

Scottish Mediation case study

Arthur owned his flat for over 20 years and was being driven mad by the noise of the new tenants above stomping about, furniture being moved and strange noises that sounded like they were rolling a ball about their living room and banging loudly. He had complained about the noise and thought they were retaliating as it got worse and worse. All the other flats were occupied by single people who are mostly retired, and he thought it was ridiculous that youngsters had moved in.

Sarah and her partner had moved into the flat above Arthur as their first home together. She felt that they were just living normal lives and didn't have wild parties or play loud music. Sarah worked from home a lot on her computer especially during and after COVID-19. She was fed up with constantly being asked to tone down the noise and the dirty looks Arthur gave her on the landing. It was making them very conscious of their every move and had caused rows when one of them kept reminding the other to be a bit quieter or turn the TV down. She stopped her sister's children visiting as she was terrified they would make a noise. Sarah was nervous going downstairs in case she bumped into Arthur –she thought he lay in wait for her!

At mediation, they worked out that the landlord had renovated the flat before letting it to Sarah and had replaced all the carpets with laminated flooring and tiles in the bathroom. What Arthur thought was a ball rolling about was in fact the castors on Sarah's computer chair. He couldn't hear the TV or raised voices, so this wasn't an issue. He realised that they weren't doing anything deliberately to annoy him and Sarah had not understood how the floors were amplifying the noise of just moving about normally. Sarah agreed to buy removable rugs for the living room and the bathroom and to speak to the landlord about possible soundproofing measures. The experience of mediation enabled them to speak more freely with each other and to discover that there were ways that they could help each other as neighbours. It meant that in future, Arthur would be able to mention any noises that were causing him an issue so that they could identify what was causing the problem without falling out.