ten questions were expanded so that it would be possible to learn even more about the Irish rental market from his responses.

2.2 DESIGN

According to QuestionPro (2022), the success of your study depends on its right design. Successful research investigations offer objective and precise findings. There are four essential qualities:

Neutrality: You might have to make assumptions about the data you hope to get when you set up your study. The research's anticipated findings must to be impartial and free of prejudice. Consider those who concur with the outcomes after taking into account the various people's viewpoints on the final evaluated scores and conclusions.

Reliability: The researcher anticipates consistent outcomes from routinely carried out study. Only a trustworthy design will enable you to achieve your objectives. To assure the quality of the outcomes, your strategy should outline how to create research questions.

Validity: A variety of measurement instruments are available. However, the only accurate measuring devices are those that assist a researcher in evaluating findings in accordance with the research's goal. This will make the questionnaire created using this design legitimate.

Generalization: Your design's results should be applicable to the entire population, not just a small sample. A generalized approach indicates that your survey may be carried out with comparable accuracy on any segment of a population.

2.3 RESEARCH DESIGN TYPES

To choose the right model to use for a study, a researcher needs have a thorough understanding of the various research design types. Your analysis' design may be roughly divided between quantitative and qualitative approaches, just like research itself.

Qualitative research: Based on mathematical computations, it establishes links between the data obtained and the observations. Statistics may support or refute hypotheses about a phenomenon that occurs in nature. In order to determine "why" a certain idea exists and "what" respondents have to say about it, researchers rely on qualitative research methodologies. (QuestionPro, 2022).

Quantitative research: It is for situations when gathering useful insights from statistical results is crucial. Using numbers gives you a clearer perspective while making important business decisions. Any organization's growth requires the use of quantitative research techniques. Making decisions on the future of the company is shown to be very successful when using insights derived from sophisticated numerical data and analysis. (QuestionPro, 2022).

Since the data from the surveys will be utilized to address the research concerns, the questions posed at the start of this work, a quantitative study will be conducted for it. However, the task will also have a qualitative component since the data gathered through the surveys will be considered in a thorough analysis while also paying attention to the specifics that are offered in the findings.

2.4 APPROACHES

Deductive and inductive techniques to research are distinct categories. According to author Walliman (2006), a deductive technique is used to test theory whereas an inductive

approach is used to produce theory.

The inductive research methodology was selected to carry out this study. In order to enhance the background of the conflicts in Ireland's rental sector and how mediation and restorative practices might operate on it, the research employed public experience to gather information with the goal of identifying a pattern that would organize the data.

Due to the short research period and the limited financial and human resources available, this dissertation gathered data in an effort to create a better understanding of the problem based on the information from the public survey and to raise awareness of a connection that has not yet been explored, which can be categorized as the first step to developing additional measures for improving the sector.

Before making a final judgment on the efficacy of a mixed approach combining mediation and restorative practices, the author acknowledges the need for additional knowledge, literature addressing the issue of housing, the rental market, and, of course, investment in a practical study to test the interaction of the two. in the present rental market in Ireland.

2.5 STRATEGIES

The research strategy will link the goals of the study's design to how those goals will be met by the study's findings. Case studies, surveys, ethnographies, experiments, action research, grounded theory, and archival research are among the research methods.

As the name implies, a case study analyses a single, particular example or a homogenous set of cases that share a common primary attribute throughout a circumstance or a time period (Collins, 2010).

A group of persons who will serve as representatives of a certain demographic will be given a number of survey questions. The availability of web sites makes it possible to organize the replies to surveys and distribute them widely and inexpensively (Myers, 2008).

The study of a population and its components, such as religion and culture, is typically

referred to as ethnography. Typically, ethnographic investigations need much time and observation (usually for years).

In a practical sense, experimentation is typically associated with testing a hypothesis or theory. requires both time and resources.

The author formulates a primary query or problem and begins the action research by looking for answers. Usually, it takes a few attempts before the Actions Research yields a definitive outcome.

Archive research, as its name implies, is an approach that gathers information from earlier studies or sources. When the ability to caption the material is restricted, this method is frequently employed (Myers, 2008).

The population to be studied is still available, and the current research has aims and objectives that were established before the main research was carried out.

The country of Ireland's capital, Dublin, is not the only place where housing problems exist. The author made an effort to include respondents from various locations in the study because of this. A more comprehensive investigation of the industry is necessary in order to have a better grasp of the problem. In light of this, respondents who reside in various regions of the nation and are involved in the rental market – either as tenants or landlords – are the best candidates.

The survey was sufficient for those goals because the purpose of this research is to collect data from respondents throughout Ireland and other countries as well, in a short amount of time and with few resources.

A survey was created and distributed using social media (WhatsApp and Instagram) in an effort to reach a wide number of individuals, ensuring a precise and comprehensive representation of the group in context. The poll was released in groups created for renting homes, made up of landlords and renters from all around the nation, groups of students, and groups engaged in theme-related conversation.

2.6 POPULATION AND SAMPLING

The population that is currently renting a home in Ireland was the main focus of the study. People who have lived or currently reside in rental properties outside of Ireland did, however, answer to the questionnaire. Since not every component of this population can be recognized, non-probability sampling will be used in this study. Throughout the course of this research's progress, the goal is to reach as many individuals as possible.

The questionnaire was carried out anonymously to reduce bias. In other words, no inquiries were conducted that may have led to the respondents' identity.

2.7 DATA COLLECTION PROCESS

As previously stated, the information was gathered utilizing questions that had been developed with organized and objective purposes. The majority of the survey's questions will have closed-ended answers. The three different categories of questions were classificational, factual, and behavioural.

Convenience sampling was used to distribute the survey through social media and Facebook groups relevant to the topic.

2.8 LIMITATIONS

The primary drawback of this study is the short amount of time allotted for data collection; perhaps additional time allowed for survey distribution would have resulted in a larger and more representative sample and more accurate findings.

Additionally, the fact that the questionnaire was made public on social media may have restricted the research to the portion of the population that has access to it, leading to an unintentional secondary selection in that region.

As the study is the outcome of the effort of a single researcher, it is acknowledged that the researcher's relationship to and proximity to the research might lead to bias in the

interpretation of the data and conclusions.

The research also acknowledges that each respondent's experience may be skewed by the dispute's resolution, and that both the resolution and the experience of the process are directly influenced by all the professionals involved, such as the mediator or a representative of the aid groups.

It is thought that conducting a follow-up experiment where the results of this research could be analysed in a more practical manner, such as the development and application of a practical model, could be beneficial to more accurate results about the efficacy of the mixed approach and its suitability to the rental sector in Ireland. This is because the research had limited time and resources.

2.9 DATA ANALYSIS

The data that were included in the data search were of the following types: discrete data for numerical data and descriptive nominal data for variables that cannot be quantified quantitatively. As part of its analysis of the literature, the study will also take into account the respondents' responses to a questionnaire as well as its relevance and aims.

Microsoft Excel was used to process the data and the findings, utilizing tools like graphs, tables, and charts.

3 DATA PRESENTATION

Data will be collected through questions formulated with structured objectives and objectives. The questions (22 in total) can be seen in the appendices. The survey was created using the Google Forms website and distributed in accordance with the methodology chapter's instructions. 179 answers from landlords and tenants who participated in the survey during its online period were obtained; the respondents were spread out randomly throughout Ireland and other nations and included in the rental market.

The survey will be based primarily on closed-ended questions. The question types were Behavioural, Factual and Classification. The survey was disseminated through social medias.

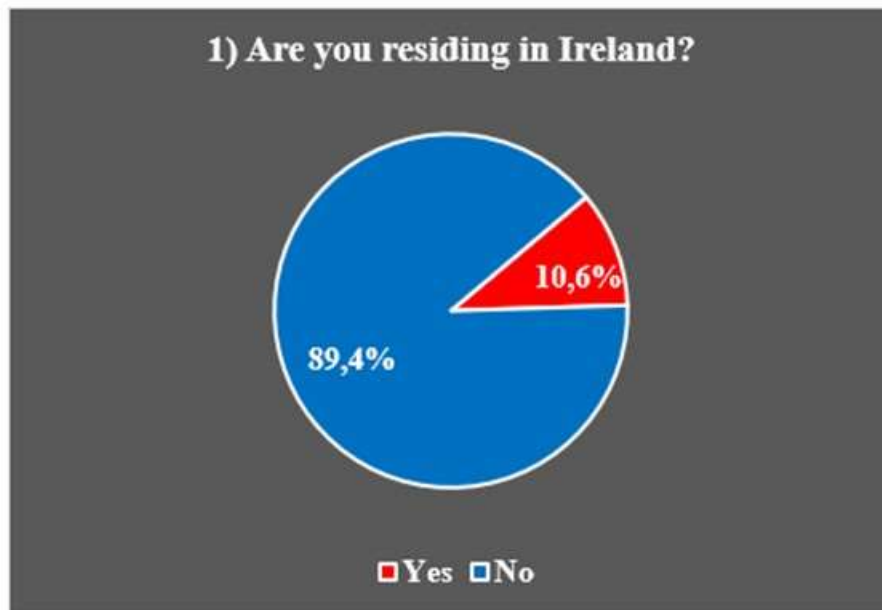
The fundamental drawback of this study is the amount of time available for data collection; more time for research dissemination could have resulted in higher involvement and a bigger sample size, and thus more accurate results.

Furthermore, because the questionnaire was distributed via social medias, the search will be limited to those who have access to it, resulting in secondary and inadvertent selection in this area.

The data and findings will be processed utilizing tools such as graphs, tables and charts. The outcomes of the survey's data collection, broken down by question, are as follows:

89.40% of respondents live in Ireland, compared to 10.60% who live outside of Ireland, as can be seen on the Graph 12 below.

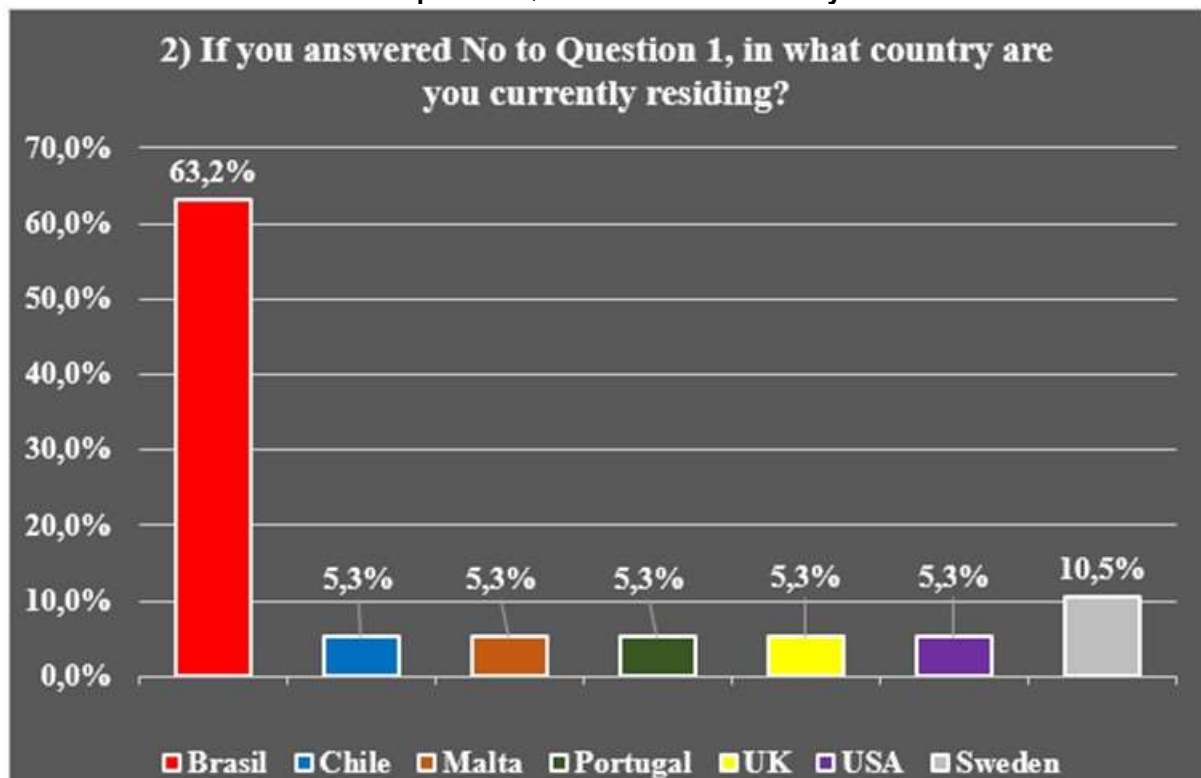
Graph 12 – Question 01 of the survey



Source: Author (2022)

The locations of the 19 respondents who indicated they were residing outside of Ireland are shown below on the Graph 13.

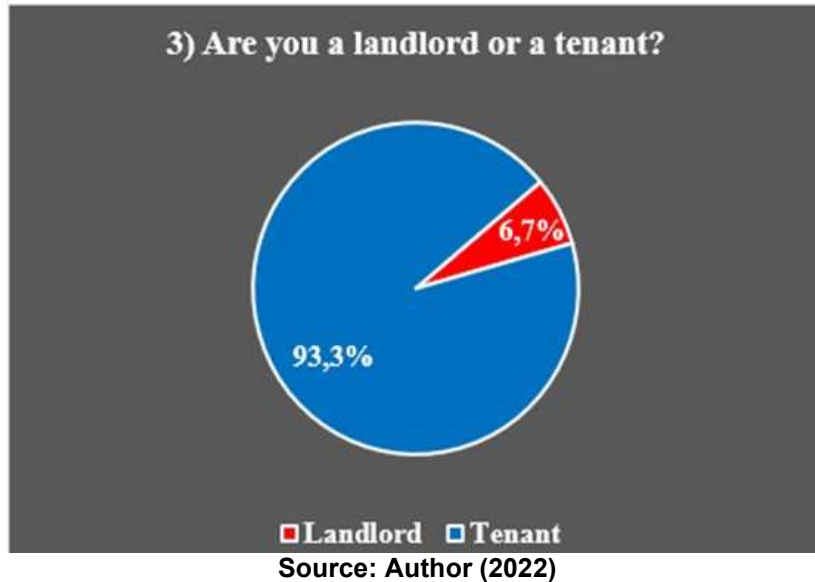
Graph 13 – Question 02 of the survey



Source: Author (2022)

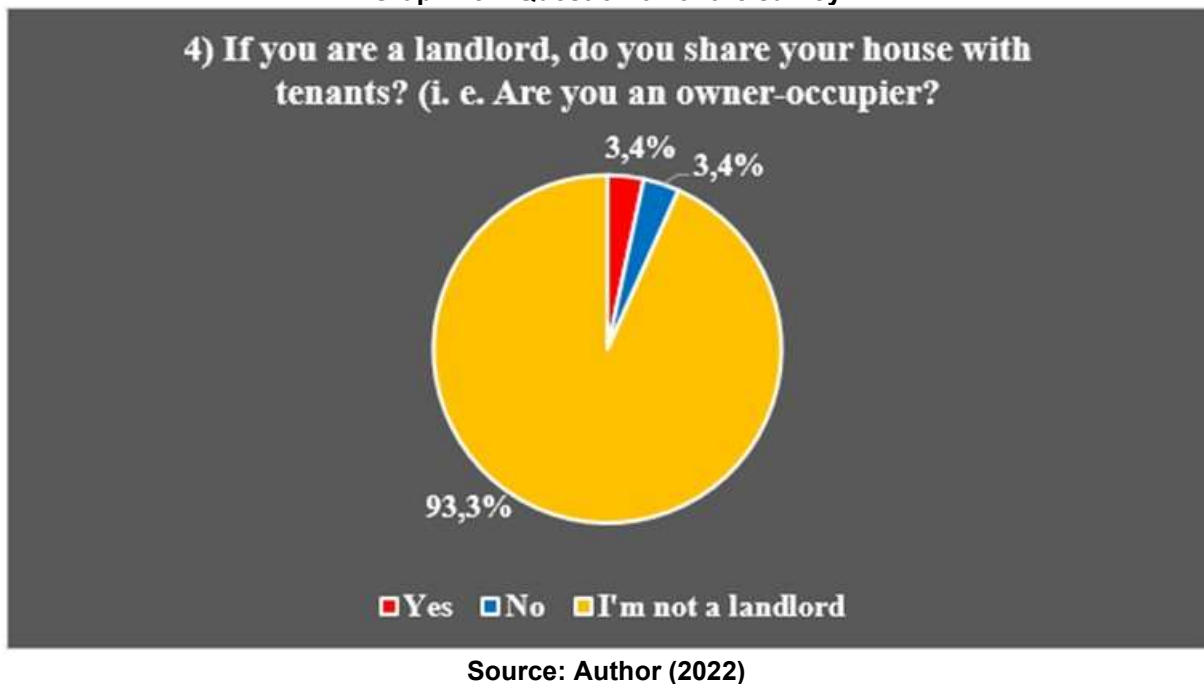
We have 12 landlords and 167 tenants among the 179 survey respondents, as can be seen on the Graph 14 below.

