



Eviction Resolution Pilot Program: Dispute Resolution Center Update March 2023



Having a neutral 3rd party mediate the payment plan expectations was helpful for the residents to realize that they really needed to think about what a reasonable repayment plan looked like and how long it would take to get caught up, or if they needed to consider more affordable housing.

- Property Manager's comment about ERPP mediation at the DRC

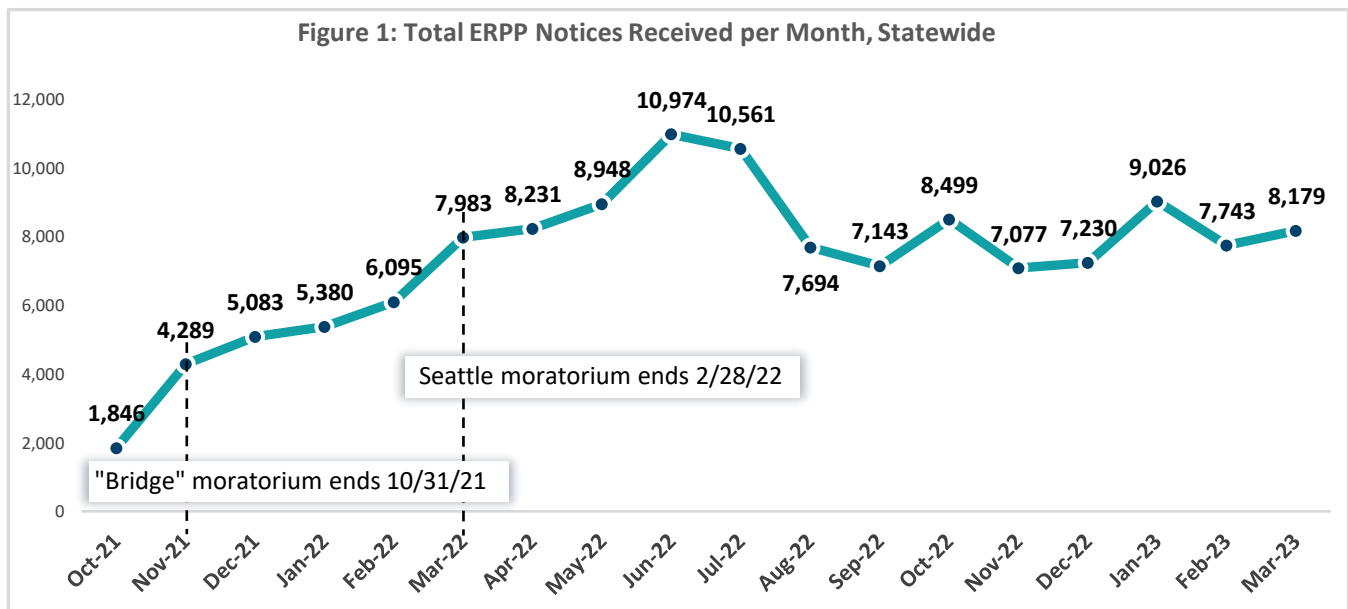


March Outlook/Update

Demand for ERPP dispute resolution and referral services remains high (fig. 1), though ERPP partners are beginning preparations for the program's sunset on June 30th, 2023. Pay or vacate rent notices have been steady since August 2022, averaging more than 7,000 per month statewide. DRC staff and mediators are preparing for the expiration of [RCW 59.18.630](#) regarding repayment plans for rent owed beginning May 1, 2023, while recognizing that local courts, counties and municipalities may continue to have specific requirements.

While rental assistance resources dwindle, so far the participation rates in conciliation and mediation and the agreement rates of ERPP participants remain steady. DRCs help landlords, property managers and renters resolve their rent disputes and related communication concerns to improve the stability of the landlord/tenant relationship. Participants also benefit from help accessing local resources and negotiation around other aspects of the renter-property owner relationship in addition to resolving rent disputes.

The March statewide ERPP case volume increased by 5% compared to February (fig. 1).



- King and Spokane Counties generated more than 55% of the total ERPP March notices received statewide.
- Fourteen DRCs experienced an increase in volume in March.
- The average statewide tenant response rate was 52% for cases closed in March.

