

MEDIATE THIS !

THE RESILIENT ROACHES AND THE CRABBY LANDLORD

BY STEVEN P. DINKIN

This week's column of expert tips on resolving everyday conflicts focuses on a landlord-tenant dispute over bug infestations and late rent payments.

Dear Mediator:

My apartment building has a problem with roaches. The landlord does his own spraying, which stops them for a while, but they always come back with a vengeance. I finally confronted him about this, and he responded by threatening me with eviction because I was late with my rent twice over the past year. I'd like to call his bluff — he can't just throw me out! — but I don't want to go to war with him. What are my options?

Bugged Out in Hillcrest

Dear Bugged:

Mediation is the preferred approach to resolving these disputes because the landlord-tenant relationship is such a peculiar hybrid — part business transaction, part personal compact.

On the business side, you pay your landlord rent, and

the landlord provides you with housing. Both parties are subject to an array of laws governing financial obligations (the renter) and health and safety responsibilities (the landlord).

On the personal side, landlords and tenants are harnessed together as owners and occupants of the same physical space. That forced proximity means that when conflicts arise, you can't just pick up and go separate ways.

Finding and moving to another rental property is hugely disruptive. Evicting a tenant can drain time and money. And each of you could face the same problem in your next chapter. There's no guarantee your new apartment will be bug-free or a new tenant will be roach-tolerant.

In situations like this, mediators often begin with a reality check by distinguishing between your "rights" under the law and your "interests" or personal needs for peace and stability.

Insisting on your rights is a high-stakes gambit. You might have to take that road at some point, and you can



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This week a Hillcrest renter seeks advice about resolving a dispute with the landlord about a recurring problem with roaches.

start preparing for that eventuality. But you will be better off if you can find a way to serve everyone's interests through communication and compromise.

Begin by walking back the confrontation and offering your landlord a truce. Apologize for the late rent payments. Acknowledge that roaches are devious little monsters and that you appreciate the steadfast

efforts to eradicate them.

Your landlord's response will determine your next steps. It sounds like your building needs a professional extermination. By taking your landlord off the defensive, your friendly overture can give your landlord the space to reach that conclusion.

But if your landlord remains combative, stay calm and express a desire to work

together on resolving the bug problem.

Roaches don't play favorites, so the neighboring apartments are almost certainly infested. If you haven't talked to the other tenants about this, contact them, and start cooperating as a group, which always increases your negotiating leverage.

Gather evidence (photographs, logs), and invite the

landlord to a meeting over coffee. Express empathy, and ask for empathy in return. You understand the need to keep building costs down. You hope there is an understanding that a recurring infestation is a serious health hazard.

If and when you enter formal mediation, be prepared to put something on the table, like a pledge to do your part to drive off these invaders.

Landlords often assign blame for roach problems on slovenly tenants. Whether or not your housekeeping has been a contributing factor, it would be helpful if you and your neighbors made a good-faith assurance to keep kitchens clean, trash cans tightly closed and food properly stored.

Steven P. Dinkin is a professional mediator who has served as president of the San-Diego based National Conflict Resolution Center since 2003.

Do you have a conflict that needs a resolution? Please share your story with The Mediator via email at mediatethis@ncrconline.com. All submissions will be kept anonymous.

NOTEBOOKS

From Union-Tribune reporting staff

GOVERNMENT: KAREN KUCHER

Help for public safety workers' families

A state bill has been proposed that would extend the amount of time that the family of a deceased public safety officer would be eligible to seek to collect survivor death benefits for work-related illnesses.

Senate Bill 1086 would extend the eligibility period for families to access death benefits for firefighters, police and sheriff's officers whose death was attributable to certain work-related illnesses.

"First responders such as firefighters and police officers bravely rush into dangerous situations in order to keep us safe. In some cases, years pass before they succumb to illnesses directly related to their actions," state Sen. Toni Atkins (D-San Diego), who introduced the bill, said in a statement.

Atkins said the proposed legislation "honors their service and sacrifice by ensuring that their families don't fall through an arbitrary crack in eligibility rules for survivor death benefits."

The bill was sought by California Professional Firefighters, which represents over 30,000 local, state and federal firefighters.

Before 2015, if a public safety officer died more than 240 weeks after being diagnosed with a work-related illness, his or her family was ineligible for worker's compensation-related death benefits.

Lawmakers in 2015 extended the eligibility period to 420 weeks post-diagnosis for deaths due to work-related cancers, tuberculosis and blood-borne infection disease.