Graph 14 – Question 03 of the survey



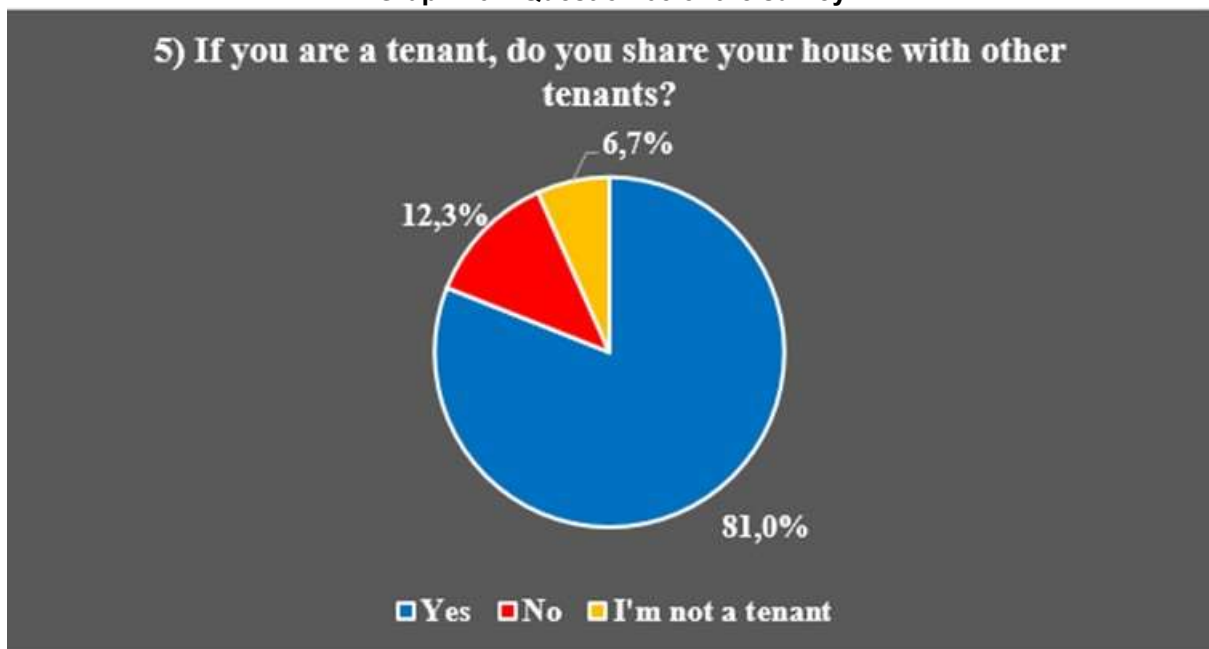
In certain rental houses, it is a reality that the landlord and the tenant share a home. Regarding question 4 of the survey, the chart below (Graph 15) indicates the total of six persons who, despite being landlords, live in the home with their renters.

Graph 15 – Question 04 of the survey



And of course, sharing a home with other tenants is something that is much more typical, particularly in Ireland. Sometimes, with homes having three to four persons per room, this number might be quite high. 145 of the 167 renters who took part in the poll live in shared housing. Referring to questionnaire question 05, the graph below (Graph 16) illustrates this.

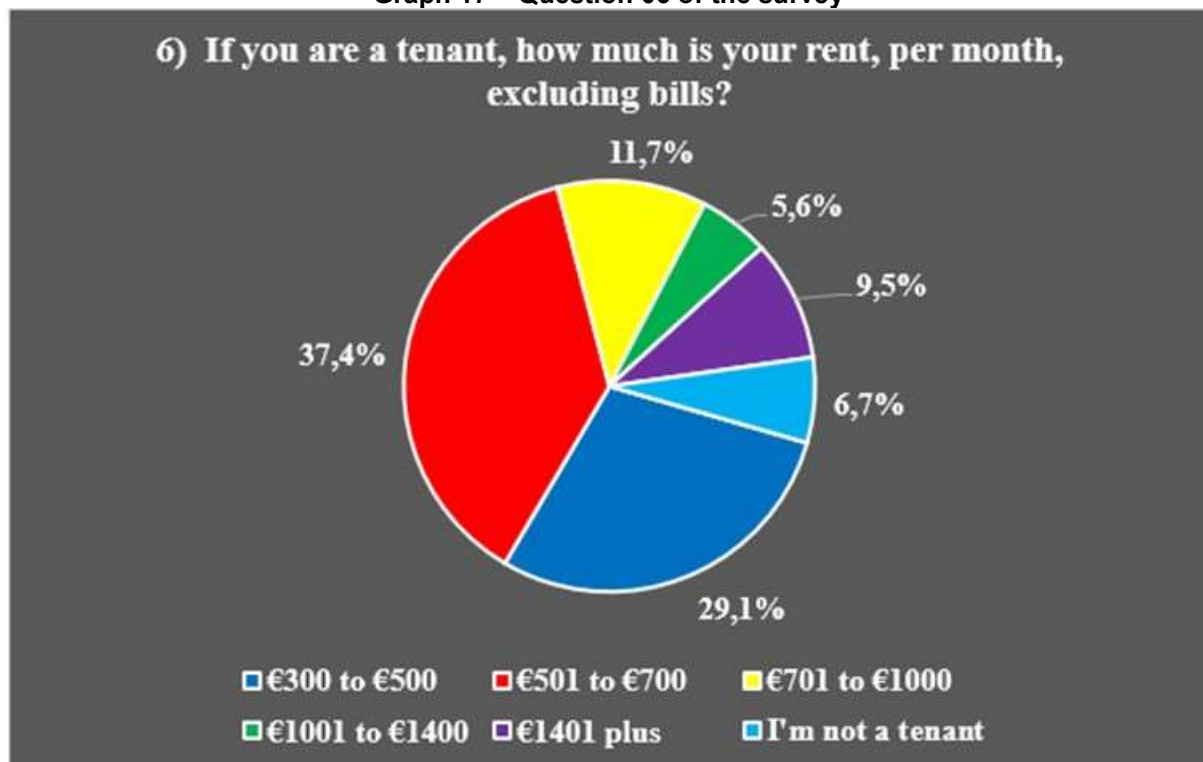
Graph 16 – Question 05 of the survey



Source: Author (2022)

COVID-19 has had a significant impact on rental rates in terms of the costs associated with them. Up until 2019, a somewhat different pricing range than what is displayed now was accessible. However, rental prices significantly increased following the epidemic. For instance, 115 (64.2%) of the 167 tenants who participated in the poll pay more than €500 in rent alone, excluding expenses, each month. Graph 17 below makes this very apparent.

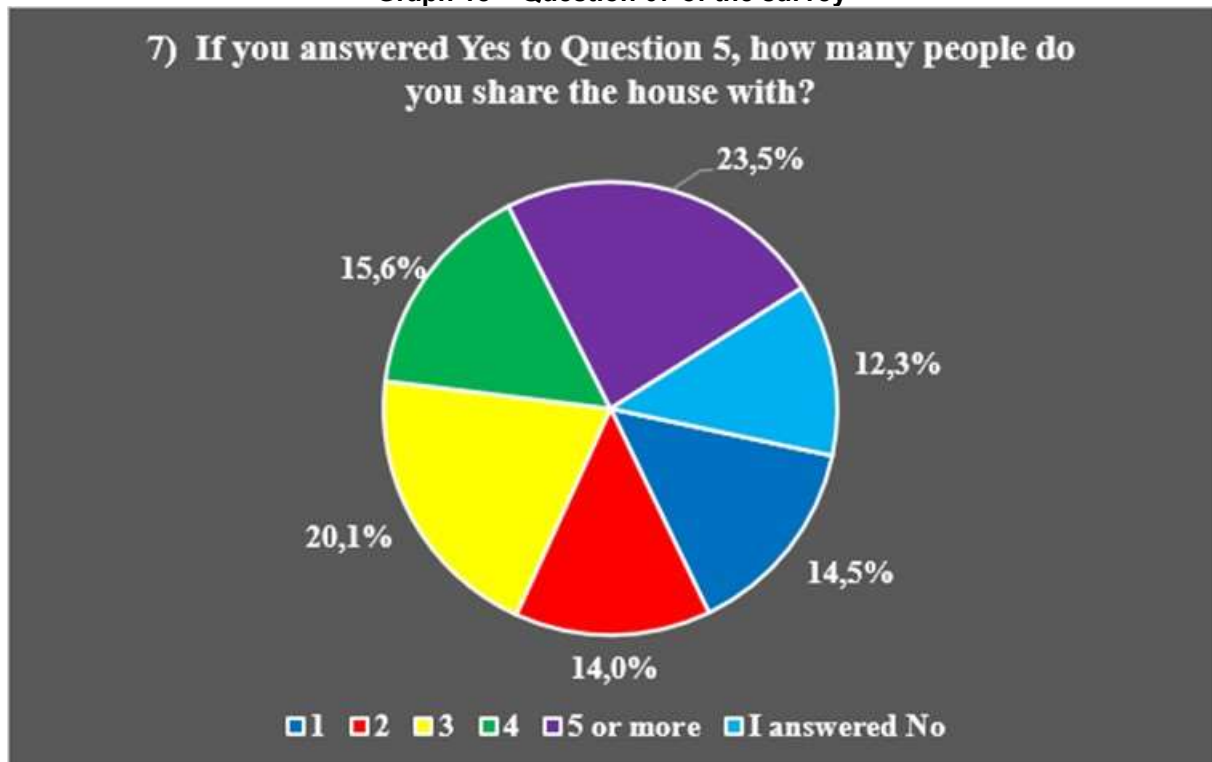
Graph 17 – Question 06 of the survey



Source: Author (2022)

Sharing a home with multiple renters is fairly frequent, as was previously indicated. The number of renters who live in a home with at least four other individuals is 70, or 39.1%, according to Graph 18 below.

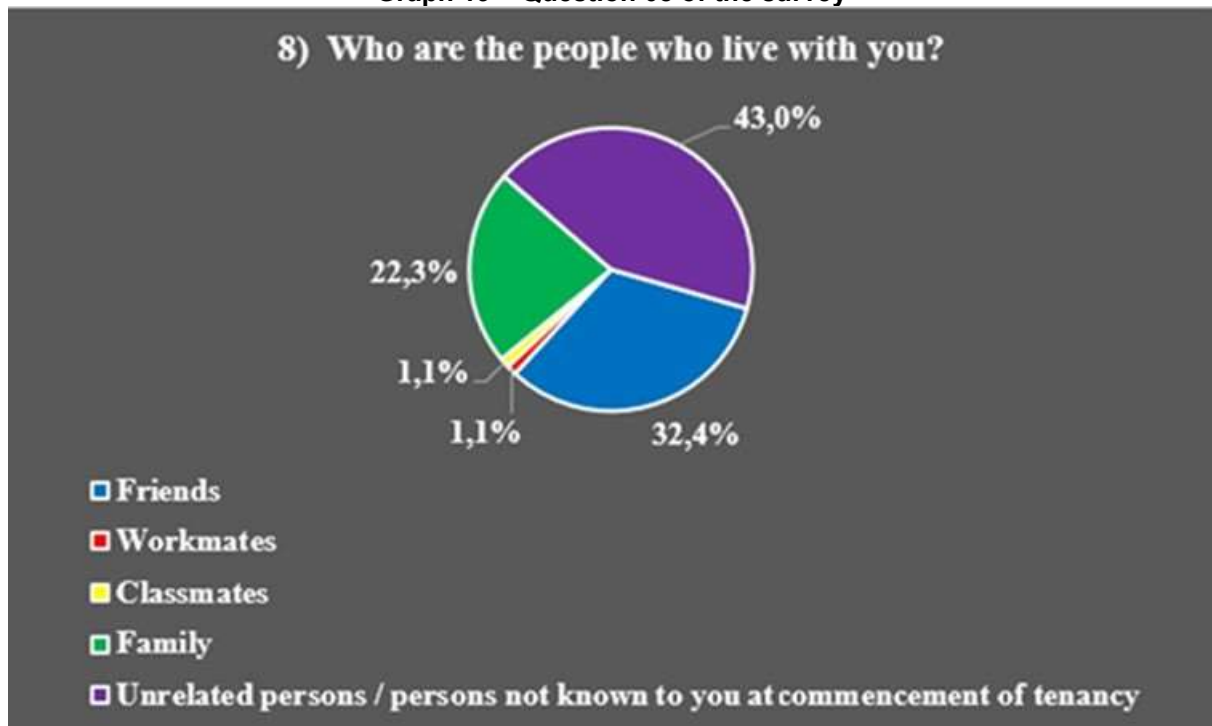
Graph 18 – Question 07 of the survey



Source: Author (2022)

Who you live with is a crucial factor to consider while looking for homes. The most typical thing when moving to a new nation to start a new life, whether it is for employment, studies, or both, is to hang out with strangers. This is seen in Graph 19 below, where 43% of survey respondents live with persons they did not know prior to the start of the lease on the property. Another housing issue that many individuals deal with is this one.

