



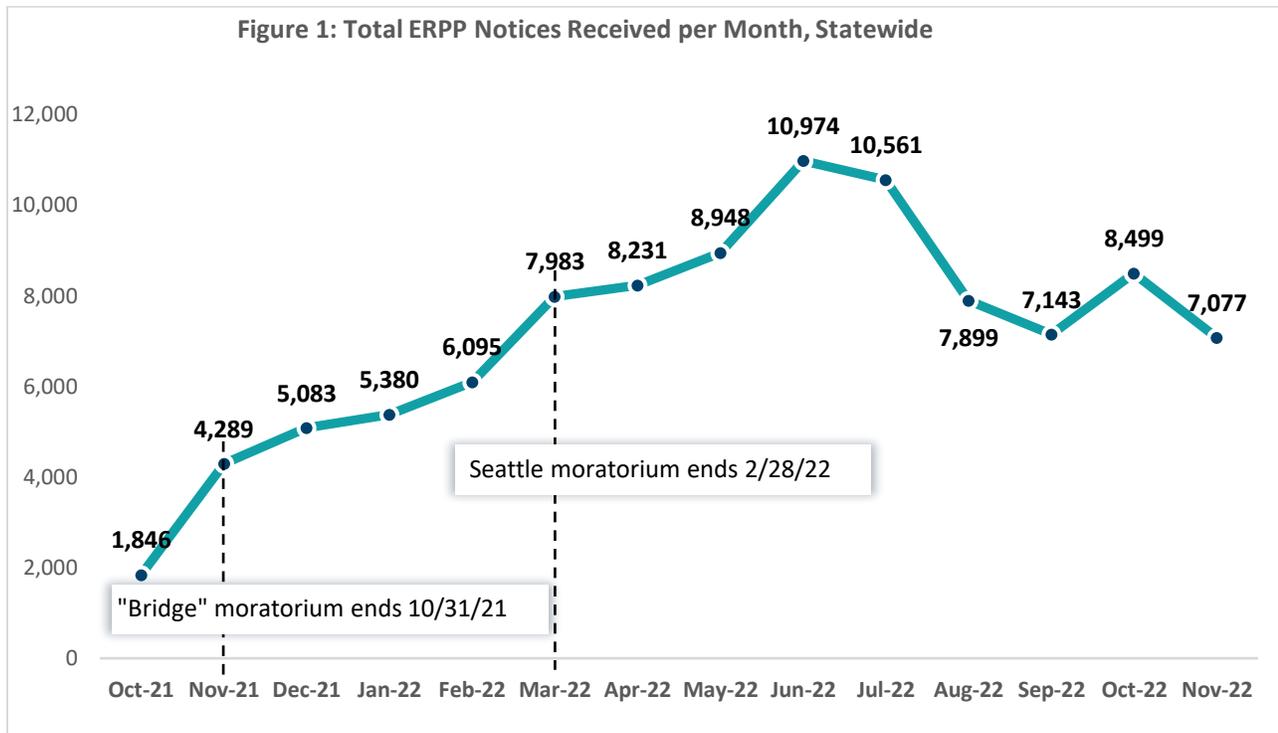
## Eviction Resolution Pilot Program: Dispute Resolution Center Update November 2022

“ I didn't think this was possible. Now I can put up our Christmas tree without fear of being put out on the street.  
- A single mom after receiving ERPP services ”

### End of Year Reflections

Typically, Washington's DRCs see a dip in all service provision during the holidays. Even if times are hard, many choose to put their struggles on hold, waiting until January to pick them back up again. Courts may also slow down, partially due to juggling schedules as many take time. For the ERPP program, all DRCs put plans into place to manage staffing and rapid response around time off during this period, ensuring that anyone seeking resolution services gets access to those services.

In November, statewide ERPP case volume decreased compared to October (fig. 1).



- King, Spokane, and Pierce Counties generated 55% of total ERPP notices received statewide.
- Eight DRCs experienced an increase in volume in November, five of which are located in eastern Washington.
- The average statewide tenant response rate was 53% for cases closed in November.

