

Tips on Avoiding and (if necessary) Managing Conflict

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Conflict: the cost

Conflict is expensive.
If not managed properly, it can --
Take away your professional enjoyment
Reduce your credibility
Result in heavy legal expense
Distract from other important projects/issues
Even result in law enforcement activity



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What is YOUR point of view... and what is THEIRS?

- Is it possible that your client or colleague is looking at a different part of the elephant?
- Plus....
Haven't you been around real estate long enough to know that the comparison of a real estate deal to dealing with an elephant is pretty close?



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The opening assumption

- Who are you dealing with...



Is that any more logical
than assuming the other
party is...



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Conflict Management

CONFLICT PREVENTION

Take a breath... there may be more you need
to know before you answer

Educate them – they may not have seen the
other side.

Walk a mile... you know the rest

Which hill... do you really mean to die on?

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Could YOU be the one
escalating?

Know thyself
Find the kernel
Lend, with interest, your
ear

The past? Fuggedabowdit
The legal trigger... don't
be too quick

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Richardson's Rule of Ratcheting

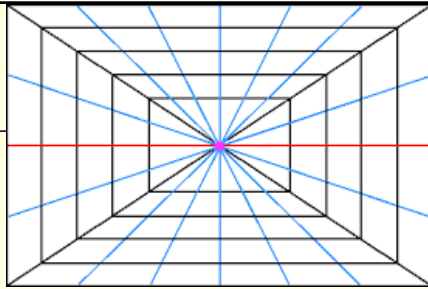
It's easy to ratchet up the intensity of a dispute.

It is devilishly difficult to de-escalate conflict
once it has built in intensity.



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Sometimes... a little *perspective* helps

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Is THIS the Hill you Want to Die On?



You can only die **one time**, so pick your battle carefully

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When a conflict goes “legal”, a trial still may be avoided -

Third party intervention:
“ADR”

Mediation
Arbitration
Neutral evaluation

Sources



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Conflict Management

Consequences of failure:

Ruptured relationships
Litigation
Stress and distraction
Inability to recover attorney fees



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Conflict Management

Consequences of success:

- Preserved relationships
- No litigation
- Saved transactions!
- Focus on success
- No concern about attorney fees

And you'll enjoy it all more

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