

## What is Constructive Communication?

Constructive Communication is the ability to communicate in a calm and civil manner while concisely relaying your conflict in terms that are non-offensive.

### Examples include:

- ❖ Communicate your thoughts, feelings, and goals, clearly and concisely.
- ❖ Minimize misconceptions by practicing active listening skills. Active listening is the ability to verbally demonstrate your understanding of the information that was just communicated to you by the other party. For example; "What I understand you are saying is that..."

### Constructive communication **does not** include:

- ❖ Interrupting the Other Party or Mediator
- ❖ Loud Voices
- ❖ Profanity
- ❖ Threats
- ❖ Name Calling
- ❖ Drawing negative conclusions
- ❖ Accusing and judging the other party

## Understanding Conflict

*Conflict is the result of two or more parties  
Who cannot agree upon a compatible goal.*

Conflict can be stressful, time consuming, and devastating.

There are skills that can be learned in order to deal with conflicting matters in a direct, positive, and healthy manner.

### *How Do I Resolve a Conflict Situation?*

In order to resolve conflict, it is best to try and work it out with the other party. If you are unable to resolve the conflict, then a third-party dispute resolution program may be of some assistance to you.

Third-Party dispute resolution programs, like the NMVB's Consumer Mediation Program, may be able to assist you to clearly identify issues, clarify your goals, and facilitate a possible outcome that both parties can agree upon.



State of California  
Arnold Schwarzenegger, Governor  
Business, Transportation and Housing  
Agency Dale E. Bonner, Secretary  
Department of Motor Vehicles  
George Valverde, Director

# CALIFORNIA NEW MOTOR VEHICLE BOARD

## Mediation Guide

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## What is Mediation?

Mediation is an alternative form of dispute resolution that can be very effective in assisting disputing parties reach a mutual agreement.

During the mediation process, a mediator can assist you and the other party to gain a better understanding of your conflict and create your own solution to the dispute.

## What is the Process for Mediation?

1. The New Motor Vehicle Board receives a Mediation Request Form.
2. The mediator will mail a letter of inquiry to the Dealership and/or Manufacturer.
3. Both parties are given opportunities to state the dispute in order to facilitate resolving a dispute using an amicable dispute resolution process.

## What are the Benefits of Mediation?

*Mediation can...*

- ❖ Resolve disputes without the cost of litigation.
- ❖ Retain a customer / Restore faith with dealership or Manufacturer
- ❖ Help parties identify issues, clarify goals, and understand the rights of involved parties.
- ❖ Promote healthy communication and cooperation in order to achieve a greater understanding of the dispute.
- ❖ Allow disputing parties to control the process of dispute resolution.
- ❖ Assist people to end problems, not relationships.

You may obtain a mediation request form by calling (916) 445-1888, by E-mail at [nmvbmediation@nmvb.ca.gov](mailto:nmvbmediation@nmvb.ca.gov), online at [www.nmvb.ca.gov](http://www.nmvb.ca.gov) or by writing to the New Motor Vehicle Board Mediation Services Program 1507 - 21st Street, Suite 330 Sacramento, California 95811

## Tips for Successful Mediation

### *Clarify your goals*

- ❖ What outcome can you reasonably expect in order to resolve the dispute?

### *Prioritize your interests*

- ❖ Where are you more able to compromise?

### *Be Solution-Oriented*

- ❖ Focus on the future, not on what happened in the past.

### *Express Yourself to be Understood*

- ❖ Honestly explain your viewpoint.
- ❖ Avoid blaming, accusations, and judging the other person or party.

### *Listen to Understand*

- ❖ Consider the other person's viewpoint.

*Creativity and compromise are essential to create conflict resolution.*