

## 2021 Mock Mediation

### Round 1 Scenario

#### BACKGROUND

Jay and Nick are siblings who grew up in Orange in Central West New South Wales. Once they had graduated from High School, both were offered places at Sydney University. Jay was studying Medicine and Nick was going to study Engineering. As both Jay and Nick were going to have heavy study workloads their parents did not want them to have to work to support themselves through their degrees. They felt the study was much more important, so agreed to purchase a house near the University so Jay and Nick could live in the house rent free. Both Jay and Nick were entitled to receive the Youth Allowance while they were studying and while this was not a large amount of money, without having to worry about paying rent, it meant they had enough to live on.

The house purchased was quite large and consisted of four bedrooms. To help pay off the mortgage on the property, Jay & Nick's parents suggested they rent the two spare rooms out to other students. The siblings agreed to act as landlord and advertise and select the two flatmates and then continue to collect the weekly rent and deposit it into their parents' account.

Jay and Nick advertised around campus for two flatmates, hoping to attract a couple of fellow students who were looking for a room that was not only close to campus, but incredibly cheap. Their parents were not asking for a lot of money and considering the house was large and the rooms a very generous size the siblings were confident they could find the perfect flatmates.

The siblings agreed that they both had to approve of the people moving in, as they would all have to live together. They had quite several people interested in the flat and finally after a lot of arguments and long discussions with their parents, Jay and Nick agreed Drew and Andy could move in.

Drew and Andy were best friends and had both grown up in Cootamundra. As they were also from a country town and seemed to have a lot in common with Jay and Nick it seemed like a perfect match. Drew was studying Business and working part time at a local bar, while Andy was working full time for a construction company and trying to save as much money as possible to go overseas. While Andy was not a student, he/she said they were not into partying and making a lot of noise as he/she would not only have to get up at 5.30am but was trying to save as much money as possible and did not want to waste his/her money partying. Drew also confirmed that he/she would have little spare time between going to class, studying and work and that he/she would barely be home.

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#### INCIDENT

Drew and Andy moved in, fitting in nicely to the house. Nick and Jay were happy they chose Drew and Andy to move in, especially when they also bought with them a lounge suit and large screen TV, DVD, XBOX, which they were happy for Nick and Jay to use. Andy also had a car and was happy to let the others borrow it, provided they always contributed towards the petrol.

The house seemed to be going along very well. Nick and Jay's parents were happy as both their children were doing well at university and the rent from Drew and Andy was helping to cover the mortgage payments. They even met Drew and Andy when they were in Sydney and thought there were very fine young adults and were proud of the fact that their children had made such good friends.

While the four flatmates got on well, they were not exactly close friends. As they did not have to work, Nick and Jay were often home, while Drew and Andy were always out either studying or at work. This meant they did not spend a lot of time together, although this did not bother any of them.

Jay had made a lot of new friends in his/her course and as medical students often had late night study groups with them. As Jay lived so close to campus and had a large lounge room perfect for study, he/she often invited the group over. As Nick was often out with his/her own study groups and Drew and Andy were rarely home this seemed to work perfectly.

One day Drew came home from a long day at university exhausted, as he/she had also worked a late shift at the bar the previous evening. He/she went to the fridge to grab a quick snack before heading to his/her room for a much-needed nap before starting work that night. Opening the fridge Drew realised that once again all the food he/she had purchased for the week had been eaten. He/she went into the lounge room where Jay's study group was to see they had all helped themselves to his/her food. Drew was incredibly annoyed at this as it seemed that every week, he/she was feeding not only him/herself, but Nick, Jay, and Jay's study group. Drew angrily asked Jay why he/she had eaten all his/her food, but Jay just laughed at him/her and told the study group Drew was just attention seeking and to ignore him/her.

Drew stormed off into his/her room and blasted the stereo making it impossible for the group to study. Jay kept banging on Drew's door telling him/her to turn down the stereo, but this made no difference. Nick then arrived home to hear all the noise and went to see what was going on. He/she told Drew that it was their house and Drew needed to show some respect and turn down the music. With all the noise and yelling the study group decided that it was not worth the hassle and left.

Nick and Jay were left fuming in the lounge room when Andy came storming into the house and demanded to know who had borrowed his/her car the night before and had not only put a dent in the front bumper

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but had left him/her without petrol in the car. This was not the first time Andy had been left with no petrol, however this time he/she had run out on the way to work and had been late. Hearing Andy yelling, Drew came out into the lounge room and all four flatmates ended in a huge fight.

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#### AFTERMATH

The weeks following the argument had been very difficult. Drew had moved the TV, DVD and Xbox into his/her room, while Andy had moved the lounge into his/her. They also place a fridge in Drew's room so they could leave their food in there without being worried that Jay and Nick would eat it.

Both Drew and Andy felt that Jay and Nick needed to take some responsibility for the argument and pay them back for the food, petrol and damage to the car and decided to stop paying rent as a result. Jay and Nick denied that they were responsible for eating the food or using the car and felt Drew and Andy still owed the rent as they were living in the house.

Jay and Nick's parents were also upset as the rent had not been received for a few weeks, and when they were told Drew and Andy were not paying, they were not entirely sure their children were telling the truth. Having met Drew and Andy, they felt they did not seem like the type of people who would not pay their fair share, in fact Jay and Nick's dad suggested that the two of them were perhaps keeping the rent money for themselves. This made the house even more difficult to live in as Jay and Nick blamed Drew and Andy for their parents' distrust.

Tired of losing money from the rent, Jay and Nick's parents insisted the four flatmates attend mediation to help them work out their issues. The parents decided that if they could not work out their problems, then all four of them would all be asked to leave the house. This would mean Jay and Nick would need to find someone and pay rent, and Drew and Andy would not only lose the cheapest accommodation they had found, but also the security deposit they had paid. This was a situation that neither Jay, Nick, Drew, or Andy could afford, so they agreed to go to mediation to see what they could work out.