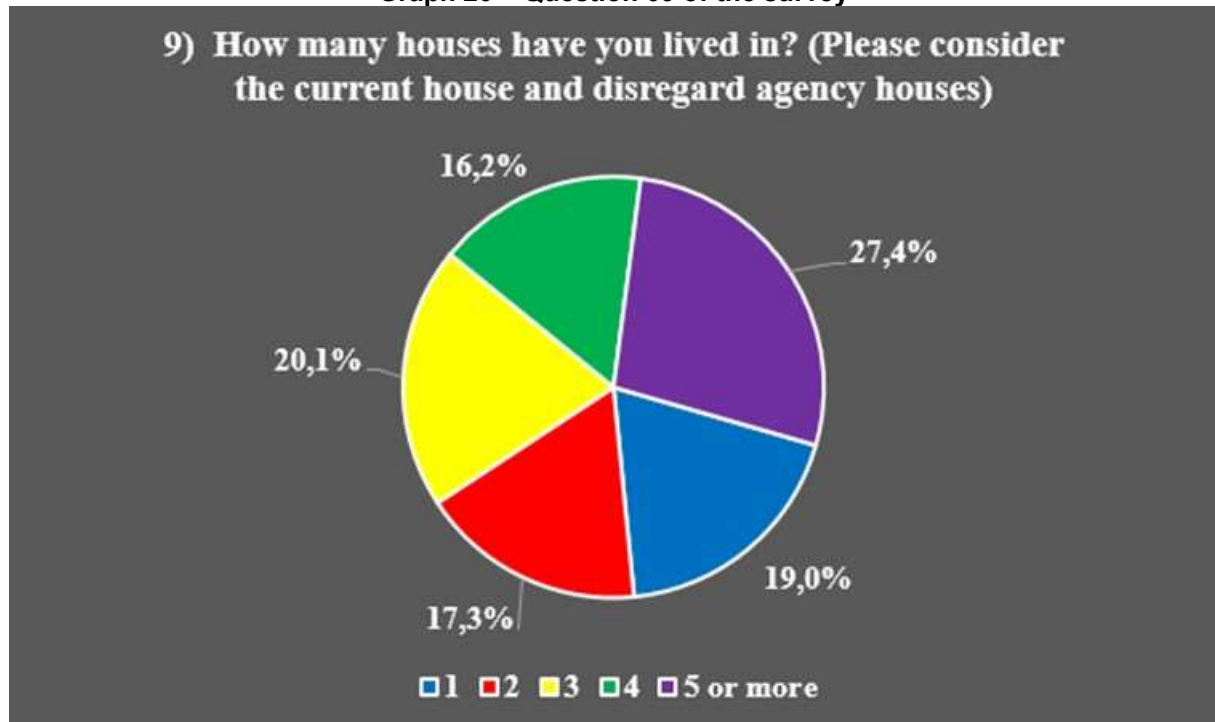
Graph 19 – Question 08 of the survey



Source: Author (2022)

Moving homes is another highly regular occurrence. Unfortunately, certain changes may place unexpectedly, which forces many people to move into several homes quickly. We have a total of 78 respondents (43.6%) who have lived in at least four different homes. Not having an agency home was emphasized in the query. This information is relevant since many visitors visiting Ireland, primarily students, sign a temporary housing agreement with an agency for a period of one to three weeks. Therefore, respondents were asked not to have this sort of dwelling in order to avoid inflating the number of homes. This is seen in Graph 20 below.

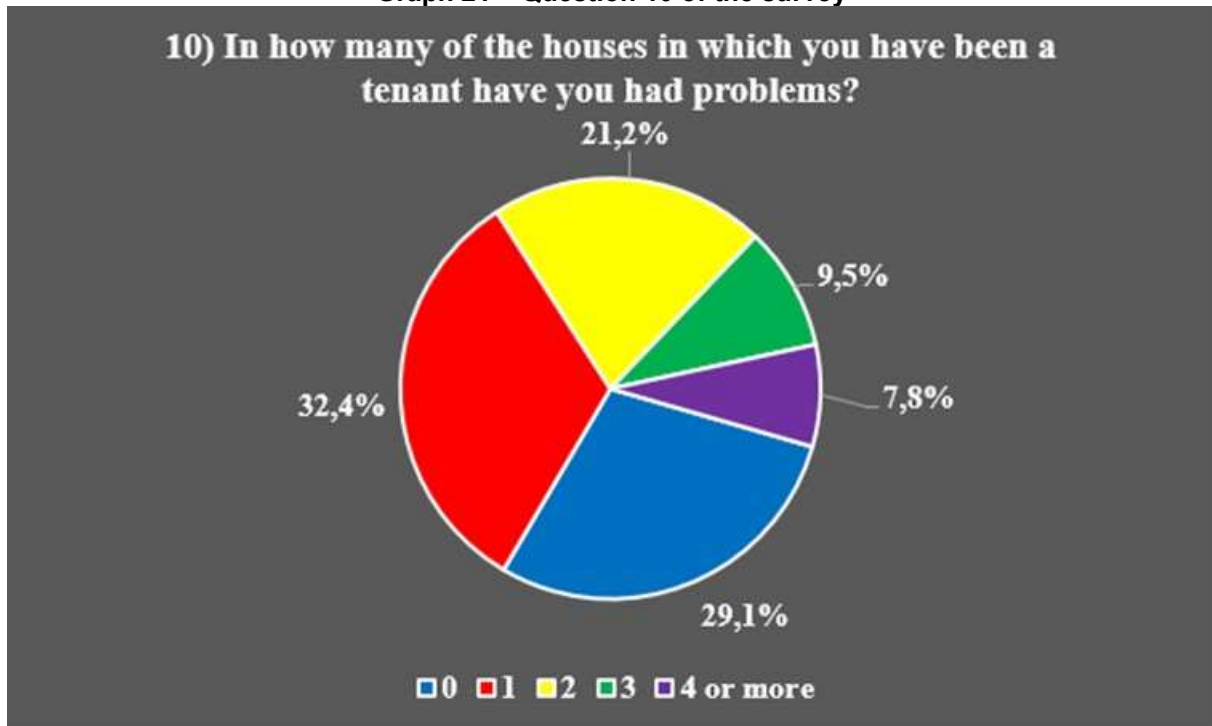
Graph 20 – Question 09 of the survey



Source: Author (2022)

A total of 70.9% of poll respondents say they have had issues in at least one of the properties they have travelled through when it comes to troubles they have encountered. This only demonstrates how often disagreements are in the housing problem. This is illustrated in the graph 21 below.

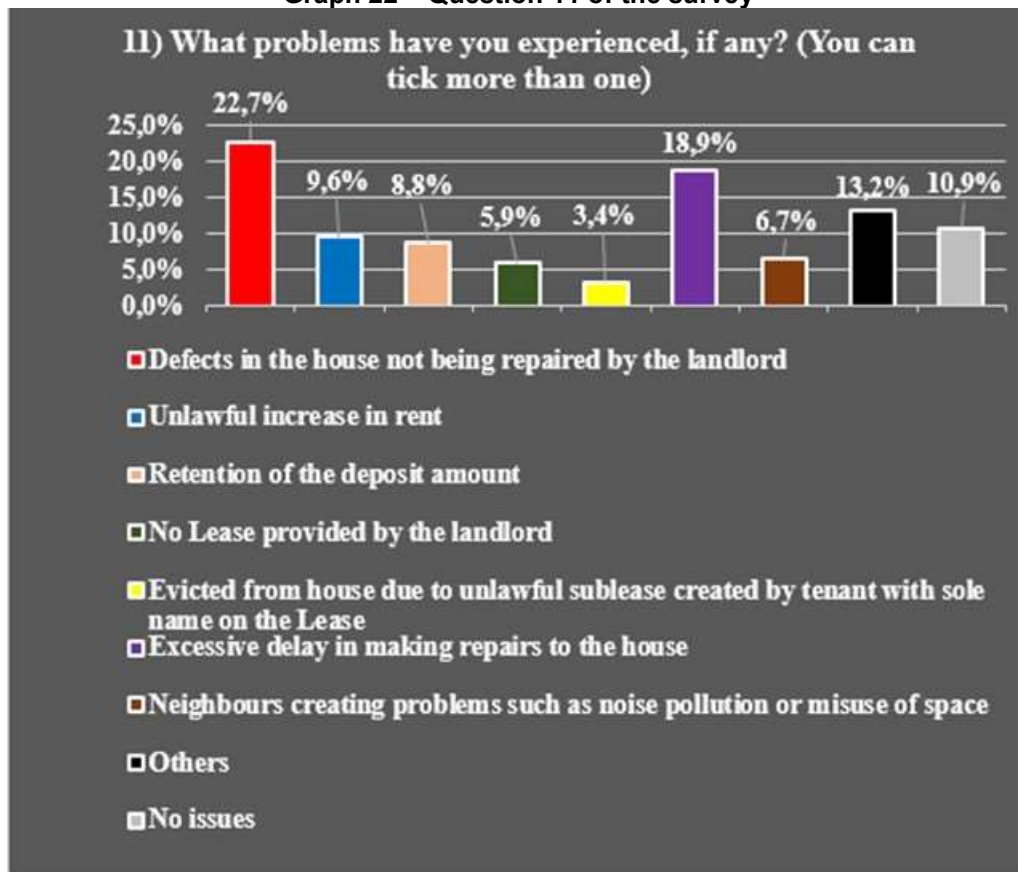
Graph 21 – Question 10 of the survey



Source: Author (2022)

We have data on the issues people encountered in their houses in graph 22 below, which relates to question 11 of the survey. Multiple persons might be seen marking multiple problems because it was possible to indicate more than one issue. With a total of 22.7%, the problem of home faults not being fixed by the owner is the most prevalent. Furthermore, a whopping 10.9% of the population reported not having any issues with their dwellings.

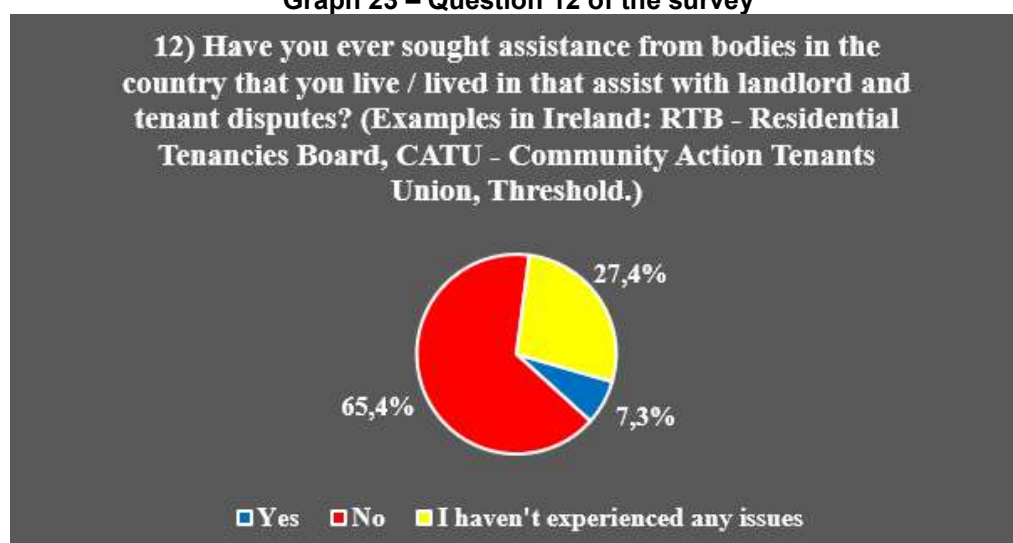
Graph 22 – Question 11 of the survey



Source: Author (2022)

How few individuals are aware of organizations that assist residents with housing-related issues is seen in Graph 23 below. Among respondents, just 7.3% are aware of them.

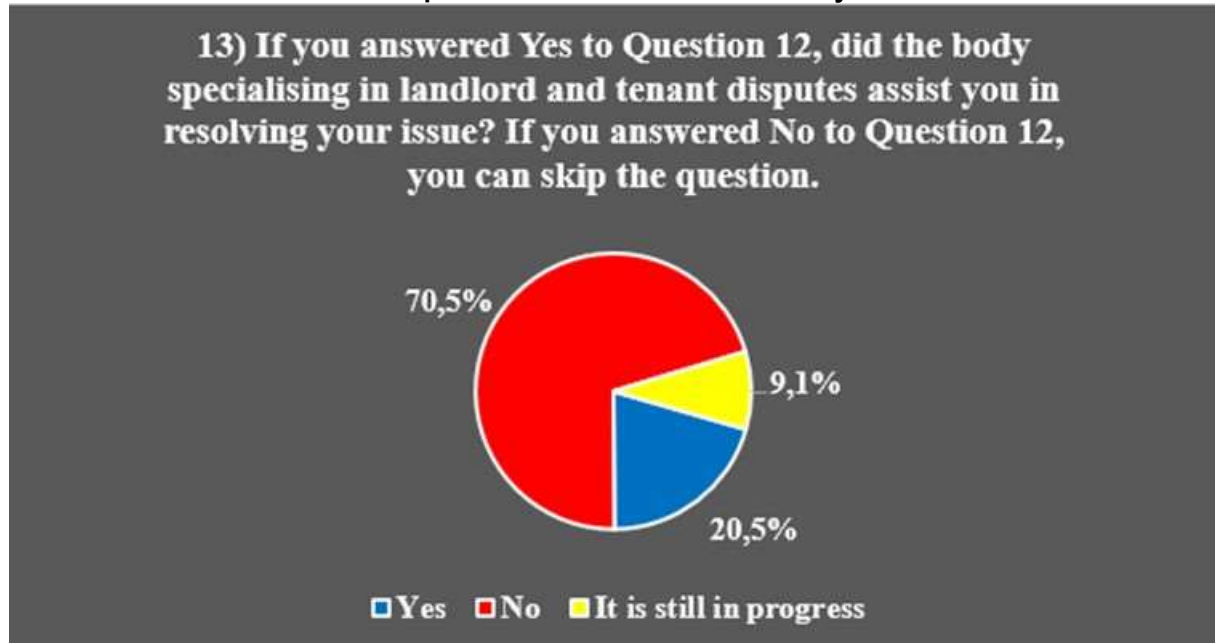
Graph 23 – Question 12 of the survey



Source: Author (2022)

A more concerning statistic is depicted in Graph 24 below, which is the percentage of persons who sought aid, but only 20.5% received it from the organizations.

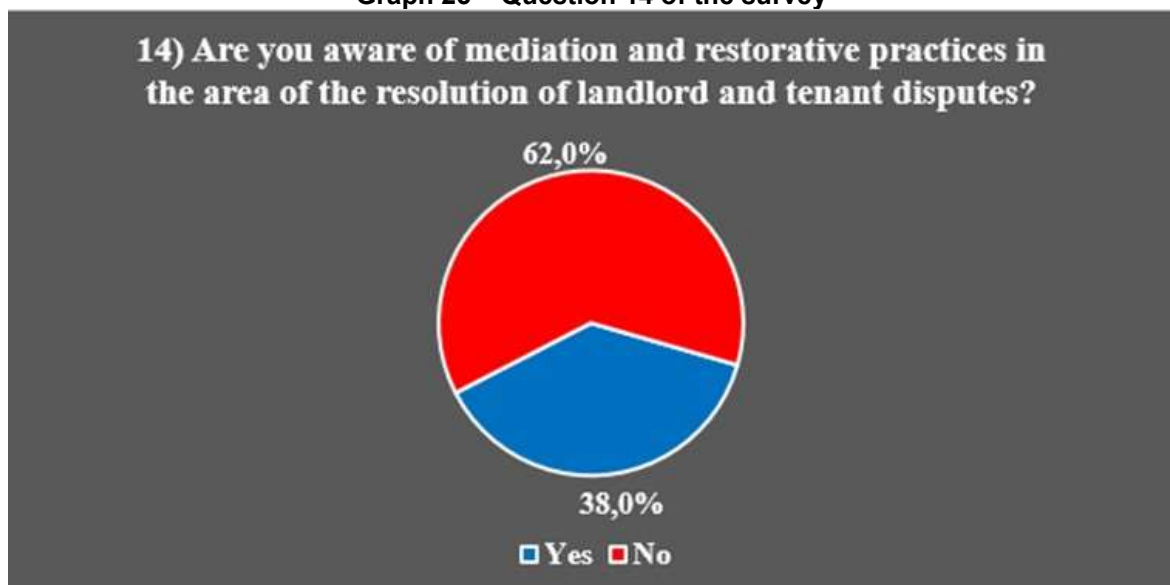
Graph 24 – Question 13 of the survey



Source: Author (2022)

Unfortunately, Graph 25 below demonstrates how there are still a lot of individuals who are unaware of mediation and restorative approaches when it comes to disputes involving tenants and landlords. Only 38% of respondents knew this, according to our data.