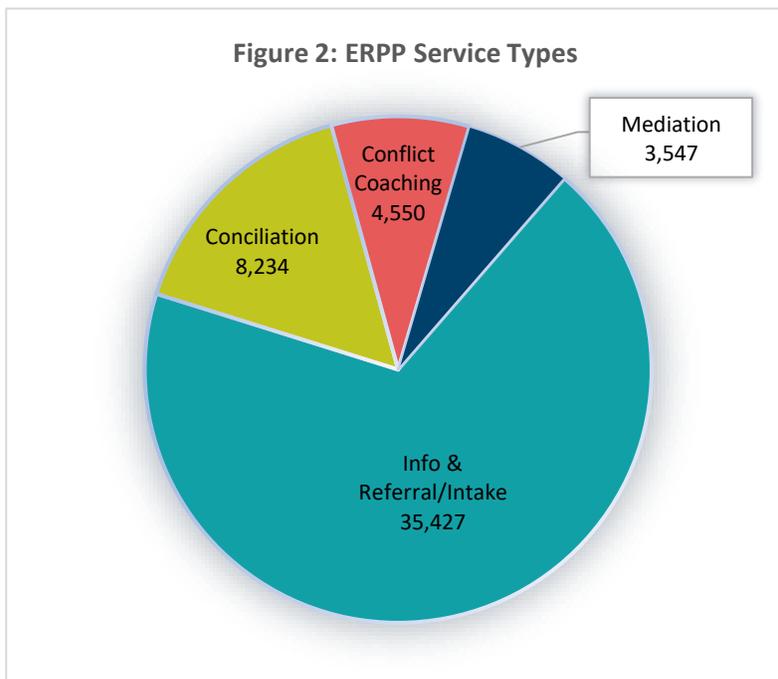


As rental assistance is shifting to the smaller, permanent program, DRCs are adjusting to help tenants and landlords navigate reductions in assistance. They expect clients to take longer to solve disputes and the rates of agreement to start declining somewhat as rental assistance diminishes.

- Current median case duration measured during the November 2021 to November 2022 period was 28 days and cases that required more intensive services, such as mediation, took a median of 62 days to close as the participants worked toward resolution.

**As of November 30, 2022, the DRCs reported the following on cases closed since the program's launch in July 2021:<sup>1</sup>**

- The ERPP Notices received represented a combined total of **110,579** 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 2,100 people have been served directly through this voluntary participation in DRC landlord-tenant services.
- **51,758** cases were closed and completed (depicted by service type in figure 2); and **21,503** certificates were issued.<sup>2</sup>



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 41% of Info & Referral service cases and 61% of Conflict Coaching cases. Parties may also move through those stages and/or opt into Conciliation and Mediation services from the DRC.

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

<sup>2</sup> 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.

“ We were able to help the tenants craft a repayment plan that reflected their real ability to cover their outstanding and recurring expenses, while also making the property whole for missed rent. We were able to resolve this case through conciliation, saving time and money for both the tenants and the property manager. ”

- DRC ERPP Staff

- The overall settlement/agreement rate was **76%**.<sup>3</sup>
- Where outcomes were known, DRCs reported that in **94%** of mediations and conciliations the tenancy was preserved upon case closing.
- **356** tenants were served using an interpreter due to clients' limited English proficiency or preference.
- Just **2.5%** of tenants had legal representation during the conciliation stage and **6.6%** of tenants had legal representation during formal mediation. DRCs refer all ERPP tenants to legal aid, unless they request otherwise.

Demographics of the ERPP clients surveyed statewide during July 2021 through November 2022 were the following (data reflects all demographics received, approximately one-quarter of all ERPP clients):<sup>4</sup>

- Race/Ethnicity: 55.8% White; 21.1% Black/African American; 7.0% Other; 4.6% Native Hawaiian/Other Pacific Islander; 4.2% Multiracial; 3.7% Asian; 3.0% American Indian/Alaska Native; 0.6% Indian/South Asian.
- Non-Hispanic or Non-Latino/a: 31.7%; Hispanic or Latino/a: 8.2%; No Response: 60.2%.
- Annual Household Income: 43% 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; 10% 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](#).

“ Thank you for all your help. I truly appreciate you taking the time to help me sort through everything! Even if things between my rental company and me are not resolved today I feel a little more confident in representing myself in future similar situations. ”

- Tenant after receiving ERPP services

<sup>3</sup> 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.

<sup>4</sup> Excludes “No Response” and “Unknown” categories, except for Hispanic/Latino Origins, which includes “No Response.”