That extension was set to revert back to 240 weeks Jan. 1. Atkins' bill seeks to permanently eliminate that sunset provision, leaving it at 420 weeks or just over eight years.

"Families of police and firefighters stricken with job-caused illnesses shouldn't have to pay a penalty if their loved one lives 'too long,'" Lou Paulson, president of California Professional Firefighters, said in a statement. "Easing the arbitrary, century-old 'death clock' has helped ease the burden for a few surviving families without imposing significant burdens on taxpayers."

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SCIENCE: BRADLEY J. FIKES

Firefighter diet set to body's rhythm

Firefighters endure debilitating stresses that raise their risk of heart disease and other ailments. Scientists from the Salk Institute and UC San Diego have developed a simple diet that might improve their health, and will test it on volunteers.

The diet restricts eating to a 10-hour period each day. This gives the body a more predictable pattern of eating that matches its daily or circadian rhythm, said Satchidananda Panda, a Salk Institute professor and co-leader of the new study.

Firefighters and other emergency workers have no control over when they'll be interrupted from routine duties or a sound sleep to be called into action.

"They're exposed to light at the wrong times," Panda said. "This causes huge disturbances. And when they're awake they're likely to snack."

While the unpredictable nature of their work can't be changed, firefighters at least can control their eating patterns, Panda said.

Study results might apply far beyond the emergency response field, Panda said.

About 20 percent of employees work non-standard shifts, which can play havoc with their circadian cycles.

In mice studies, Panda found that restricting the time of eating resulted in reduced weight and improved health. Moreover, preliminary studies in people suggest similar benefits, without changing how much food or what kind of food they eat.

Salk's Panda and UCSD study co-leader Pam Taub, MD, will work with the San Diego Fire-Rescue Department. The department will recruit 150 volunteers. They will be assigned either to the time-restricted diet or given standard dietary counseling.

Those on time-restricted eating will use a smartphone app that tracks eating, sleeping and exercise. It has already been used by thousands of people, and is available at <https://mycircadianclock.org>.

The study is funded by a \$1.5 million grant by the Department of Homeland Security for three years.

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THE READERS' REPRESENTATIVE: ADRIAN VORE

Strategies on checking for fake news

The big story that broke Friday was news of 13 Russians being charged with interfering in the 2016 presidential election. Federal officials said the campaign of disinformation to inflame divisions in the U.S. involved ads and posts on Facebook, Twitter, Instagram and Google.

The lead story on A1 of the Union-Tribune on Wednesday was U.S. intelligence officials predicting Russian meddling to occur again in the midterm elections this fall.

"We expect Russia to continue using propaganda, social media, false-flag personas sympathetic spokespeople and other means of influence to try to exacerbate social and political fissures in the United States," Dan Coates, the director of national intelligence, said during a Senate Intelligence Committee hearing Tuesday, according to a New York Times story published in the U-T.

Based on what happened in the 2016 elections and the warnings last week, consumers of news need to be wary of what they are reading in social media, on the web and in items forwarded in emails.

To increase residents' media literacy in this day of fake news infiltrating our society, the San Diego Library is holding a four-part series on the media called "Breaking News @ the Library." The library and the U-T joined for the first one held Jan. 31. The library was one of five systems in the country to receive a grant from the American Library Association to hold the talks on media literacy.

The series' second talk, titled "News Literacy and You," is set for Tuesday from 6 to 7:30 p.m. at the Scripps Miramar Ranch Library, 10301 Scripps Lake Drive.

"Two librarians will discuss how to assess news and journalism in the 21st century media landscape of fake news, sensationalism and the 24 hour news cycle," the library said in a description of the talk.

In the Jan. 31 event, named "Citizen Journalism," U-T Editorial and Opinion Director Matthew T. Hall presented some infamous examples of fake news (such as a story before the presidential election about the pope supporting Donald Trump) and then 11 ways news consumers can check the veracity of stories they're reading or seeing.

Here are the 11 items. (My comments are in italics.)

• Read beyond the headline: What does the entire story say? Is there an agenda? Does the headline oversell or overhype the story? (*Headlines online are meant to grab*

you so you'll click on the article. Exaggeration and downright falsehoods are commonly used. Those postings have no accountability, unlike the mainstream press.)

• Check the date: The reposting of old stories may or may not be relevant to current events.

• Consider the source: Look into the site, its mission and its contact information. Inspect the URL of the story to ensure legitimacy. (*I saw a post last week on YouTube of a guy wearing a microphone headset sitting behind a computer screen with an American flag as a backdrop. He was "reporting" on the school shooting in Florida. I had no clue who this person was.*)

• Check the author: Perform a web browser search of the author's name to see if he/she is real and credible.