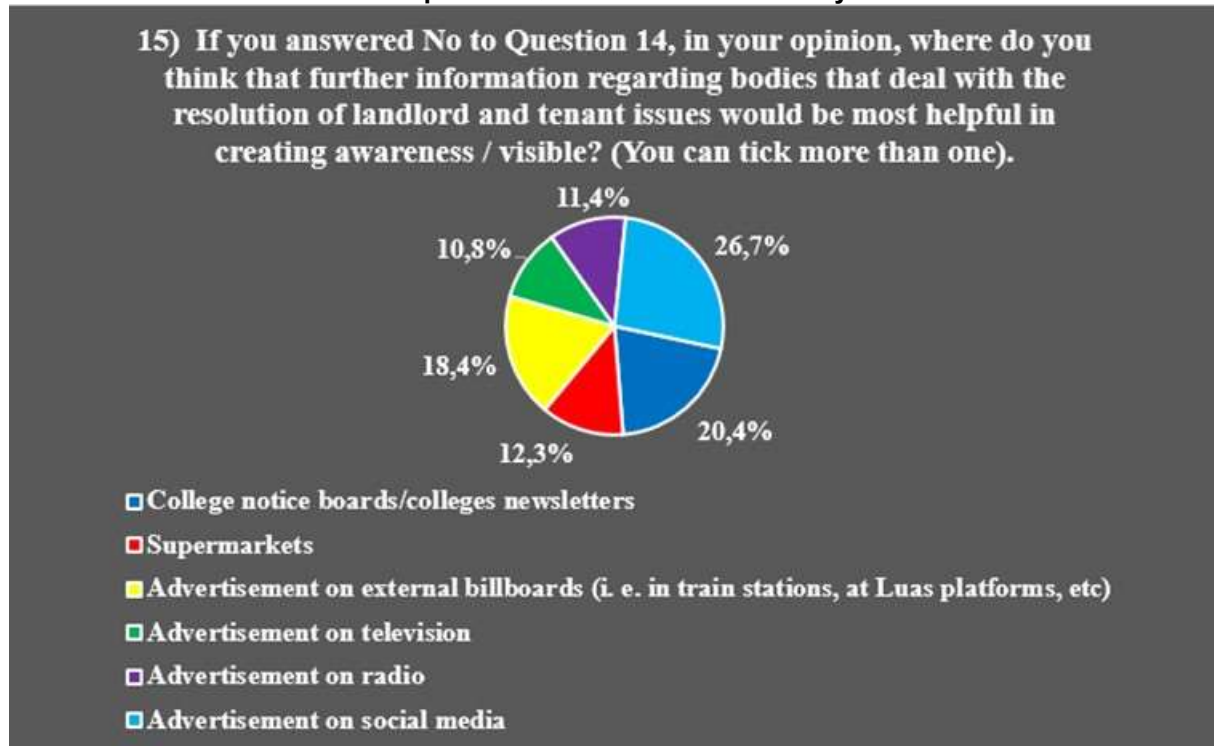
Graph 25 – Question 14 of the survey



Source: Author (2022)

Graph 26 demonstrated the need for greater public awareness of the issue of assistance agencies in connection to housing and was connected to questionnaire question 15. The disclosure on social networks had the greatest rate, at 26.7%.

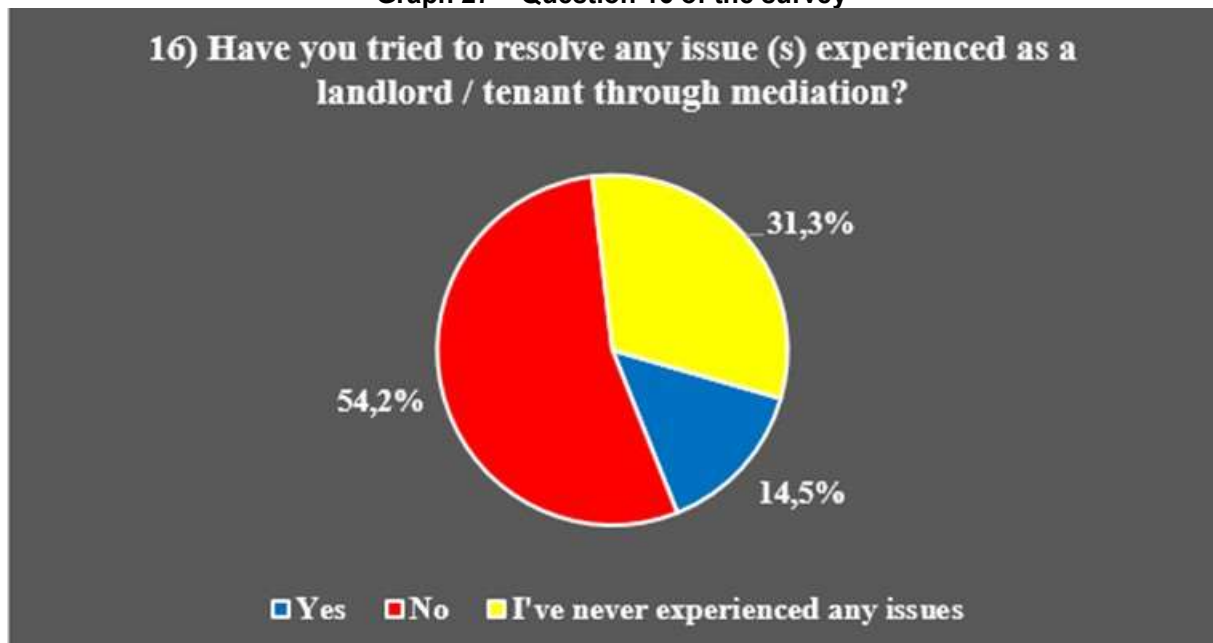
Graph 26 – Question 15 of the survey



Source: Author (2022)

Only 14.5% of those surveyed attempted to utilize mediation as a method of dispute resolution in response to question 16 of the questionnaire, as shown by graph 27 below. This is a very low percentage.

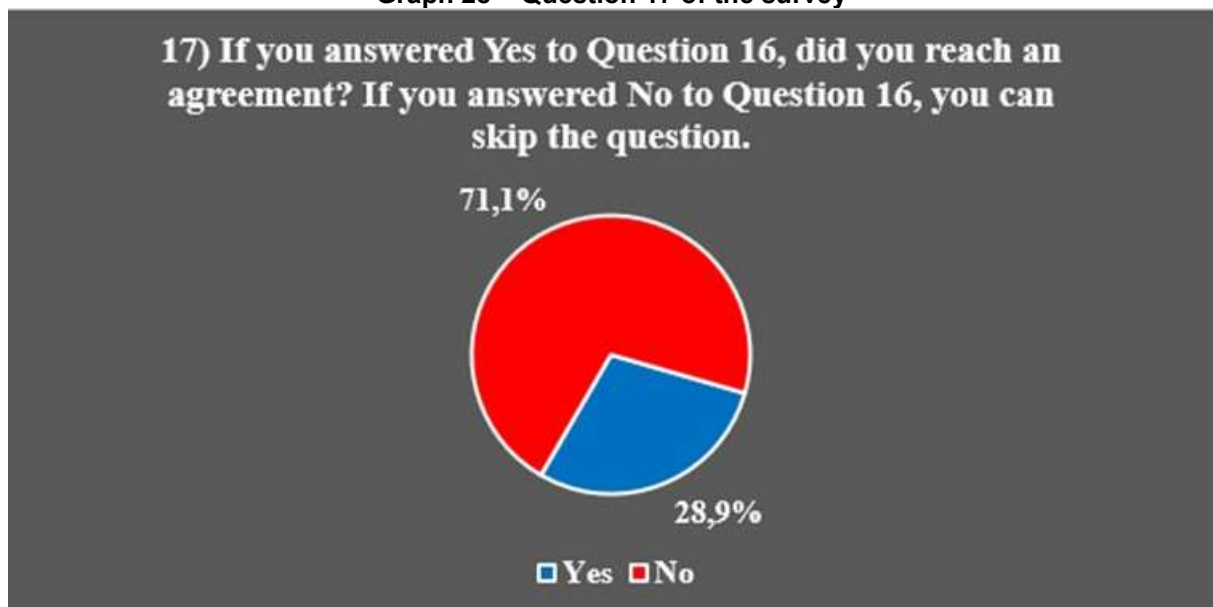
Graph 27 – Question 16 of the survey



Source: Author (2022)

Only 28.9% of the participants questioned in graph 28, which is connected to questionnaire question 17, reported using mediation to find a resolution.

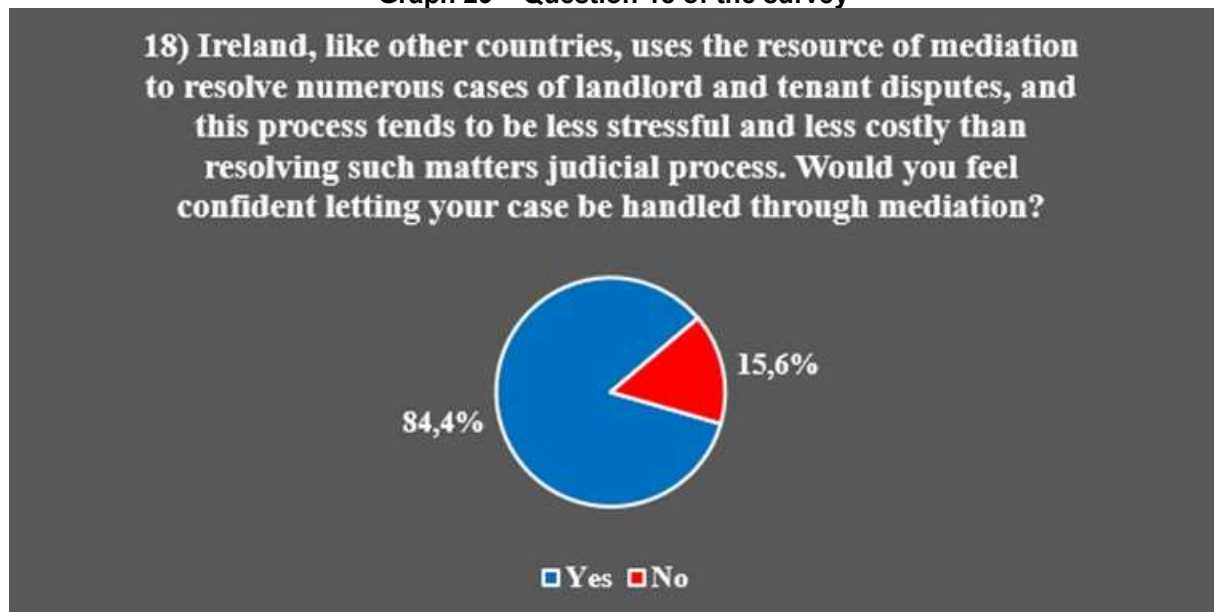
Graph 28 – Question 17 of the survey



Source: Author (2022)

The data in Graph 29, related to question 18 of questionnaire is quite intriguing. 84.4% of those surveyed felt comfortable and confident allowing an issue to be resolved through mediation.

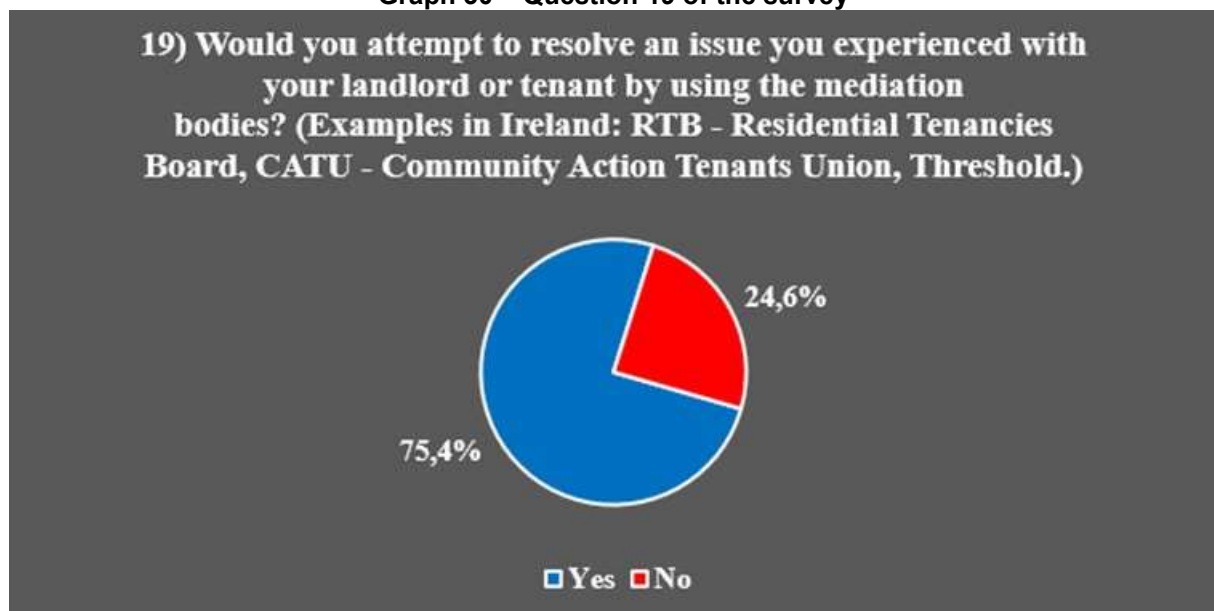
Graph 29 – Question 18 of the survey



Source: Author (2022)

75.4% of respondents indicated that they would be open to trying to settle disputes through mediation conducted by established organizations. This is depicted in graph 30 below, which is connected to questionnaire question 19.