## Eviction Resolution Pilot Program: Wenatchee Valley Dispute Resolution Center Update

*serving Chelan & Douglas counties*

### October & November 2022

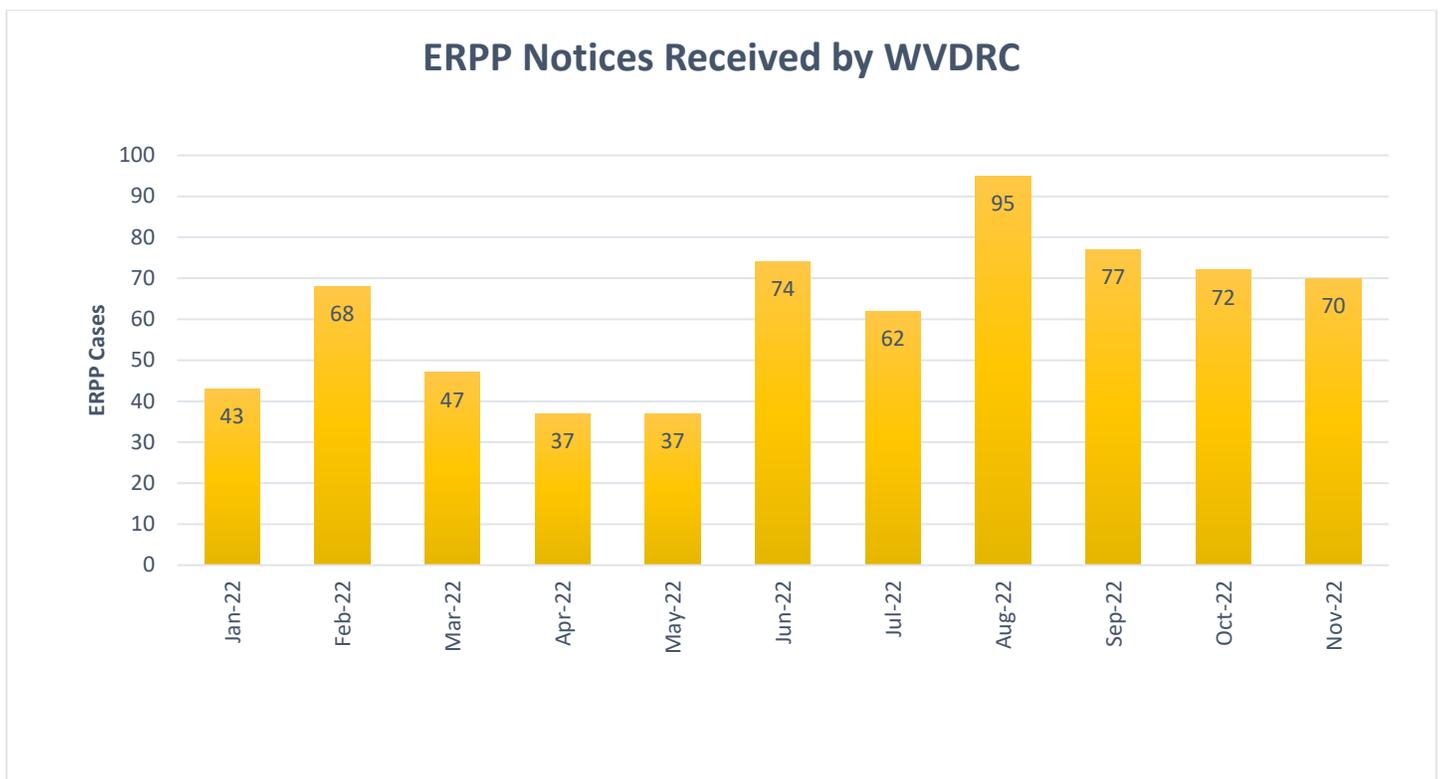
*The Eviction Resolution Pilot Program is a proactive method for helping landlords and tenants resolve nonpayment of rent cases through rental assistance, dispute resolution, and legal aid. The landlord and tenant may be able to access rental assistance, work out a payment plan, or create a plan to move out without an unlawful detainer action.*

#### **Summary**

Providing tenants and landlords the opportunity to resolve housing issues pre-filing has been mostly successful. Wenatchee Valley DRC continues to receive positive feedback for resource referral support, collaboration with program partners (rental assistance and legal aid), and mediation. Settlement rate for mediation hovers at 82% while tenancy preserved (where outcome is known) is 95%.

The challenges continue to be the legibility of ERPP notices and the high case volume of ERPP notices for current month rent where tenants pay rent several days late. These tenants often have been cycled through the ERPP program multiple times which creates an administrative burden for landlords and the DRC as well as frustration for the tenant.

#### **WVDRC Data as of November 30, 2022**



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**CLOSED Cases August 2022 thru November 2022**

Date DRC Received Notice (Monthly)	Aug, 2022	Sep, 2022	Oct, 2022	Nov, 2022	Total (Disposition)
Disposition	94	77	71	58	300
Tenant Declined ERPP	1	2			3
No follow-up from LANDLORD	10	5	14	2	31
Other	2	5	2		9
No response from TENANT	23	15	7	7	52
Mediated Agreement	6		2	1	9
ERPP no longer needed	45	38	33	40	156
Resolution by Rental Assistance	7	12	13	8	40

**ERPP Case Closed Possible Dispositions**

RESOLVED	NOT RESOLVED (ERPP CERTIFICATE ISSUED)
Rental Assistance	No response from tenant
Intake, referral (ERPP no longer needed)	No active tenant engagement within process timeframe
Tenant-Landlord resolved outside of DRC	Tenant declined ERPP services
Mediated/conciliated agreement	Mediated, no agreement reached

**Current Case Status – August 2022 thru November 2022 Cases**

Date DRC Received Notice (Monthly)	Aug, 2022	Sep, 2022	Oct, 2022	Nov, 2022	Total (ERPP Case Status)
ERPP Case Status	95	77	72	70	314
Case Closed, Administrative	10	7	14	2	33
Case Closed, Certificate Issued	27	20	9	7	63
Case Closed, Resolved	58	50	48	49	205
Rental Assistance pending			1	9	10
Confirmation (no ERPP) pending				3	3

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