



The EBP

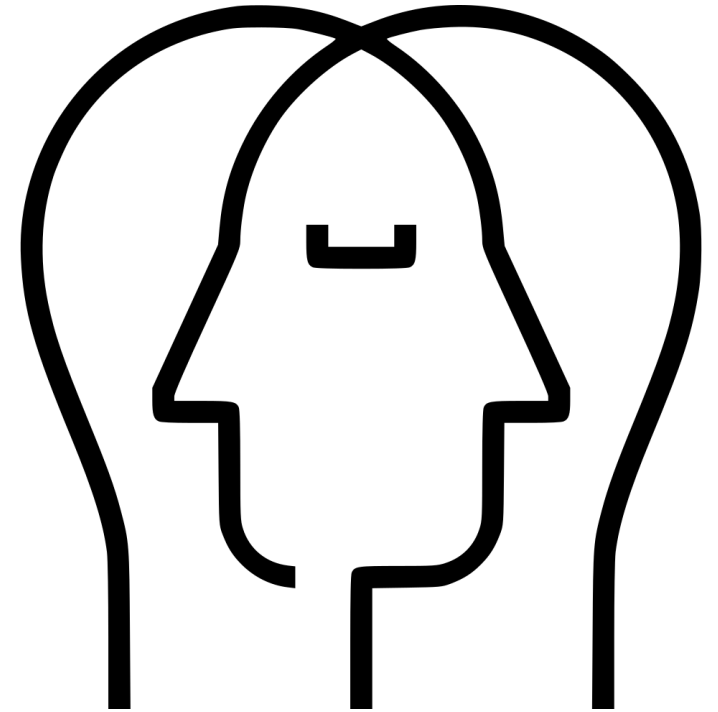
The Empathy Building Process

Presented by: Tee Persad, Esq.



What is Empathy?

- The ability to recognize, understand, and share the thoughts and feelings of another.
- The action of understanding, being aware of, being sensitive to, and vicariously experiencing the thoughts, and experience of another.
- The psychological identification with or vicarious experiencing of emotions, thoughts, or attitudes of another.
- Imagining oneself in the life and circumstances of another.



Types of Empathy

- **Emotional Empathy**

- **Active Empathy** – The ability to understand other people's emotions and respond appropriately. Such emotional understanding may lead to someone feeling concerned for another person's well-being, or it may lead to feelings of personal distress.
- **Somatic Empathy** – Involves the affect, feeling and emotional reaction in response to what someone else is experiencing. People sometimes physically experience what another person is feeling. When you see someone else feeling embarrassed, for example, you might start to blush or have an upset stomach.

- **Cognitive Empathy** – Involves being able to understand another person's mental state and what they might be thinking in response to a situation.

Empathy is related to what psychologists refer to as the “**theory of mind**” or thinking about what other people are thinking and feeling.