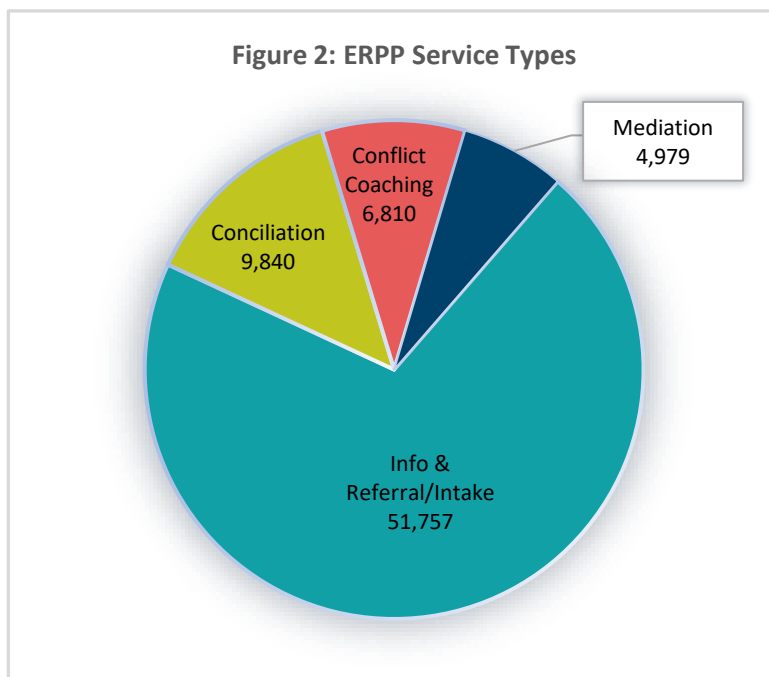


As rental assistance drops from \$675 million in 2020-22 to approximately \$40 million per year in 2023-24, DRCs are adjusting to help tenants and landlords navigate reductions in assistance.

- Current median case duration measured during the November 2021 to March 2023 period was 30 days and cases that required more intensive services, such as mediation and conciliation, took a median of 48 days to close as the participants worked toward resolution.

As of March 31, 2023, the DRCs reported the following on cases closed since the program's launch in July 2021:¹

- The ERPP Notices received represented a combined total of **159,927** tenants and landlords. Many of these are quickly resolved without a certificate of participation needed, for example with current-month rent paid within a few days, assistance through information and referral, or with rental assistance. DRCs provide additional dispute resolution services for the remaining cases.
- DRCs also help parties with housing disputes in cases where the landlord does not want to issue a notice or tenants request conflict coaching without involving the landlord. More than 2,700 people have been served directly through this voluntary participation in DRC landlord-tenant services.
- **73,386** cases were closed and completed (depicted by service type in figure 2); and **31,008** certificates were issued.²



Entry into the ERPP process typically starts with Information & Referral and/or Conflict Coaching services. Once DRCs provide information and support, many of these cases may be resolved directly between tenant and landlord, or with rental assistance, without further involvement of the DRC needed. Often after receiving referrals the parties do not report an outcome to the DRC. The outcome is known for 47% of Info & Referral service cases and 64% of Conflict Coaching cases. Parties may also move through those stages and/or opt into Conciliation and Mediation services from the DRC.

¹ A few early cases may fall outside of ERPP due to cases covering rent owed from months prior to attestation (see Proclamation 21-09).

² Note the volume of cases closed at any given time is lower than the total number of ERPP notices received by DRCs. Some notices are for cases currently in progress. In some cases a landlord may issue more than one notice to a tenant and those may be combined into a single case to support client service. Additionally, some current month's rent notices are resolved upon confirmation of rent payment before a case can be opened.

“ Thank you for keeping my children and me from becoming homeless. May your kindness and actions come back to you 10 fold!
- Tenant after receiving ERPP services ”

- The overall settlement/agreement rate was **74%**.³
- Where outcomes were known, DRCs reported that in **94%** of mediations and conciliations the tenancy was preserved upon case closing.
- **623** tenants were served using an interpreter due to clients' limited English proficiency or preference.
- **3%** of tenants had legal representation during the conciliation stage and **8%** of tenants had legal representation during formal mediation. DRCs provide legal resources information to all tenants and facilitate access to legal aid where requested by the tenant.