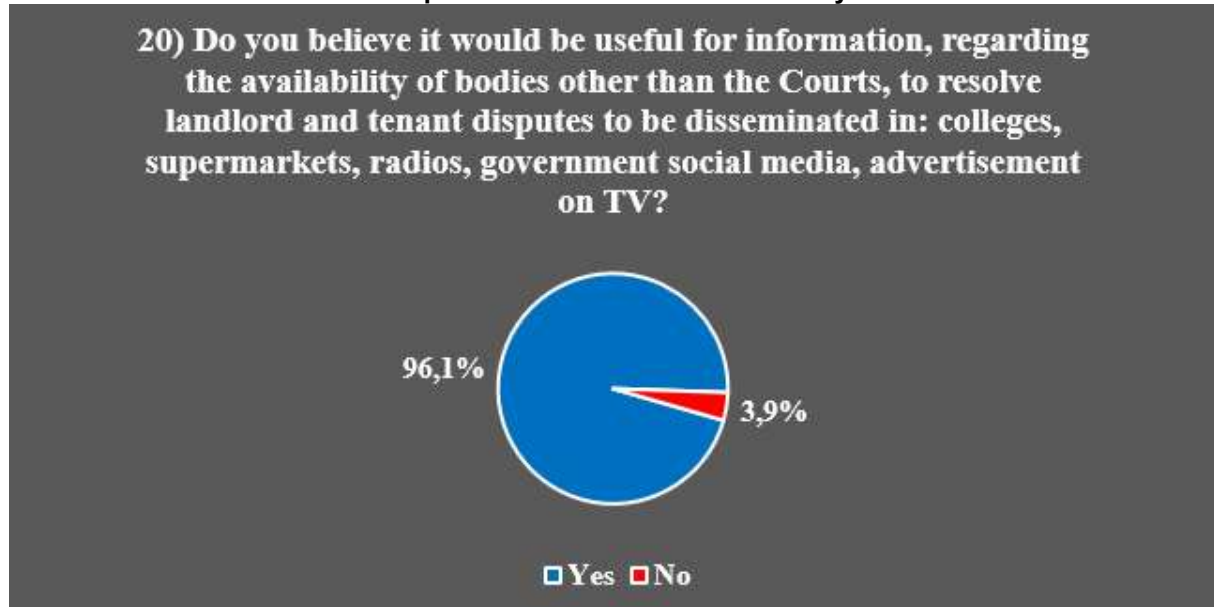
Graph 30 – Question 19 of the survey



Source: Author (2022)

According to graph 31, which relates to questionnaire question 20, 96.1% of respondents think it would be beneficial to publish information regarding the work done by assistance agencies.

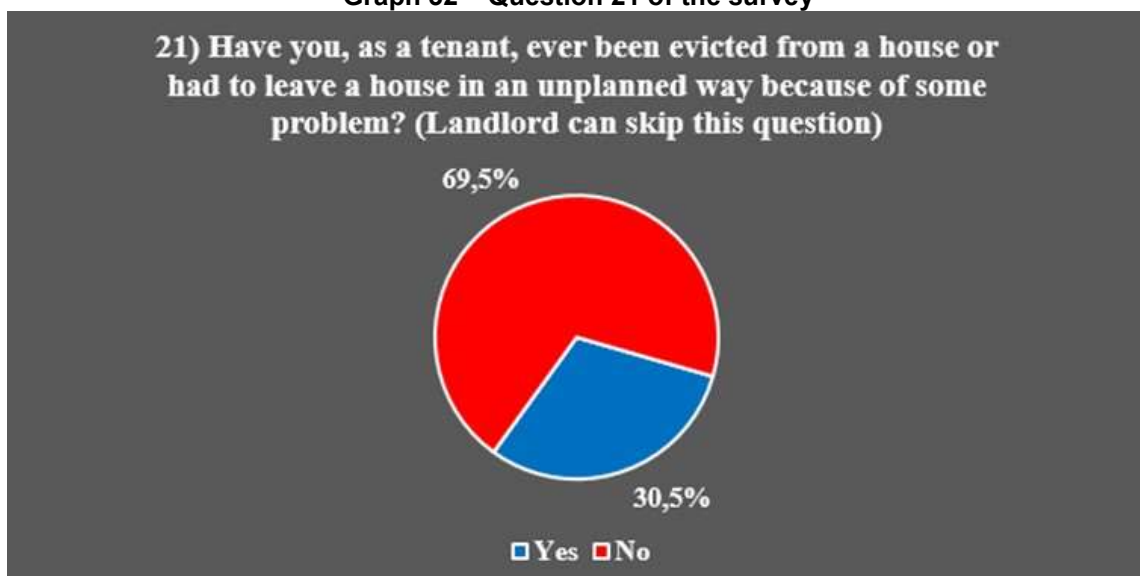
Graph 31 – Question 20 of the survey



Source: Author (2022)

Regarding questionnaire question 21, graph 32 presents some quite unsettling statistics. 30.5% of the renters who were interviewed had an unanticipated reason to depart one of their residences.

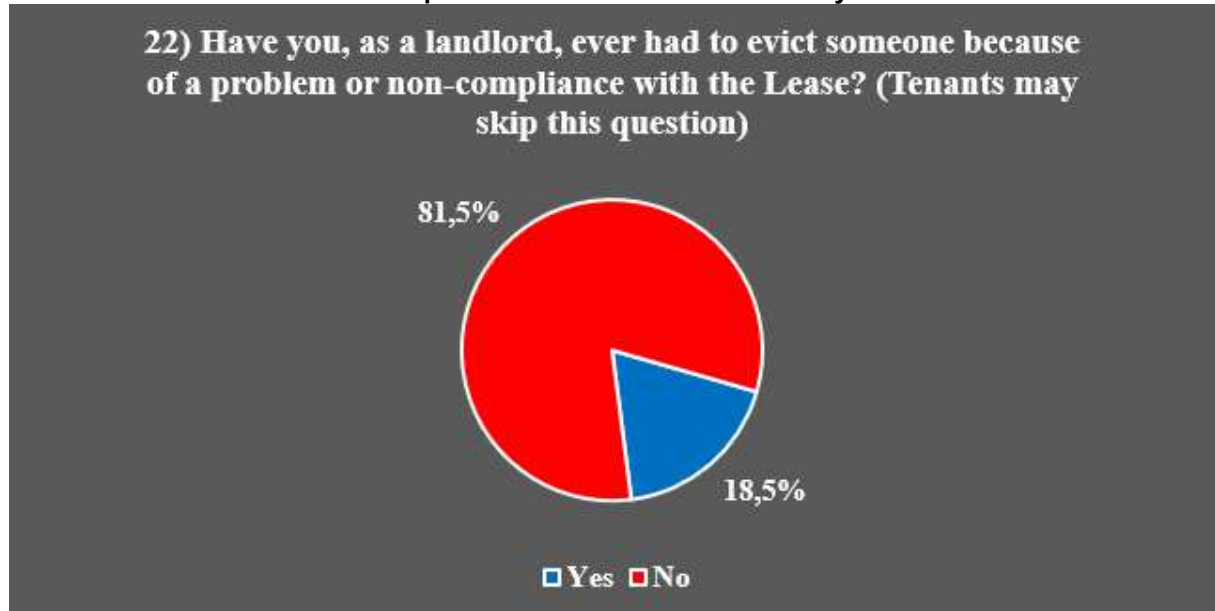
Graph 32 – Question 21 of the survey



Source: Author (2022)

Rent-related issues have already forced landlords to remove tenants, as seen in graph 33, which is connected to questionnaire question 22. A whopping 18.5% of landlords have already gone through it.

Graph 33 – Question 22 of the survey



Source: Author (2022)

4 DISCUSSION

As previously said, there is barely any information available to determine a genuine overall picture of the problems that are occurring in the rental industry. The majority of the information is provided by organizations like the RTB, which, in addition to overseeing the relevant legislation, serves as an open-door resource for anybody in need of help with matters relating to renting. Other information comes from press reports or a few small studies.

More over half of the population who experienced problems with their renters or landlords had never looked for institutional help, as shown by Graph 23 in relation to Question 12 of the current research (65.4%). In addition, only 20.5% of respondents reported having a body helping them to address the problem, as shown by Graph 24 in relation to Question 13 of the current study.

It is apparent that only a tiny portion of the sample, or those who sought treatment and also made the decision to pick such an institution, is represented in the data collected by the organizations that support both renters and landlords. Various figures, which only make up a small portion of the total, were provided by organizations with expertise in these housing-related issues.

According to Hayes (2021), make an effort to map a situation. or identify particular problems and their solutions while using findings that contain sampling mistakes interferes not only with the overall notion that won't be precise enough but also might offer the incorrect impression of the severity of the problem.

Discussing a significant proportion that cannot be ignored is also crucial. 13.2% of respondents to survey question 11 in graph 22 categorized the issues they were experiencing in their homes as "Other." Even though they were aware that the poll was being done in an anonymous manner, several of the participants still decided to share some of their experiences and offer some commentary. Many claimed that they believed the landlord treated renters differently, frequently because they were immigrants or because they could not speak the local language well. Unfortunately, because the landlord will never anticipate

such a case, it will not be included in the RTB or Threshold reports for contract termination reasons.

Another crucial element to emphasize is how COVID-19 significantly impacted Ireland's housing crisis. The epidemic has made a number of issues worse. It was observed that many tenants experienced unreasonable and frequently unlawful rent hikes. This is also seen in Graph 22, where 9.6% of people experience rent hikes in this manner.

4.1 MEDIATION IN THE PROCESS

Numerous situations in Ireland and other countries might benefit greatly from mediation. Unfortunately, 62% of individuals surveyed do not know that mediation may be used to address housing-related disputes, as can be shown in Graph 25 with reference to question number 14.

Cross-referencing survey responses revealed, as previously mentioned, that the minority of respondents – 14.5% of the total – who have already attempted to address their disputes between landlord and tenant through mediation can be seen in Graph 27 when it comes to Question 16.

Perhaps increasing the dissemination of information regarding alternative dispute resolution options will not only increase the number of people attempting to resolve their disputes through those techniques but also prevent the escalation of disputes as they became aware of the concept earlier. It will also likely make it more available, accessible, and attractive to tenants and landlords. Therefore, preventing disagreements from escalating can help to reduce the number of people who disclose receiving threats or experiencing health problems as a result of their arguments.

Despite the fact that mediation agreements in Ireland are legally enforceable (Mediation Act, 2017), the study found that the majority of disputes between tenants and landlords continue even after the agreement or develop as a result of the ruptured relationship. It appears to demonstrate a lack of process continuity.

It may result from the mediation's concentration on obtaining a settlement rather than resolving the fundamental problems, as advocated by Hoffman (2011), rather than humanizing both sides of the conflict and fostering understanding.

4.2 BIAS

Despite the fact that the current study mostly relies on public opinion for its data, some patterns of behaviour might point to bias in some responses, which would alter the findings.

A bias is a predisposed preference for or opposition to a concept, something, a person, or a group. It is frequently acquired via learning and greatly influenced by factors such as a person's financial situation, race, ethnicity, educational background, etc. Bias may have a detrimental effect on a person's interpersonal and professional interactions on an individual level, and it can cause unjust collective persecution on a society level, such as the Holocaust and slavery. (Psychology Today, 2022).

Any bias or internal validation that inhibits a precise study of a particular topic and results in an incorrect computation of the link between an exposure and an impact on the target group is referred to as bias (Pannucci and Wilkins, 2010, p 619).

Bias can take many different forms and manifest itself either consciously or unconsciously. Unconscious prejudice is the most prevalent, and since it is so prevalent, it is practically impossible to overcome (Delgado-Rodriguez and Llorca, 2004, p.635).

According to Johnson (2019), things we remember aren't always reliable or correct. When our opinions or thoughts about something change through time, our memories of the past may become skewed, and we prefer to align those memories with our present viewpoints and beliefs. The level of detail in someone's story or the specifics of the problem that will be emphasized or skipped over may be influenced by how close they are to the scenario being investigated.

Another matter that needs awareness and understanding is question 17, which is depicted by graph 28 and appears to be strongly influenced by bias.

The proportion of respondents who felt the deal reached was fair and their perception of fairness appear to be related. The notion of equity, according to Arnett (1967, p. 292), is directly related to justice; therefore, in order for a choice to be judged fair, it must equally weigh the needs and interests of all parties concerned. The same author continues by saying that justice as a notion has more to do with the procedure used to arrive at a conclusion than it does with the result itself.

The fact that there could be a link between the outcome of the mediation process and the suggestion that mediation is a viable alternative to other forms of dispute resolution must be emphasized. As was previously indicated in the literature assessment of the current work, mediation has a wealth of evidence supporting its efficacy in a variety of contexts and, on top of that, it is a more affordable, quicker, and easier alternative that cannot be discounted as a form of conflict resolution.

4.3 RESTORATIVE PRACTICES

As previously mentioned, restorative practices play a role not only in the aftermath of a conflict, in the reduction of harm or resolution of problems, but also in the prevention of conflicts through procedures that emphasize assigning blame for the problems to the offender and the victims as well as the conscientization of the individuals' own attitudes.

Research by Sherman and Strang (2007) demonstrates that when people experience the consequences of their acts, they are better able to comprehend how their attitudes may affect other people. According to their research, criminals who were exposed to this learning environment went on to commit fewer crimes overall and at a lower cost.

According to Christie (1977), when society has a significant impact on problem-solving, it hurts not only the victims and society as a whole but also civility because it misses the chance to address the fear and misconceptions the offense has caused as well as the opportunity to make amends and accept responsibility.

According to Strang and Braithwaite (2001, p. 114), since accepting responsibility is a democratic virtue, it is not sufficient to retain conceptions of restorative practices in official criminal justice institutions; they must also be used at all societal levels.

The research's findings show that, despite a lack of widespread acknowledgment of restorative practices among the participants of the studied population, the same group is open to instruction and recurrent engagement in fundamental restorative practices like community meetings.

Community meetings, as described by Maton (2008, p. 8), are a simple and accessible tool to empower a community while also bringing neighbourhoods together to identify solutions to shared problems. In his book, the author discusses the use of community gatherings to debate topics and illustrates how illuminating dialogues can be in terms of learning about both the topic under discussion and the human component and repercussions of the issue.

Through his research, Maton (2008, p. 8) has come to the conclusion that community psychology and other related fields may be able to increase the number and variety of empowering settings available as well as enhance the community and social impact of those that already exist. He recognizes a connection between individual and group development.

The survey's findings showed a gap in knowledge between landlords and renters, and furthermore, they showed that those who sought outside help had a greater advantage and had a higher probability of resolving problems than those who did not.

As was already noted, the relationship between trying mediation and looking for institutional help turned out to be advantageous for encouraging involvement in the process.

Using community meetings as a new vehicle for the dissemination of information will help ensure a better and more equitable distribution of knowledge, teach a larger portion of the target population to prevent problems in the area, and encourage parties to open conflicts to look for other solutions.

As previously mentioned, using community meetings for educational purposes would help reduce the number of problems in the rental market. It would also aid in a better distribution of information, lessen the imbalance of knowledge, and ultimately increase the likelihood that disputes will be resolved without causing further harm.

Berry (1993) compared society to a living creature that is always developing and in need of adaptation as a result. With this adaption, the author argues that it is essential to reinstate previous behaviours, such as urban democracy and public discourse.

Since landlords are exiting the rental market, as was already noted, new strategies must be used to prevent the emergence of new problems and to lessen the pattern of conflict that already exists.

4.4 MIXING APPROACHES

Despite being a fantastic model of conflict resolution that is expanding with the development of tools, mediation still falls short in its ability to serve as a pre-conflict agent. It is reasonable to state that both ways can perform complementarily when examining the timing of the problems and the areas in which each strategy operates. Byer (2016) and Vynckier (2009) have produced experiments that provide evidence in favour of the mixed approach paradigm.

The survey's findings demonstrate not only that problems recur after the mediation process, but also that there are still irreversible harms present even after the conflict has been resolved.

The notion of a blended approach between both techniques was made possible and very alluring to the context by the survey respondents' readiness to participate in community meeting procedures and the prospect of knowledge balance coming from the application of restorative practices.

