

Memorandum

REPORT TO: City Commission

FROM: Anna Saverud, Chief Civil Attorney
Greg Sullivan, City Attorney
Chuck Winn, City Manager

SUBJECT: Provisional Adoption of an Ordinance Creating a Tenant Right to Counsel and a Landlord/Tenant Mediation and Adoption of a Resolution Adopting Commission Goals for a Tenant's Right to Counsel Program and a Landlord/Tenant Mediation Program

MEETING DATE: December 2, 2025

AGENDA ITEM TYPE: Ordinance

RECOMMENDATION: **Consider the Motion:** *I move to adopt a Resolution of the City Commission Adopting Commission Goals for a Tenant's Right to Counsel Program and a Landlord/Tenant Mediation Program.*
AND
I move to provisionally adopt an Ordinance of the City Commission Adopting a Tenant Right to Civil Counsel and Landlord/Tenant Mediation Program.

STRATEGIC PLAN: 3.2 Health & Safety Action: Work with our partners to improve education, public awareness, and to coordinate programs concerning emergency services, criminal justice, and important social services.

BACKGROUND:

In January of 2023, the City Commission, pursuant to [Resolution 5626](#) (adopted August 6, 2024), established a priority to develop a tenant right to counsel program. This priority was adopted pursuant to the "Safe Welcoming Community" strategic plan priority. The tenant right to counsel (TRC) priority included researching, analyzing, and developing program options and "funding and program option discussion at Commission pending positive legal review."

On May 13, 2025, the City Commission held a [work session](#) on Tenant's Right to Counsel (TRC). At the conclusion of that work session, all members of the City Commission indicated their support to move forward with developing an ordinance for a civil right to legal counsel for tenants in the city. Additionally, a majority of commissioners expressed interest in exploring a mediation program open to both landlords and tenants in an effort to resolve disputes prior to or in lieu of litigation. The Commission expressed a

desire to have the programs be available to as many residents as possible, with limited eligibility requirements if any. Further the Commission expressed a desire to allow for the broad representation of a tenant under a TRC program.

Following the work session, we continued to research programs and issues associated with creating a TRC and mediation program. Targeted engagement efforts focused on learning from those with knowledge of the process including the justice court, attorneys, mediators, tenants, and landlords. In addition to insightful feedback and ideas about program concepts, an overarching theme in all engagement was the importance of educating the community about the programs and about rights and responsibilities of both tenants and landlords.

The result of the work and engagement is a recommendation for a three-pronged approach with a goal of increasing housing stability within the city. First – create a right to counsel for tenants in the Bozeman Municipal Code and require the City Manager implement a program for those legal services to the extent funding is appropriated or received. Second – create a landlord and tenant mediation program, free to both sides to mediate landlord/tenant disputes and require the City Manager implement a program for mediation services to the extent funding is appropriated or received. Third – create an education campaign to bring awareness to the TRC and mediation programs, create education materials with landlord and tenant rights and responsibilities, and hold educational events and strive to fill gaps in current efforts to educate both tenants and landlords.

The two documents before the Commission on December 2, 2025, establish the programs. The first is a resolution that outlines goals, eligibility, and components of each of the three programs. The second is an ordinance that provides a framework for the right to counsel and the mediation program. During our presentation, we will provide detail regarding each document and discuss each of the three programs in greater detail.

UNRESOLVED ISSUES: Next steps include drafting Request for Proposals for each program; selection of service providers and contracting.

ALTERNATIVES: Amendments at the discretion of the Commission.

FISCAL EFFECTS: Requests for proposals will be created for legal services, mediation services, and for an educational campaign. FY26 budget savings in the General Fund

are expected to be sufficient to fund program implementation. The results of the RFPs and negotiated contracts will need to be evaluated and incorporated into the 2027 biennial budget process.

Attachments:

[ORDINANCE Adopting TRC and Mediation Programs.pdf](#)

[RESOLUTION Adopting goals of TRC, Mediation and Education.pdf](#)

Report compiled on: November 17, 2025