The Theory of Mind

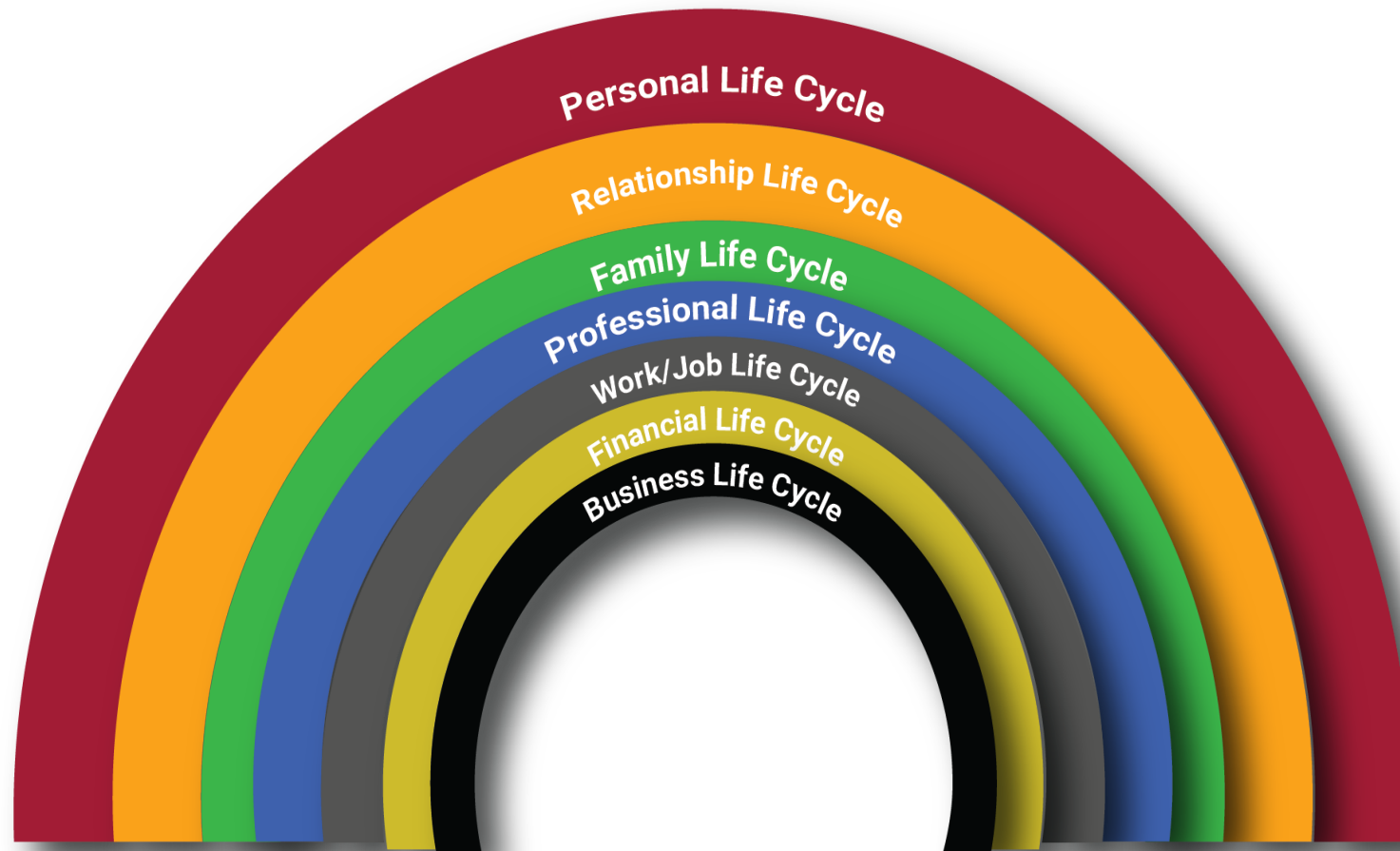
“Thinking About Thinking & Feeling”

- A social-cognitive skill that involves the ability to think about the mental states, both your own and those of others.
- It encompasses the ability to attribute mental states, including emotions, desires, beliefs, and knowledge.’
- Theories based on:
 - What people Say
 - How people Act
 - What we know about them generally
 - What we know about them specifically
 - What we know about their circle of influence
 - What we can infer about them

Joe Homeowner vs. Clueless H.O.A.

- Joe has lived in the Clueless community for 15 years.
- During the recession, pandemic and current recession, he experienced financial difficulties and missed a few HOA payments.
- Clueless charged him late fees, interest and other fees and costs, but made errors in the calculation of interest and some of the fees and costs were not authorized by the DEC or Florida Statutes.
- HOA sued Joe to collect and Joe counter-sued for damages and injunctive relief, individually and on behalf of other homeowners. He also filed third-party claim against Overzealous Management Company and Hardline Collection Agency.
- The parties elected to mediate before class certification hearing.
- Interested parties:
 - Joe, his family, his attorneys
 - HOA, directors, members, their attorneys, insurance company and insurance company reps.
 - Management Company, owners, attorneys, insurance company and insurance company reps.
 - Collection Agency, owners, attorneys, insurance company and insurance company reps.

THE IMPACT OF LIFE CYCLES



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EMPATHY BUILDERS/EMPATHETIC NUDGES

- **Amplify empathy-positive forces**

- Use information derived from the EBP to build Value Proposition
- Use Diagrams to demonstrate other's affect, feelings and emotions
- Use diagrams to promote understanding of others
- Using incentives (\$, time, social connection , pride, etc....) to nudge focus on others
- Use caucus more/less
- Focus on bigger picture
- Focus on commonalities of each core of EBP
- Modeling empathy

- **Diminish empathy-native forces**

- Redirect
- Ignore
- Use caucus more/less
- Focus on differences

Joe Homeowner vs. Clueless H.O.A.

- Interested parties:
 - Joe, his family, his attorneys
 - Joe's EBP
 - Joe's Attorneys' EBP
 - EBP's for family members?
 - HOA, directors, members, their attorneys, insurance company and insurance company reps.
 - Directors' EBP
 - Members' EBP
 - Attorneys' EBP
 - Insurance Company EBP
 - Insurance Company Reps. EBP
 - HOA EBP?
 - Management Company, owners, attorneys, insurance company and insurance company reps.
 - EBP for _____?
 - Collection Agency, owners, attorneys, insurance company and insurance company reps.
 - EBP for _____?

Empathy and

The Golden Rule

vs.

The Platinum Rule

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THANK YOU!!!!

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