5 CONCLUSION

Understanding a problem is necessary before we can resolve it. This involves a lot of consideration and effort (Adams, 2018 and Dolfig, 2018). The primary goal of this project was to gather data on the use of alternative dispute resolution approaches in the Irish rental market.

Burke-Kennedy (2022a), Gleeson (2021), Ireland's House Magazine (2021a), Lyons (2019) and Tyrrell (2022) claim that Dublin is one of the most expensive cities in the world to live in and that living in Ireland is getting increasingly tough as seen by recent years. The rising cost of renting in the nation has an impact on both the number of homeless people and their lifestyle.

According to the poll created for this research, 81% of the population who leases a house live in shared surroundings. High rents are forcing more individuals to share their homes in order to afford renting one. Only 22.3% of respondents, or 81% of those who said they shared a home, said they did so with family members, according to the poll. 32.4% of tenants share with friends, 1.1% with co-workers, 1.1% with classmates, and a significant portion (43%) with strangers (unrelated persons / persons not known to you at commencement of tenancy).

In addition, whether or not they shared a home, a total of 89.1% of survey participants reported having problems with either landlords or tenants when renting a property in Ireland.

Issues in this sector that were previously prevalent tend to get worse with Covid-19, including unemployment, rising rent arrears (Social Justice Ireland, 2021), and landlords leaving the rental market (Gataveckaite, 2021, and IPOA, 2021).

Furthermore, the research's precise goals and objectives were as follows:

1. Determine and verify the most common issues between tenants and landlords, knowing if any outside help was sought to resolve conflicts or not;

2. Check how is the use of restorative practices in the rental sector in Dublin, whether it is effective or not;
3. Identify the number of cases that go through mediation for conflict resolution and how many of these cases are effectively resolved.

Through the survey responses, the current dissertation came to the conclusion that the statistics provided by organizations working to help the population find solutions to issues in this area don't accurately reflect the situation because only a small portion of the population with problems in this area seeks outside help. Additionally, as these persons who seek aid do so in several institutions, the numbers are dispersed throughout the various businesses that carry out the service.

Through the survey, it was possible to infer that there are a number of accommodations-related issues that need to be addressed. As a result, when question 11 asked about accommodations-related issues, there were many more responses than expected because it was possible to check more than one box. Several interviewees did so.

Unfortunately, landlords only provided 12 replies. To compare with the replies from the renters, you should ideally receive considerably more responses from them. However, it was also clear how many issues not just the renters but the landlords as well confront.

The percentage of individuals who are aware of the subject of mediation and how it functions to resolve accommodation difficulties is a figure that emerged at work and is highly concerning. Only 38% of individuals surveyed, according to the report, are aware of it. Unfortunately, a limited number was already anticipated in this respect; thus, various methods of reaching those who are unaware of receiving information were also emphasized.

The costs related to rental rates have been significantly impacted by COVID-19. A somewhat different price range than what is presently shown was available up to 2019. However, after the pandemic, rental costs drastically rose. For instance, 64.2% of the tenants who took part in the survey pay monthly rent totalling more than €500, excluding other costs. This is consistent with what was indicated in the current work about how Dublin has historically had one of the highest costs of living.

Along with this, it is also important to note that owing to high housing expenses, many individuals are forced to live in shared housing, even when they do not want to. As previously said, sharing a property with numerous renters is pretty common. 39.1% of tenants share their residence with at least four other people.

The number of homes the interviewees had lived in was another feature that might be drawn from the work and realized. Another frequent event is house moving. Unfortunately, unforeseen changes might happen and compel many people to suddenly relocate into multiple residences. 43.6% of all respondents to our survey said they have lived in four or more different residences.

The subject of housing issues is a crucial point to make. In terms of problems, they have run into, a total of 70.9% of survey participants indicate they have experienced them in at least one of the homes they have travelled through. This just serves to highlight how frequent disputes are in the housing issue.

The number of individuals who are aware of the groups that assist locals with housing-related concerns is a concerning fact that needs to be brought up. Only 7.3% of those surveyed knew them.

Many individuals should seek out mediation, but many do not. The fact that just 14.5% of individuals polled sought to use mediation as a technique of conflict resolution suggests that this may also be deduced with effort. And in connection with that, we can point out that just 28.9% of survey respondents said they had used mediation to settle a dispute.

It is important to note, however, that participants felt confident in mediation, which the research found to be a really fascinating statistic. 84.4% of those polled said they were confident and at ease permitting a dispute to be settled through mediation.

According to 75.4% of respondents, they would be willing to try to settle disagreements through mediation offered by reputable organizations. This figure is seen as being both high and satisfactory.

Last but not least, there is the problem of those who had to vacate their houses prior to the deadline. While 18.5% of landlords have had to evict a renter, 30.5% of tenants have previously had to leave one of their residences.

The study also revealed acceptability of the adoption of restorative methods and a desire to participate in educational community gatherings.

According to the findings, mediation is insufficient to assist and resolve the problems currently plaguing Ireland's rental market.

In addition, as was already noted, the departure of landlords from the rental market will call for the adoption of fresh strategies designed to reduce the current pattern of conflict and prevent the emergence of new ones.

Restorative techniques, according to Sherman and Strang (2007), help to humanize the problem by making both parties aware of it. According to studies, persons who engaged in restorative practices projects and were exposed to a thorough examination of their behaviour and how it may influence others were less likely to commit crimes in the future and that the approach was also financially advantageous.

A combined approach would be advantageous to the context in mitigating the current issues as well as educating the community to prevent an increase in the number of new disputes, as mediation and restorative practices are historically complementary approaches (Sullivan and Tifft, 2006), acting at different points in the timeline of issue.

6 REFLECTION

The housing issue has upset me much and has drawn my attention ever since I first came in Ireland. I passed past a few residences during my time in Ireland, and I was already experiencing some difficulties. I was able to assist friends, acquaintances, and myself after learning more about my rights and becoming familiar with tenant support organizations. One of the properties I walked by had issues, and the landlord unlawfully evicted me from it. I was able to conclude my matter amicably through mediation and the usage of one of the entities indicated in this publication.

All of this taught me a lot, and now that I'm enjoying myself in Ireland, I constantly try to help everyone, especially the newcomers, who, out of ignorance, wind up experiencing certain troubles that they shouldn't have.

No matter how hard you try to prevent them, interpersonal conflicts will always arise. However, there are several strategies and techniques for resolving any dispute without causing great annoyance. Conflicts have a profound impact on individuals and, regrettably, may destroy relationships. In my essay, I want to underline how crucial this course was to both my personal and professional development since it helped me realize how disputes may be avoided and/or managed as well as how someone's education can affect how they see a certain circumstance.

The way I approach the challenges I encounter on a daily basis in both my professional and personal lives, constantly attempting to respond to them in the most suitable way possible, shows the consequences of my learning and growth.

Since the start of the semester, I have been interested in writing this dissertation on this subject, especially in light of the circumstance I just found myself in. I think that all nations, not just Ireland, can and should do better when it comes to housing and how both renters and landlords are treated.

The COVID-19 problem has had a significant impact on everyone's life in a variety of ways, and I have no doubt that many individuals who read this work have also been impacted.

Although this project was difficult, it pulled me together from the start, and I am grateful that I was able to complete it in a way that made me feel quite satisfied. Along with that, I'm thrilled to have attained my goal of earning a master's degree, which is all the more significant given that it was conferred in a foreign tongue.

I owe a huge debt of gratitude to everyone who has supported me and battled alongside me to make this dissertation what it is today.

APPENDICES

APPENDICE 01 – SURVEY

1. Are you residing in Ireland?

- a. Yes
- b. No

2. If you answered No to Question 1, in what country are you currently residing?

3. Are you a landlord or a tenant?

- a. Landlord
- b. Tenant

4. If you are a landlord, do you share your house with tenants? (i. e. are you an owner-occupier)?

- a. Yes
- b. No

5. If you are a tenant, do you share your house with other tenants?

- a. Yes
- b. No

6. If you are a tenant, how much is your rent, per month, excluding bills? [This question is asked as the researcher is examining if there is a correlation between a higher rent and less issues with a tenancy]

- a. €300 to €500
- b. €501 to €700
- c. €701 to €1000
- d. €1001 to €1400
- e. €1401 plus

- f. I'm not a tenant

7. If you answered Yes to Question 5, how many people do you share the house with?

- a. 1
- b. 2
- c. 3
- d. 4
- e. 5 or more
- f. I answered No

8. Who are the people who live with you?

- a. Friends
- b. Workmates
- c. Classmates
- d. Family
- e. Unrelated persons / persons not known to you at commencement of tenancy

9. In the time you have lived in Ireland, how many houses have you lived in? (Please consider the current house and disregard agency houses).

- a. 1
- b. 2
- c. 3
- d. 4
- e. 5 or more

10. In how many of the houses in which you have been a tenant have you had problems?

- a. 0
- b. 1
- c. 2

- d. 3
- e. 4 or more

11. What problems have you experienced, if any? (You can tick more than one)

- a. Defects in the house not being repaired by the landlord
- b. Unlawful increase in rent
- c. Retention of the deposit amount
- d. No Lease provided by the landlord
- e. Evicted from house due to unlawful sublease created by tenant with sole name on the Lease
- f. Excessive delay in making repairs to the house
- g. Neighbours creating problems such as noise pollution or misuse of space
- h. Others
- i. No issues

12. Have you ever sought assistance from bodies in your country (including in Ireland) that assist with landlord and tenant disputes? Examples: RTB - Residential Tenancies Board, CATU - Community Action Tenants Union, Threshold.

- a. Yes
- b. No
- c. I haven't experienced any issues

13. If you answered Yes to Question 12, did the body specialising in landlord and tenant disputes assist you in resolving your issue? If you answered No to Question 12, you can skip the question.

- a. Yes
- b. No
- c. It is still in progress

Mediation is a process whereby a mediator is appointed to assist parties in dispute to come to an agreement through negotiation and communication. The principle of mediation is that we take responsibility for resolving our own issues as opposed to someone else making the

decisions for us. It is a formal, legal process but not a counselling process. Mediation is a voluntary process and can only work if all parties agree to take part. It is a confidential, facilitative and voluntary process in which parties to a dispute, with the assistance of a mediator, attempt to reach a mutually acceptable agreement to resolve the dispute. The outcome of mediation depends on both parties.

Restorative Practices are a collection of evidence-based practices that help build and maintain strong and happy organisations and communities by actively creating positive connections, preventing conflict from escalating, and dealing with conflict and wrongdoing in a creative and healthy way.

14. Are you aware of mediation and restorative practices in the area of the resolution of landlord and tenant disputes?

- a. Yes
- b. No

15. If you answered No to Question 14, in your opinion, where do you think that further information regarding bodies that deal with the resolution of landlord and tenant issues would be most helpful in creating awareness / visible? (You can tick more than one).

- a. College notice boards/colleges newsletters;
- b. Supermarkets;
- c. Advertisement on external billboards (i. e. in train stations, at Luas platforms, etc);
- d. Advertisement on television;
- e. Advertisement on radio;
- f. Advertisement on social media.

16. Have you tried to resolve any issue (s) experienced as a landlord / tenant through mediation?

- a. Yes
- b. No
- c. I've never experienced any issues

17.If you answered Yes to Question 16, did you reach an agreement? If you answered No to Question 16, you can skip the question.

- a. Yes
- b. No

18.Ireland, like other countries, uses the resource of mediation to resolve numerous cases of landlord and tenant disputes, and this process tends to be less stressful and less costly than resolving such matters judicial process. Would you feel confident letting your case be handled through mediation?

- a. Yes
- b. No

19.Would you attempt to resolve an issue you experienced with your landlord or tenant by using a body such as RTB, CATU or Threshold?

- a. Yes
- b. No

20.Do you believe it would be useful for information regarding the availability of bodies other than the Courts to resolve landlord and tenant disputes to be disseminated in colleges, supermarkets, radios, government social media, advertisement on TV?

- a. Yes
- b. No

21.Have you, as a tenant, ever been evicted from a house or had to leave a house in an unplanned way because of some problem? (Landlord can skip this question)

- a. Yes
- b. No

22. Have you, as a landlord, ever had to evict someone because of a problem or non-compliance with the Lease? (Tenants may skip this question)

- a. Yes
- b. No

APPENDICE 02 – INTERVIEW WITH RTB

1. What is your role within the RTB?

I am an Executive Officer on the Mediations Team within the Disputes department at the RTB. I work as a case officer, so I handle the documentation of Mediation cases, as well as scheduling of cases and correspondence with case parties & mediators.

2. In your experience within the RTB, how / in what ways has the RTB dealt with the on-going housing crisis in Ireland and the knock-on effects on landlord and tenant relations?

- Providing an alternative to the court system for dispute resolution – that is cheaper & quicker, as well as generally more accessible, as mediations are held over the telephone or via Microsoft Teams;
- Compilation of data on the rental market;
- Presentation of information to landlords & tenants on their rights/obligations.

3. In the experience of the RTB, is there a reluctance on the part of the parties that come before it to engage in mediation?

☐ Yes

☒ No

Please elaborate on your answer:

- Each case is unique, but in general, most would like a resolution;
- Parties may be hesitant when they first are offered mediation, but they are normally more open to process when mediation information is explained by our assessment team and queries answered by case officers.

4. If you answered Yes to Question 3, what in the experience of the RTB are the main contributing factors to reluctance on the part of landlords and/or tenants to mediate their dispute?

- The relationship between landlord and tenant may have broken down to the point where they are unable to reach compromise with mediation;
- They may have different ideas of timeline(s).

5. What are the guidelines that the RTB would give today to a person who is looking for an accommodation to try to avoid the most common disputes that come before the RTB?

- Check details of lease;
- Take pictures of dwelling before moving in and when ending lease;
- Know your obligations as a tenant (i.e., pay rent on time, do not cause excess damage to property, etc.);
- Look for accommodation within your economic means;
- Check on RTB website for previous disputes at the property/with the landlord;
- Check whether the property is registered with the RTB;
- Research the landlord (even a quick Google).

6. In the experience of the RTB, is it generally landlords or tenants that tend to demonstrate more reluctance to go to mediation?

It can depend, but not really, and I don't see this at the stage in the process when I'm scheduling cases. We do have a lot of AHBs (approved housing bodies) that will bring cases for disputes against tenants, but this is just because they have resources dedicated to ensuring that rent is paid on time / any issues resolved quickly.

7. In the experience of the RTB, if the parties decide to go to mediation and it is not successful and a resolution cannot be reached, what is the main reason(s) for the failure of the mediation?

The contents of the mediation are confidential between the mediator and the case parties, so I cannot say from personal experience. However, I have heard that there can be personality clashes / stubbornness on the part of one or both parties.

8. Do you think that there is adequate public awareness of the mediation service offered by the RTB?

☐ Yes

☒ No

9. If you answered No to Question 10, what, if anything, do you think could be done to better promote and educate landlords and tenants about the benefits of mediation?

I think there should be a more proactive approach to educating public on the RTB's services / rental information. There is a need for greater communication strategy from the RTB on social media, TV/radio, and newspaper. I believe there should also be more information available for students and first-time renters, for example, a representative from the RTB at a student information session.

10. In general terms, what do you think can be done to improve the position of both landlords and tenants in Ireland and to ease the housing crisis?