Demographics of the ERPP clients surveyed statewide during July 2021 through March 2023 were the following:⁴

- Race/Ethnicity: 53.8% White; 23.2% Black/African American; 7.0% Other; 4.8% Native Hawaiian/Other Pacific Islander; 3.8% Multiracial; 3.7% Asian; 3.1% American Indian/Alaska Native; 0.6% Indian/South Asian.
- Non-Hispanic or Non-Latino/a: 27.3%; Hispanic or Latino/a: 7.8%; No Response: 64.9%.
- Annual Household Income: 42% was at or below 100% of the Federal Poverty Level (FPL); 31% was at 101-200% of FPL; 16% was at 201-300% of FPL; 11% was above 300% of FPL.

Program Background

In April 2021, the Legislature established the Eviction Resolution Pilot Program (ERPP) under E2SSB 5160 (codified in [RCW 59.18.660](#)). [Resolution Washington](#) and [Washington Courts](#) contain further background and details of the program, including 1-minute ERPP videos in [English](#) and [Spanish](#).

“ During mediation, the landlord came to understand the tenants' situation and helped him see his tenants as young people that needed some guidance. They worked on a doable budget, made an agreement on communication, and had rental assistance to help them get caught up. The landlord made a point to come back to our office and tell us how valuable the program is to our community.
- DRC ERPP staff ”

³ The rate is based on cases where the outcome was known, such as in conciliations, mediations, and where the DRC was notified that the dispute was resolved through rental assistance.

⁴ Excludes “No Response” and “Unknown” categories, except for Hispanic/Latino Origins, which includes “No Response.” Percentages may not sum to 100 due to rounding.



Eviction Resolution Pilot Program: Wenatchee Valley Dispute Resolution Center Update *servicing Chelan & Douglas counties*

March 2023

Wenatchee Valley Dispute Resolution Center (WVDRC) has been providing sliding scale fee-based mediation services for tenant-landlord disputes for decades and provides access to foreclosure mediation, if needed. Mediation for housing issues provides landlords and tenants a preventative option to avoid the risk, stress, time, and expense of going to court. Mediation often preserves tenancy or allows for a tenant move-out plan that does not impact the tenant's ability to seek future housing situations.

Tenant(s) and landlord typically struggle around issues related to payment, communication, and/or behavior. When these conflicts go unresolved, tenant(s) may self-evict or be negatively impacted by an eviction action on their record. These potential outcomes for tenant(s) increase their risk of becoming un-housed or homeless which leads to more costly interventions and strains community resources. Landlords resources are stretched thin by non-payment of rent, property damage, and administrative/legal costs.

In 2021, WVDRC began full implementation of a statewide program – Eviction Resolution Pilot Program (ERPP). This pre-filing program is free to participants and is focused on supporting landlords and tenants over the issue of non-payment of rent. Prior to filing an unlawful detainer (eviction) action for nonpayment of rent, the landlord must provide a notice as required under RCW 59.12.030(3) and an additional notice to the tenant informing them of the eviction resolution pilot program plus send a copy of both Notices to the DRC serving that county; WVDRC serves Chelan & Douglas counties. Through ERPP, tenants and landlords are able to receive free services before an unlawful detainer (eviction) court case is filed. If the case is unresolved through dispute resolution, rental assistance, or legal aid, the landlord may request a certificate of ERPP participation which enables them to file an unlawful detainer (eviction) action in court.

Since ERPP began, WVDRC has received over 1,200 ERPP notices for non-payment of rent. Whether the non-payment was due to late payment or other circumstances, all the individuals/families residing at those 1,200 properties were at-risk of eviction. This volume demonstrates an ongoing need for pre-filing prevention options in our community and suggests the scope of residents that are housing insecure. Dispute resolution services are a low-cost investment for supporting community efforts to deliver housing stability and encourage housing providers to offer rental opportunities for residents.

