



CAMP

ARBITRATION AND MEDIATION
PRACTICE PVT. LTD.



**PROPERTY AND
REAL ESTATE DISPUTES**



CASE STUDY 1

Owner and Tenant

The Dispute

- A leased out his premises to his old friend B.
- After a couple of years of leasing the premises, A filed a suit for eviction against B, his tenant.
- Their lease agreement specified that any vacation of premises would be based on mutual discussion between A and B.
- A wanted B to be evicted within three months whereas B insisted that he would not vacate the premises before three years, as per the lease agreement.
- While the case was pending at Court, both A and B agreed to try mediation at CAMP.

The Process

- In the private session, the mediator asked the A his reasons for evicting B his tenant with such haste.
- The mediation uncovered that A had been recently diagnosed with a terminal illness and wanted to set up a business for his son.
- A wanted the property for his son's business.
- A, agreed with the Mediator that this information could be shared with B to help him understand the reasoning behind his actions.
- On the other hand, B shared that he did not have the funds nor the time to find another suitable home in the neighborhood – property prices had gone up substantially in the area and he couldn't find another home in the three-month time that he was given.
- In the joint session, both parties had the opportunity share confidential information in a safe environment.

The Outcome

- A settlement was reached within a day.
- A agreed to reimburse the security deposit paid for the house, so that B would have the finances to find a new house.
- B agreed to vacate the property in 9 months.
- B agreed to hand over the garage immediately to the A, so his son's business could start out of the garage.

CASE STUDY 2

Company Property

The Dispute

- The Tenant, X, an international company had leased a property from Y, the landlord for a period of 10 years.
- Before signing the lease agreement X identified certain modifications that needed to be done to the property, which were completed by Y as specified.
- Three years into the lease, the management of X changed.
- The new management identified a new list of modifications that needed to be made and gave the landlord, Y, 30 days to implement such modifications.
- X started withholding rent after the 30-day time limit was breached by Y.
- The dispute arose because the parties were not able to understand the demands made by each other.
- Both agreed to try Mediation at CAMP

The Process

- In mediation, X shared that the new management had a zero-tolerance policy to any building violations after an accident in one of their other properties.
- Y shared that the modifications that X wanted would require change of building plans, which could not be done in a short period of time.
- X understood the local realities and Y understood the new company policies with the changed management.
- Mediation gave a platform for the parties to discuss the reasons for their demands and also understand their practical realities.

The Outcome

- This Mediation was resolved within a day.
- The parties agreed to terminate the lease and vacate the property in 30 days.
- X agreed to pay Y for the back rent and a lump sum for early termination.
- Y agreed to return the security deposit.