

- 如何未雨綢繆?

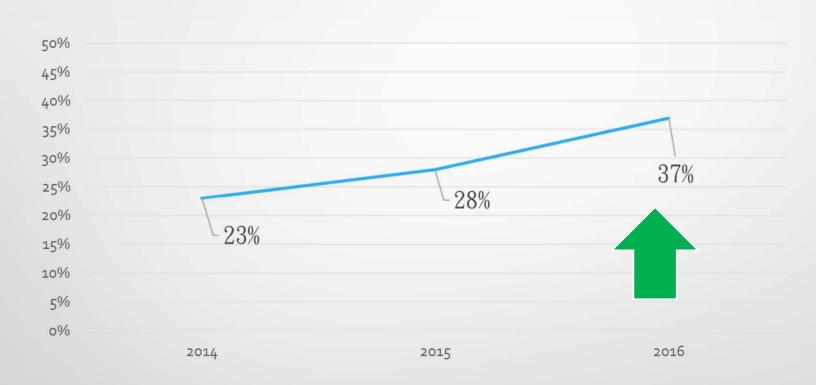
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固堤建築測量及顧問有限公司

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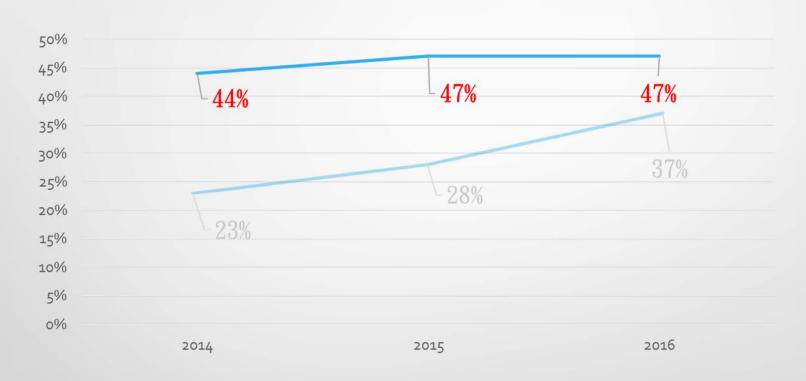
調解的成功率(物業管理範疇)



*只計算達成全面協議(Full Agreement)之個案

#資料來源:Hong Kong Judiciary. (2016) – Mediation Statistics for Building Management Cases.

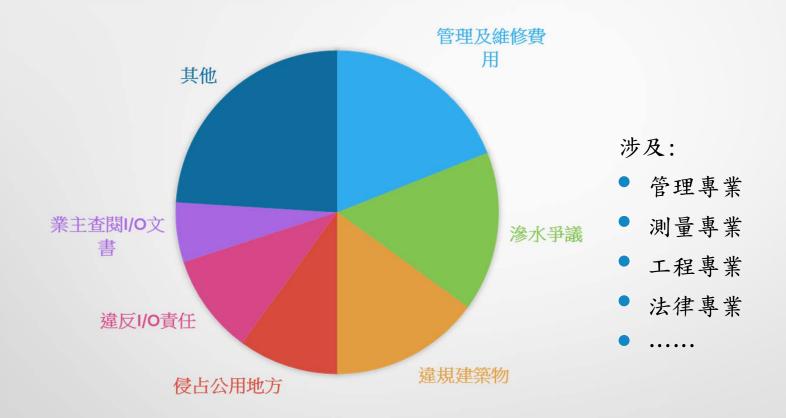
調解的成功率 (整體)



*只計算達成全面協議(Full Agreement)之個案

#資料來源:香港司法機構 (2016) - 調解統計數字.

物業管理爭議細項



#資料來源:

The Building Management Mediation Coordinators' Office. (2011). Evaluation report on Mediation for building management cases in Lands Tribunal of the Judiciary.

學術研究

根據肯尼索州立大學的研究:

Jean Poitras, Susan Raines. (2013). Expert Mediators: Overcoming Mediation Challenges in Workplace, Family, and Community Conflicts.

"The mediators' greatest challenges:

- 1) The reluctant attitude of the users,
- 2) Distrust among parties,
- 3) Absence of the attorney,
- 4) Cultural difference



(roles of different parties, especially when the mediators are to give advice),

6) Strong emotions...."

(對調解員角色之主觀期望,尤其當調解員對案件進行分析時,是其中一項調解員面對之難題)



學術研究

根據香港城市大學的研究:

Sai On Cheung, M.ASCE; Pui Ting Chow; and Jo Kenneth Maduramente Tse. (2015). Performance of Mediator Tactics in Building Management Disputes.

"...three dimensions were tested using moderated multiple regression. Twelve regression models show significant moderating effects. The results suggested that a proactive approach to mediate building management disputes can indeed materially achieve a win-win settlement. Trust development and call ..."

(採取積極主動的態度去處理調解樓宇管理糾紛,確實有助達致雙贏的成果。)





推動調解的準備功夫

業主立案法團可以:

- 加設調解大使-專責大廈調解糾紛
- 舉辦座談會
- 參加「調解為先承諾書」活動
- 主動聯絡調解服務機構
- 按時舉辦或參與有關機構的調解活動

推動調解的準備功夫

社會可以:

- 給予支持及制定配套措施
- 製定不同的標準
- 鼓勵物業管理專業人士成為調解員
- 提供有關專業培訓……