- More supply of housing greatly needed – especially social housing;
- Private, smaller landlords need to be given more incentive to stay in market, instead of being crowded out by large corporations;
- More education for both landlords / tenants on rights / obligations – hope that relationship can be more congenial rather than combative.

BIBLIOGRAPHY

Aarhus International (2022). *Disagreements between tenant and landlord*. [Online]. Available at: <https://international.aarhus.dk/live/housing/renting-a-home/disagreements-between-tenant-and-landlord/>. (Accessed: 23 September 2022).

ABA (Anti-Bullying Alliance). (2022). *What is restorative practice?* [Online]. Available at: <https://anti-bullyingalliance.org.uk/tools-information/all-about-bullying/respondingbullying/restorative-practice/what-restorative>. (Accessed: 22 September 2022).

Adams, W. (2018). *Problem Solving: Understanding and evaluating the many component skills, processes and beliefs*. Carl Wieman Science Education Initiative. [Online]. Available at: https://cwsei.ubc.ca/sites/default/files/cwsei/outcomes/events/Wendy_talk.pdf. (Accessed: 13 October 2022).

Arnett, H. E. (1967). *The concept of fairness*. The Accounting Review: 291-297. Vol. 42. N. 02

Arundel, R., & Lennartz, C. (2020). *Housing market dualization: Linking insider–outsider divides in employment and housing outcomes*. Housing Studies. 35, 1390–1414.

Baird, P.A. (2004). *Analysis of Landlord/Tenant Mediation & Disparate Impact Towards Low-Income People*. Available at: <https://deepblue.lib.umich.edu/bitstream/handle/2027.42/117722/Baird.pdf?sequence=1>. (Accessed: 22 September 2022).

BCLC (Ballymun Community Law Centre). (2022). [Online]. Available at: <https://www.bclc.ie/>. (Accessed: 01 October 2022).

Berry, J. M., Porteney, K. E., and Thomson, K. (1993). *The rebirth of urban democracy*. Washington, DC: Brookings Institution.

Bervovitch, J. and Houston, A. (2000). *Why Do They Do It Like This? An Analysis of the Factors Influencing Mediation Behavior in International Conflicts*. Available at: <https://journals.sagepub.com/doi/abs/10.1177/0022002700044002002>. (Accessed: 05 September 2022).

Burke-Kennedy, E. (2022a). *Dublin among 'least financially viable' cities to live in, survey finds*. The Irish Times. Available at: <https://www.irishtimes.com/business/economy/dublin-among-least-financially-viable-cities-to-live-in-survey-finds-1.4881133#:~:text=Dublin%20was%20found%20to%20be,the%20city%20was%20%C2%A32%2C468>. (Accessed: 21 August 2022).

Burke-Kennedy, E. (2022b). *Just 851 homes available to rent nationally as price inflation hits five-year high*. The Irish Times. Available at: <https://www.irishtimes.com/business/economy/just-851-homes-available-to-rent-nationally-as-price-inflation-hits-five-year-high-1.4875848>. (Accessed: 02 September 2022).

Burton, J. (1990). *Conflict: Human Needs Theory*. Hampshire and London: The Macmillan Press.

Byer, L. (2016). *Restorative Practices in the School Setting: A Systematic Review*. Available at: https://sophia.stkate.edu/msw_papers/564/. (Accessed: 01 October 2022).

Byrne, M. (2021a). *The impact of COVID-19 on the private rental sector: emerging international evidence*. Geary Public Policy Institute.

Byrne, M. (2021b). *Institutional investment in the private rental sector in the wake of the COVID-19 pandemic: a review of international 'grey literature' and reflections on the Irish context*. Geary Public Policy Institute.

Byrne, M. and McArdle, R. (2020). *Security and Agency in the Irish Private Rental Sector*. Available at:

https://www.threshold.ie/assets/files/pdf/security_and_agency_in_irish_private_rented_sector_july2020.pdf. (Accessed: 22 September 2022).

Calkins, R. M., Lane, F. (2006). *Lane and Calkins Mediation Practice Guide*.

Carter, J. (1982). *Keeping faith: Memoirs of a president*. New York: Harper Collins.

Chaudhry, S. (2011). *Negotiation Strategies - A Comparative Analysis*. [Online]. Available at: <https://ssrn.com/abstract=1858798> or <http://dx.doi.org/10.2139/ssrn.1858798>. (Accessed: 29 August 2022).

Chavez, P., Cinco, C., Drennan, D. and Li, A. (2015). *Restorative Justice: Review of Existing Literature, International Norms and Best Practice*. Available at: <https://arrow.tudublin.ie/cgi/viewcontent.cgi?article=1041&context=comlinkoth>. (Accessed: 29 September 2022).

Christie, N. (1977). *Conflicts as property*. British Journal of Criminology. 17th Vol. Available at: <https://doi.org/10.1093/oxfordjournals.bjc.a046783>. (Accessed: 07 October 2022).

Citizens Information (2022a). *Alternative Dispute Resolution*. [Online]. Available at: https://www.citizensinformation.ie/en/consumer/how_to_complain/alternative_dispute_resolution.html. (Accessed: 03 September 2022).

Citizens Information (2022b). *Know your rights: Eviction during COVID-19 Level 5 restrictions. My landlord has asked me to leave my rented accommodation. Can I be evicted during COVID-19?* [Online]. Available at: <https://whatsnew.citizensinformation.ie/2021/02/25/know-your-rights-eviction-during-COVID-19-level-5-restrictions/>. (Accessed: 04 September 2022).

Citizens Information (2022c). *Residential Tenancies Board*. Available at: https://www.citizensinformation.ie/en/housing/renting_a_home/private_residential_tenancies_board.html. (Accessed: 22 September 2022).

Clark, J. H. Wales Restorative Approaches Partnership – WRAP (2022). *Delivering Restorative Housing Management*. Available at: <https://restorativewales.org.uk/>. (Accessed: 29 September 2022).

Cochran, J. (2021). *How Conflict Resolution and Negotiation Strategies Work Together*. Shapiro Negotiations Institute. Available at: <https://www.shapironegotiations.com/how-conflict-resolution-and-negotiation-strategies-work-together/>. (Accessed: 05 September 2022).

Collins, H. (2010). *Creative Research: The Theory and Practice of Research for the Creative Industries*. AVA Publications.

Cook, R. F., Rowehl, J. A. and Sheppard, D. I. (1980). *Neighborhood Justice Field Test-Final Evaluation Report*. Washington, D.C.: American Bar Association.

Crump, S. and Schuetz, J. *US rental housing markets are diverse, decentralized, and financially stressed*. Brookings. [Online]. Available at: <https://www.brookings.edu/essay/US-rental-housing-markets/>. (Accessed: 28 September 2022).

CSO's (2016). *Census of population 2016 – Profile 1 Housing in Ireland. Tenure & Rent*. Available at: <https://www.cso.ie/en/releasesandpublications/ep/p-cp1hii/cp1hii/tr/>. (Accessed: 22 August 2022).

CTPL – Content Team Professional Law (2019). *O que é a técnica caucus e como utilizá-la na mediação de conflitos?* [Online]. Available at: <https://www.direitoprofissional.com/caucus-na-mediacao-de-conflitos/>. (Accessed: 12 September 2022).

CTSI – The Chartered Trading Standards Institute UK (2022). Newly approved help for tenants in dispute with landlords over tenancy deposits. [Online]. Available at: <https://www.tradingstandards.uk/news-policy/news-room/2022/newly-approved-help-for-tenants-in-dispute-with-landlords-over-tenancy-deposits/>. (Accessed: 22 September 2022).

Davis, R. L., Tichane, M., and Grayson, D. (1980). *Mediation and Arbitration as Alternatives to Prosecution in Felony Arrest Cases: An Evaluation of the Brooklyn Dispute Resolution Centre*. New York: Vera Institute of Justice.

Davies, B., Snelling, C., Turner, E. and Masquardt, S., (2017). *Lessons from Germany: Tenant power in the rental market*. IPPR – The Institute for Public Policy Research. [Online]. Available at: <https://www.ippr.org/research/publications/lessons-from-germany-tenant-power-in-the-rental-market>. (Accessed: 29 September 2022).

De Boer, R. and Bitetti, R. (2014). *A Revival of the Private Rental Sector of the Housing Market? Lessons from Germany, Finland, the Czech Republic and the Netherlands*. OECD Economics Department Working Papers, No. 1,170, OECD Publishing, 63 pages. Available at: <https://doi.org/10.1787/5jxv9f32j0zp-en>. (Accessed: 29 September 2022).

Delgado-Rodriguez, M. and Llorca, J. (2004). *Bias*. Journal of Epidemiology & Community Health, 58, 635-641. Available at: <http://dx.doi.org/10.1136/jech.2003.008466>. (Accessed: 06 October 2022).

Department of Housing, Local Government and Heritage (2020). *Rent Pressure Zones*. Available at: <https://www.gov.ie/en/publication/85110-rent-pressure-zones/>. (Accessed: 22 August 2022).

Dolfing, H. (2018). *Understanding Your Problem Is Half the Solution (Actually the Most Important Half)*. [Online] Available at: <https://www.henricodolfing.com/2018/05/understanding-your-problem-is-half.html>. (Accessed: 13 October 2022).

ECCI (European Consumer Centre Ireland) (2022). *Alternative Dispute Resolution (ADR)*. [Online]. Available at: <https://www.eccireland.ie/consumers-rights/alternative-dispute-resolution-adr/>. (Accessed: 05 September 2022).

Feinberg, K. R. (1989). *Mediation - A Preferred Method of Dispute Resolution*. Vol. 16. Issue 5. The Pepperdine Dispute Resolution Law Journal. [Online]. Available at:

<https://digitalcommons.pepperdine.edu/cgi/viewcontent.cgi?referer=&httpsredir=1&article=1780&context=plr>. (Accessed: 06 September 2022).

FindLaw (2020). *What Is Alternative Dispute Resolution?* Available at: <https://www.findlaw.com/hirealawyer/choosing-the-right-lawyer/alternative-dispute-resolution.html>. (Accessed: 05 September 2022).

Fisher, R. and Ury, W. (1991). *Getting to Yes: Negotiating Agreement Without Giving In*. New York: Penguin Books.

Fogel, D., Galaway, B. and Hudson, J. (1972). *Restitution in criminal justice: A Minnesota experiment*. Criminal Law Bulletin.

Fowler, A. (1996). *Negotiation Skills and Strategies*. London: Chartered Institute of Personnel & Development.

Gataveckaitė, G. (2021). *Landlords are abandoning rental sector to cash in on market rise*. Independent.ie. Available at: <https://www.independent.ie/irish-news/landlords-are-abandoning-rental-sector-to-cash-in-on-market-rise-40734825.html>. (Accessed: 22 August 2022).

Gleeson, C. (2021). *Dublin is fifth most expensive place for renters in Europe*. The Irish Times. [Online]. Available at: <https://www.irishtimes.com/business/commercial-property/dublin-is-fifth-most-expensive-place-for-renters-in-europe-1.4536325>. (Accessed: 13 October 2022).

Gordon, J. (2021). *What are the advantages and disadvantages of mediation?* [Online]. Available at: https://thebusinessprofessor.com/en_US/criminal-civil-law/mediation-pros-cons. (Accessed: 06 September 2022).

Government Digital Service. (2011). *Resolving neighbour disputes*. [Online]. Available at: <https://www.gov.uk/how-to-resolve-neighbour-disputes/use-a-mediation-service>.

(Accessed: 22 September 2022).

Grennan, D. (2022). *Students asking to stay in tents on Dublin college campus amid housing crisis*. *Dublin Live*. [Online]. Available at: <https://www.dublinlive.ie/news/dublin-news/students-asking-stay-tents-dublin-24819402>. (Accessed: 16 September 2022).

HAP Ireland (2021) *What is HAP?* [Online]. Available at: <http://hap.ie/whatishap/>. (Accessed: 22 August 2022).

Harrington, C. B. and Merry, S. E. (1988). *The ideology of community mediation: The making of community mediation*. Law and Society Review. United States of America.

Hayes, D. (2021). Simple Random Sample. Available at: <https://www.investopedia.com/terms/s/simple-random-sample.asp>. (Accessed: 06 October 2022).

Hobson, J., Payne, B., Lynch, K., and Hyde, D. (2021). *Restorative Practices in Institutional Settings: The Challenges of Contractualised Support within the Managed Community of Supported Housing*. *Laws*, 10 (3). Art. 60. Available at: <https://www.mdpi.com/2075-471X/10/3/60/htm>. (Accessed: 29 September 2022).

Hobson, J., Lynch, K., and Lodge, A. 2020. *Residualisation in supported housing: An organisational case study*. *Housing, Care and Support*. Available at: <https://www.emerald.com/insight/content/doi/10.1108/HCS-09-2019-0019/full/html>.

(Accessed: 29 September 2022).

Hoffman, D. A. (2011). *Mediation and the Art of Shuttle Diplomacy*. Vol. 27. Issue 3. *Negotiation Journal*. Harvard Law School. Available at: <https://onlinelibrary.wiley.com/doi/pdf/10.1111/j.1571-9979.2011.00309.x>. (Accessed: 22 September 2022).

Horgan-Jones, J. (2022). *Solving housing crisis 'not about the money', says Coveney*. Irish Times. Available at: <https://www.irishtimes.com/politics/2022/09/09/solving-housing-crisis-not-about-the-money-says-coveney/>. (Accessed: 16 September 2022).

Horgan, J. (2021). *No detentions or suspensions: the schools rejecting super-strict values*. [Online]. Available at: <https://www.irishtimes.com/news/education/no-detentions-orsuspensions-the-schools-rejecting-super-strict-values-1.4672593>. (Accessed: 29 September 2022).

Hudson, J. and Galaway, B. (1974). *Undoing the wrong*. Journal Social Work. Volume: 19 Issue: 3. Pages: 313-318.

IIRP (International Institute for Restorative Practices). (2018). *What are Restorative Practices?* [Online]. Available at: <https://www.youtube.com/watch?v=obyZY4Xzal>. (Accessed: 22 September 2022).

Ireland's Housing Magazine (2022a). *Eoin Ó Broin TD: 'As the housing crisis deepens the case for an alternative grows'*. Available at: <https://www.housing.eolasmagazine.ie/eoin-o-broin-td-as-the-housing-crisis-deepens-the-case-for-an-alternative-grows/>. (Accessed: 16 September 2022).

Ireland's Housing Magazine (2022b). *RPZs containing rent increases*. Available at: <https://www.housing.eolasmagazine.ie/rpzs-containing-rent-increases/>. (Accessed: 16 September 2022).

Ireland's Housing Magazine (2022c). *Ireland's housing conundrum*. Available at: <https://www.housing.eolasmagazine.ie/irelands-housing-conundrum/>. (Accessed: 16 September 2022).

Ireland's Housing Magazine (2022d). *Eradicating homelessness: A Finnish perspective*. Available at: <https://www.housing.eolasmagazine.ie/eradicating-homelessness-a-finnish-perspective/>. (Accessed: 16 September 2022).

Ireland's Housing Magazine (2021a). *Numbeo comparison: Irish property prices*. Available at: <https://www.housing.eolasmagazine.ie/numbeo-comparison-irish-property-prices/>. (Accessed: 16 September 2022).

Ireland's Housing Magazine (2021b). *Rent Pressure Zones to be replaced*. Available at: <https://www.housing.eolasmagazine.ie/rent-pressure-zones-to-be-replaced/>. (Accessed: 16 September 2022).