• Ask yourself if it's intended as a joke: Was the story meant to be satire or comical? Consider the source and the author to be sure. (*The Onion has great satire, and there's no doubt that it's comedy.*)

• Look for supporting sources: Click hyperlinked background sources to see if they support the story. Are there source documents attached? Are there related links? (*Many mainstream media outlets will post source material used in stories.*)

• See if the website annotates corrections and/or updates for its stories. (*This is something only done by legitimate, professional news organizations. It's a matter of accountability.*)

• See if other legitimate news outlets have covered the story or the subject of it: Most big stories will be picked up elsewhere. A quick search is worth your time.

• Check your biases: Consider if your beliefs affect your judgment about the story.

• Consult experts: Familiarize yourself with fact-checking websites or ask a friend, family member or librarian. (*Check out snopes.com as a fact-checker.*)

• Distinguish between an objective news report and opinion: Opinion pieces are editorials, columns, commentaries and reviews. They have a point of view. News and analysis is reported objectively, reflecting all sides of every issue. (*The mainstream media need to improve in this area. Readers have pointed out to the Readers' Rep sentences in wire-service political reports that blur the lines between news and analysis.*)

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FROM THE ARCHIVES | LOOKING BACK OVER 150 YEARS

YORK NAMED UC SAN DIEGO CHANCELLOR

The San Diego Union-Tribune will mark its 150th anniversary in 2018 by presenting a significant front page from the archives each day throughout the year.

Saturday, February 18, 1961

In 1961, Dr. Herbert York, a physicist who worked on the Manhattan Project developing the atomic bomb, was named the first chancellor of UC San Diego.

Here are the first few paragraphs of the story:

DR. YORK, PENTAGON SPACE CHIEF, WILL HEAD UC HERE

BOARD OF REGENTS APPROVES SELECTION OF MISSILE SCIENTIST AS CHANCELLOR

By Charles Davis, The San Diego Union's Education Writer
RIVERSIDE, Feb. 17 — Dr. Herbert F. York, chief of the Defense Department's missile and space research program, today was named chancellor of the University of California situated at La Jolla

York, 39, has headed the Pentagon's overall scientific planning agency since December, 1958, and is considered one of the nation's top scientists.

His appointment was approved by the

university's board of regents meeting here and was announced by Dr. Clark Kerr, UC president.

Kerr said York will begin his new duties "not later than July" at a \$24,000 annual salary. York receives \$22,000 in his present post.

APPOINTMENT HAILED

The appointment brought expressions of praise for York's capabilities from Gov. Brown, whose remarks in executive session were later quoted indirectly by Kerr and by Edwin Pauley, chairman of the regents. Both York and Kerr commended Dr. Roger Revelle, who for several years has been in charge of the university's La Jolla activities. York,



contacted in Washington by The San Diego Union, said: "I'm very much aware of the fine work that Roger Revelle has done there over the years."

Kerr lauded Revelle and said, "The university already has one of the world's great research institutions. I am certain we shall see under Dr. York a development of a general campus that will equal in stature the present establishment in La Jolla."

REVELLE TO CONTINUE

Kerr said Revelle will continue in his position as director of Scripps Institution of Oceanography and dean of the university's recently established School of Science and

Engineering.

Revelle is recognized as a world leader in the oceanographic field. He has directed many Scripps explorations of the ocean's depths that have brought new discoveries of tremendous value to science.

York said he will take over his La Jolla duties "when I finish my present assignment," but unlike Kerr, he gave no indication when this will be. Associates indicated he hoped to be able to complete his Pentagon duties by about July 1. York said he looks forward to his La Jolla position as a "most interesting opportunity."

SERVED AT UC

York served as an assistant professor of physics on the UC Berkeley campus from 1951 to 1954, and from 1954 to 1958 was director of the famed Radiation Laboratory at Livermore.

In 1958 he became chief scientist of the Defense Department's Advanced Research Project Agency and 10 months later was advanced to his present position as director of defense research an engineering.

A native of Rochester, N.Y., York received his bachelor's degree in physics from the University of Rochester in 1942, where he remained one year as a teaching assistant and obtained his master's degree.

Between 1944 and 1945, York worked on the electromagnetic isotope separation program at Oak Ridge, Tenn., and then went to Berkeley where he received his doctor's degree in physics in 1949.