



Mending fences

While conflict can end a relationship, sometimes people have no choice but to continue their relationship after a conflict.

BY JEANETTE BICKNELL

Management and labour must work together after a strike, separating couples share decisions about their children, and feuding neighbours may go on living side by side. How a conflict is managed makes a big difference in whether or not an ongoing relationship is tolerable.



Mediation can preserve and even strengthen relationships in resolving condominium disputes. In fact, s. 132(4) of the Condominium Act says: "Every declaration shall be deemed to contain a provision that the corporation and the owners agree to submit a disagreement between the parties with respect to the declaration, by-laws or rules to mediation and arbitration...."

A mediation is basically a structured conversation. Mediators facilitate negotiation and help parties communicate with one another effectively so that they can craft their own resolutions. Unlike judges or arbitrators, mediators do not impose solutions or make judgments. Instead, parties in a dispute have control over the outcome of their conflict. This is important, because research indicates that people are more likely to respect a settlement if they've had a hand in shaping it.

Mediation is also typically faster and far less expensive than litigation, and the informal atmosphere makes mediation less stressful than going to court. Perhaps more important is mediation's potential to repair relationships and encourage mutual understanding. Mediation does not create winners and losers. Everyone can walk out of a mediation with dignity intact.

Yet mediation is not always possible, or advisable, and sometimes a friendly resolution is out of reach. There are still steps condominium dwellers can take to minimize the harm done by conflict:

Pick battles carefully

Think carefully before initiating or joining in a conflict. Is the issue really important? If it is, then deal with it as soon as possible. Confrontation may be uncomfortable, but letting problems fester almost always makes them worse.

Address structural factors

Are the conditions that led to the present conflict likely to recur? If so, see what can be done to change those conditions. For example, have misunderstandings arisen because people have not had the same access to information? Has a weak or ineffective board failed to intervene in the early stages of a potential problem?

Recognize that everyone bears some responsibility

It might be comforting to believe that one bad apple is responsible for the conflict. This is rarely the case. While one-sided conflicts exist, it is much more common that a conflict between two or more competent adults has been fed by contributions from all sides. This does not mean, of course, that the contributions are necessarily equal.

Avoiding a conflict can prolong it, just as surely as can angry words. Recognizing one's own share in a conflict is part of ensuring that it will not flare up again. At the same time, be aware that disruptive behaviour may be the result of mental illness or addiction. If either is suspected, seek professional advice.

Acknowledge hurt feelings, apologize if appropriate

Nearly everyone finds conflict stressful. A sincere apology or an acknowledgement of the other party's feelings can be a powerful first step in helping everyone move on. Remember that feelings are legitimate, even if the reasons for the feelings may not be.

However, don't apologize if it's not sincere. Most people are good at detecting insincerity, and an insincere apology usually exacerbates conflict. (In particular, don't say, "I'm sorry, but....")

Read more about mediation at

REMI
NETWORK.COM



EST. 1980

TRI CAN
CONTRACT



Quality

Tri-Can has over thirty years of history, industry experience and exacting standards.

Integrity

Tri-Can ensures budgetary, performance, and environmental needs are met and exceeded.

Trust

Tri-Can puts their clients first, ensuring quality service and a high standard of integrity with all projects.

tricancontract.com
905.475.6703



Even if a conflict has ended without formal confidentiality provisions, resist the urge to discuss it with others in the condominium community.

Don't gossip

Even if a conflict has ended without formal confidentiality provisions, resist the urge to discuss it with others in the condominium community. Gossip is prohibited by the ancient moral codes of many cultures, from Judaism to Buddhism to Confucianism. These ancestors recognized that, although people may have an urge to engage in idle talk about others, to do so can damage social relations. If discussion of the conflict is unavoidable, at least find someone who is not involved and (preferably) lives far away.

Focus on what can be controlled: one's own actions and responses

No one can be forced to apologize, take responsibility for his or her actions, or do the "right" thing. But everyone can control his or her own actions. Choose to put the conflict in the past and behave with grace. Choose to treat others with respect. And resist the impulse to define all parties to a dispute through the lens of the conflict.

Begin with the end in mind

When Steven Covey, author of *The Seven Habits of Highly Effective People*, identified this as Habit No. 2, he had in mind the simple idea that it's important to set a goal before taking action.

This rule applies equally well to conflict. Envision relationships with other parties post-conflict. Consider how actions will be remembered. All parties should have a clear sense of their own personal values and priorities and use them to guide their behaviour during the conflict and help make them to decisions they can be proud of later. □

Jeanette Bicknell, Ph.D., Q.Med., is a mediator who specializes in condominium disputes and an associate with the Sadowski Resolutions Group (www.srgllp.com). She can be reached at jbicknell@srgllp.com.