Ireland's Housing Magazine (2021c). *International homelessness*. Available at: <https://www.housing.eolasmagazine.ie/international-homelessness/>. (Accessed: 16 September 2022).

Ireland's Housing Magazine (2020). *In comparison: European private rental sectors*. Available at: <https://www.housing.eolasmagazine.ie/in-comparison-european-private-rental-sectors/>. (Accessed: 22 August 2022).

IPOA (2021) *As IPOA Predicted – Landlords Exiting the Sector!* Available at: <https://ipoa.ie/as-ipoa-predicted-landlords-exiting-the-sector/>. (Accessed: 22 August 2022).

Jeong, H. (2008). *Understanding Conflict and Conflict Analysis*. 1st ed. Sage Publications LTDA. London.

Johnson, C. (2019). *Understanding the 6 Types of Response Bias (With Examples)*. Nextiva. Available at: <https://www.nextiva.com/blog/response-bias.html>. (Accessed: 07 October 2022).

Johnson, M. (2022). *Alternative Dispute Resolution*. Rocket Lawyer. [Online]. Available at: <https://www.rocketlawyer.com/gb/en/quick-guides/alternative-dispute-resolution>. (Accessed: 05 September 2022).

Kelchner, L. (2019). *Top Ten Effective Negotiation Skills*. [Online]. Available at: <https://smallbusiness.chron.com/top-ten-effective-negotiation-skills-31534.html>. (Accessed: 05 September 2022).

Kofman, Y. B., and Garfin, D. R. (2020). *Home is not always a haven: The domestic violence crisis amid the COVID-19 pandemic*. Psychological Trauma: Theory, Research, Practice, and Policy.

LawShelf (2022). *Advantages and Disadvantages of Mediation*. [Online]. Available at: <https://lawshef.com/coursewarecontentview/advantages-and-disadvantages-of-mediation>. (Accessed: 07 September 2022).

LawSociety (2022). *Mediation*. [Online]. Available at: <https://www.lawsociety.ie/Public/Legal-guides/Dispute-resolution/Mediation>. (Accessed: 06 September 2022).

Leigh, S. (2018). *Caucus: An Aid in Mediation*. [Online]. Available at: https://www.mediate.com/caucus-an-aid-in-mediation/?pum_form_popup_id=19677. (Accessed: 10 September 2022).

Lyons, R. (2019). *The Housing Market*. Ireland's Housing Magazine. [Online]. Available at: <https://www.housing.eolasmagazine.ie/the-housing-market/>. (Accessed: 22 August 2022).

Lyytikäinen, T. (2006). *Rent Control and Tenant Welfare: The Effects of Deregulating Rental Markets in Finland*. VATT Discussion Papers, No. 385, Helsinki: Government Institute.

Malek, C. (2013). *Landlord-Tenant Disputes*. [Online]. Available at: <https://www.beyondintractability.org/coreknowledge/landlord-tenant-disputes>. (Accessed: 23 September 2022).

Maton, K. I. (2008). *Empowering Community Settings: Agents of Individual Development, Community Betterment, and Positive Social Change*. American Journal of Community Psychology.

McCold, Paul. (1999). *Restorative Justice: The state of the field 1999. Conference: Building Strong Partnerships for Restorative Practices Conference*. Burlington. Vermont. Available at:

https://www.researchgate.net/publication/315734605_Restorative_Justice_The_state_of_the_field_1999. (Accessed: 01 October 2022).

McCrave, C. (2019). *Disputes between landlords and tenants increase by 10% last year*. The Journal.ie. [Online]. Available at: <https://www.thejournal.ie/rtb-disputes-increase-4748392-Jul2019/>. (Accessed: 22 August 2022).

McDonald, J. (2005). *Neo-Liberalism and the pathologizing of public Issues: The displacement of feminist service models in domestic violence support services*. Australian Social Work 58 (3): pages 275–284.

McGarrigle, M. and O'Connor, P. (2015). *Restorative Practice in Education – Transformative Potential*. Available at: <http://mural.maynoothuniversity.ie/6254/7/MMcGRestorative-2015.pdf>. (Accessed: 29 September 2022).

McGillis, D. (1997). *Community Mediation Programs: Developments and Challenges. Issues and Practices*. U.S. Department of Justice, Office of Justice Programs (NCJ 165698).

Mediation Act (2017). *Enforceability of mediation settlements*. Available at: <https://www.irishstatutebook.ie/eli/2017/act/27/section/11/enacted/en/html#sec11>. (Accessed: 06 October 2022).

MII (The Mediator's Institute of Ireland). (2019). *What is a Mediation?* [Online]. Available at: <https://www.themii.ie/about-mediation/about-mediation>. (Accessed: 06 September 2022).

Moloney, A. (2022). *Lack of student accommodation causing 'anxiety and extreme worry'*. RTE News. Available at: <https://www.rte.ie/news/ireland/2022/0818/1316425-student-accommodation/>. (Accessed: 16 September 2022).

Moore, C. W.; Jayasundere, R. and Thirunavukarasu, M. (2011). *The Mediation Process*. USA and Canada: CDR Associates.

Moore, C. W. (1987). *Caucus: Private Meetings That Promote Settlement*. Journal Mediation Quarterly Issue: 16. Pages: 87-101.

Murphy, D. (2022). *Tánaiste: Government weighing up eviction ban but drawbacks remain*. RTE News. Available at: <https://www.rte.ie/news/ireland/2022/1013/1328877-tenancy-report/>. (Accessed: 14 October 2022).

Murray, J. (2020). *What Is a Caucus?* [Online]. Available at: <https://www.thebalancesmb.com/what-is-a-caucus-398181>. (Accessed: 12 September 2022).

Myers, M.D. (2008). *Qualitative Research in Business & Management*. SAGE Publications.

Ouasbaa, G. and Marsal, E. V., 2021. *Spain's once-substantial rental market is now one of the smallest in Europe*. Brookings. [Online]. Available at: <https://www.brookings.edu/essay/Spain-rental-housing-markets/>. (Accessed: 28 September 2022).

O'Loughlin, A. (2021). *Rent arrears still main area of dispute between landlords and tenants*. Breaking News Ireland [Online]. Available at: <https://www.breakingnews.ie/ireland/rent-arrears-still-main-area-of-dispute-between-landlords-and-tenants-1186943.html>. (Accessed: 28 September 2022).

Pannucci, C. J. and Wilkins, E. G. (2010). *Identifying and Avoiding Bias in Research*. Journal List. HHS Author Manuscripts.

PDST (Professional Development Service for Teachers). (2019). *Restorative Practice*. [Online]. Available at: <https://www.pdst.ie/post-primary/health-wellbeing/restorative-practice>. (Accessed: 23 September 2022).

Pearson, J. and Thoennes, N. (1984). *Research on divorce mediation: A review of major findings*. Unpublished paper Denver, CO: Centre for Policy Review.

Phillips, M. (2014). *Most Germans don't buy their homes, they rent. Here's why*. Quartz. Available at: <https://qz.com/167887/germany-has-one-of-the-worlds-lowest-homeownership-rates/>. (Accessed: 01 October 2022).

Porzio, S. (2022). *Landlords must give longer eviction notice periods under newly passed legislation*. Joe News. Available at: <https://www.joe.ie/news/landlords-must-give-longer-eviction-notice-periods-newly-passed-legislation-751056>. (Accessed: 01 October 2022).

Power, J. (2022). *Landlords must give three months eviction notice under new law*. Irish Times. [Online]. Available at: <https://www.irishtimes.com/ireland/housing-planning/2022/07/01/landlords-must-give-three-months-eviction-notice-under-new-law/>. (Accessed: 01 October 2022).

Psychology Today (2022). *Bias*. Available at: <https://www.psychologytoday.com/us/basics/bias>. (Accessed: 06 October 2022).

QuestionPro (2022). *Research Design: What it is, Elements & Types*. [Online]. Available at: <https://www.questionpro.com/blog/research-design/>. (Accessed: 04 October 2022).

Radford, M. F. (2001). *Advantages and Disadvantages of Mediation in Probate, Trust, and Guardianship Matters*. The Pepperdine Dispute Resolution Law Journal. Vol. 1. Issue 2. Available at: <https://digitalcommons.pepperdine.edu/cgi/viewcontent.cgi?article=1187&context=drlj>. (Accessed: 06 September 2022).

Rao, P. C. and Sheffield, W. (1997). *Alternative Dispute Resolution - What it is and how it works*. India: Universal Law Publishing Co Ltd.

Ross, D. (2007). *Statecraft: And how to restore America's standing in the world*. New York: Farrar, Straus, and Giroux.

RTB (2022a). *What is an appeal?* [Online]. Available at: <https://www.rtb.ie/dispute-resolution/what-is-an-appeal-to-a-tribunal>. (Accessed: 22 September 2022).

RTB (2022b). *Dispute Resolution*. [Online]. Available at: <https://www.rtb.ie/dispute-resolution>. (Accessed: 22 September 2022).

RTB (2022c). *Residential Tenancies Board*. [Online]. Available at: <https://www.rtb.ie>. (Accessed: 22 September 2022).

RTB (2022d). *Notices of Termination*. [Online]. Available at: <https://www.rtb.ie/ending-a-tenancy/notices-of-termination>. (Accessed: 01 October 2022).

RTB (2021). *Dealing with Rent Arrears Under New Legislation*. [Online]. Available at: <https://www.rtb.ie/emergency-measures-ended-new-protections-introduced-for-the-rental-sector/dealing-with-rent-arrears-after-the-emergency-period>. (Accessed: 04 September 2022).

RTB (2020). *Annual Report 2020*. [Online]. https://www.rtb.ie/images/uploads/general/RTB_AR_2020_Final_Report_%28May_2022%29_compressed_%281%29.pdf. (Accessed: 05 September 2022).

Schmidt, C. (2021). *Strong tenant protections and subsidies support Germany's majority-renter housing market*. Brookings. [Online]. <https://www.brookings.edu/essay/germany-rental-housing-markets/>. (Accessed: 28 September 2022).

Sharma, J. N. (1951). *Satyagraha Gandhi's approach to conflict resolution*. 1st ed. Concept Publish Company. New Delhi. India. (Accessed: 05 September 2022).

Sherman, L. W. and Strang, H. (2007). *Restorative Justice: The Evidence – Report Draws Attention to RJ in the UK*. University of Pennsylvania, Philadelphia. Available at: <https://www.iirp.edu/news/restorative-justice-the-evidence-report-draws-attention-to-rj-in-the-uk>. (Accessed: 22 September 2022).

Smith, D. Fisher, D and Frey, N. (2015). *Better Than Carrots or Sticks: Restorative Practices for Positive Classroom Management*. Alexandria. ASCD.

Social Justice Ireland (2021). *Unemployment could exceed 390,000 – higher than last recession*. Available at: <https://www.socialjustice.ie/content/policy-issues/unemployment-could-exceed-390000-higher-last-recession>. (Access: 04 September 2022).

Spangler, B. (2003). *Caucus*. [Online]. Available at: <https://www.beyondintractability.org/essay/caucus>. (Accessed: 10 September 2022).

Statista Research Department – Statista (2022). *Home ownership rate in selected European countries in 2019 and 2020, by country*. [Online]. Available at: <https://www.statista.com/statistics/246355/home-ownership-rate-in-europe/>. (Accessed: 16 September 2022).

Strang, H. and Braithwaite, J. (2001). *Restorative Justice and Civil Society*. Cambridge University Press.

Sullivan, D. and Tifft, L. (2006). *Handbook of Restorative Justice: A Global Perspective*. Routledge. London and New York.

Threshold (2022). *Renting and Risk – an analysis of the vulnerabilities of renting*. 104 pages. Available at: <https://threshold.ie/wp-content/uploads/2022/10/Renting-and-Risk-1.pdf>. (Accessed: 14 October 2022).

Threshold (2020a). *Threshold Annual Report and Audited Financial Statements for the financial year ended 31 December 2020*. 47 pages. Available at: [https://www.threshold.ie/assets/files/pdf/threshold annual report financial statements 2020.pdf](https://www.threshold.ie/assets/files/pdf/threshold%20annual%20report%20financial%20statements%2020.pdf). (Accessed: 04 September 2022).

Threshold (2020b). *Threshold's Annual Report 2020*. 48 pages. Available at: [https://www.threshold.ie/assets/files/pdf/threshold 2020 annual report final.pdf](https://www.threshold.ie/assets/files/pdf/threshold%202020%20annual%20report%20final.pdf). (Accessed: 22 August 2022).

Threshold (2019). *Threshold's Annual Report 2019*. Available at: https://www.threshold.ie/assets/files/pdf/threshold_2019_annual_report_v5_low_1.pdf.

(Accessed: 22 August 2022).

Traceyleigh-wessels (2022). *Ten Advantages of Mediation*. [Online]. Available at: <https://www.traceyleighwessels.com/ten-advantages-mediation/>.

(Accessed: 06 September 2022).

Turnwald, G. F. (2018). *The Top 4 Reasons for Landlord-Tenant Disputes*. [Online]. Available at: <https://www.gturnwald.com/the-top-4-reasons-for-landlord-tenant-disputes/>.

(Accessed: 22 September 2022).

Tyrrell, E. (2022). *Dublin Ranked One Of The Most Expensive Cities To Live Globally*. 98 FM. Available at: <https://www.98fm.com/news/dublin-ranked-one-of-the-most-expensive-cities-to-live-globally-1343464>.

(Accessed: 22 August 2022).

Upcounsel (2020). *Disadvantages of Mediation: Everything You Need to Know*. [Online]. Available at: <https://www.upcounsel.com/disadvantages-of-mediation>.

(Accessed: 07 September 2022).

USAGOV (2022). *Housing*. [Online]. Available at: <https://www.usa.gov/housing>. (Accessed: 23 September 2022).

Vynckier, G. (2009). *A comparative view on the role of the police officer in different restorative practices in Flanders*. Department of Penal law and criminology. Cahiers Politiestudies, 2 (11), 19-37. Available at: <https://biblio.ugent.be/publication/483555>.

(Accessed: 01 October 2022).

Vitez, O. (2021). *Conflict & Negotiation*. Chron Small Business. Available at: <https://smallbusiness.chron.com/conflict-negotiation-2657.html>.

(Accessed: 05 September 2022).

Wallensteen, P. (2002). *Understanding Conflict Resolution: War, Peace and the Global System*. 1st ed. Sage publications Ltda. London.

Walliman, N. (2006). *Social research methods*. London: SAGE publications.

Webber, R. (2009) "A New Kind of Criminal Justice". Parade. [Online]. Available at: <https://parade.com/38506/parade/091025-a-new-kind-of-criminal-justice/> (Accessed: 22 September 2022).

Wertheim, E. (2016). *Negotiations and Resolving Conflicts: An Overview*. College of Business Administration. Northeastern University.

Woodward-Smith, M. (2022). *Mediation – advantages and disadvantages*. [Online]. Available at: <https://www.systech-int.com/insights/thoughts/mediation-advantages-and-disadvantages>. (Accessed: 07 September 2022).

Wright, M. (1996). *Justice for Victims and Offenders: A Restorative Response to Crime*. 2nd ed. Winchester UK: Waterside Press.

Zartman, I. W. (2008). *Negotiation and Conflict Management: Essays on theory and practice*. London and New York: Routledge.