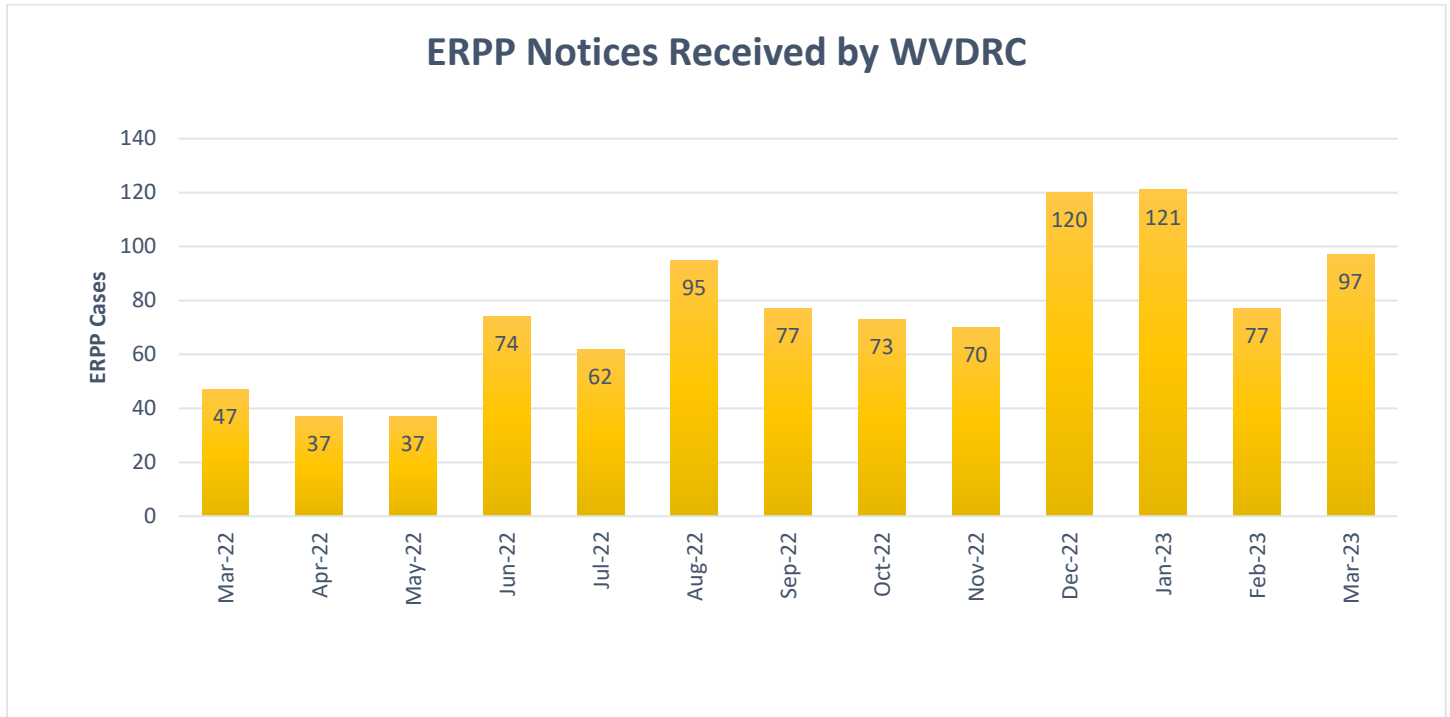
Participation in the ERPP program has enabled WVDRC to build relationships with local property managers and landlords and has demonstrated the success of mediation at providing free resolution options to complex tenant-landlord issues. During the ERPP timeframe, WVDRC has served over 2,500 adults and children through intake and referral to local housing resources. Of those individuals, over 110 were directly served through mediation services. WVDRC has provided over 176 volunteer hours facilitating mediation during ERPP implementation.

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WVDRC Data as of March 31, 2023



CLOSED Cases December 2022 thru March 2023

Date DRC Received Notice (Monthly)	Dec, 2022	Jan, 2023	Feb, 2023	Mar, 2023	Total (Disposition)
Disposition	119	121	75	86	401
Tenant Declined ERPP			1		1
No follow-up from LANDLORD	33	15	6	3	57
Other	4	9	5	7	25
Mediated No Agreement			1		1
No response from TENANT	10	9	7	17	43
Mediated Agreement	1		1		2
ERPP no longer needed	47	65	50	55	217
Resolution by Rental Assistance	24	23	4	4	55

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