



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

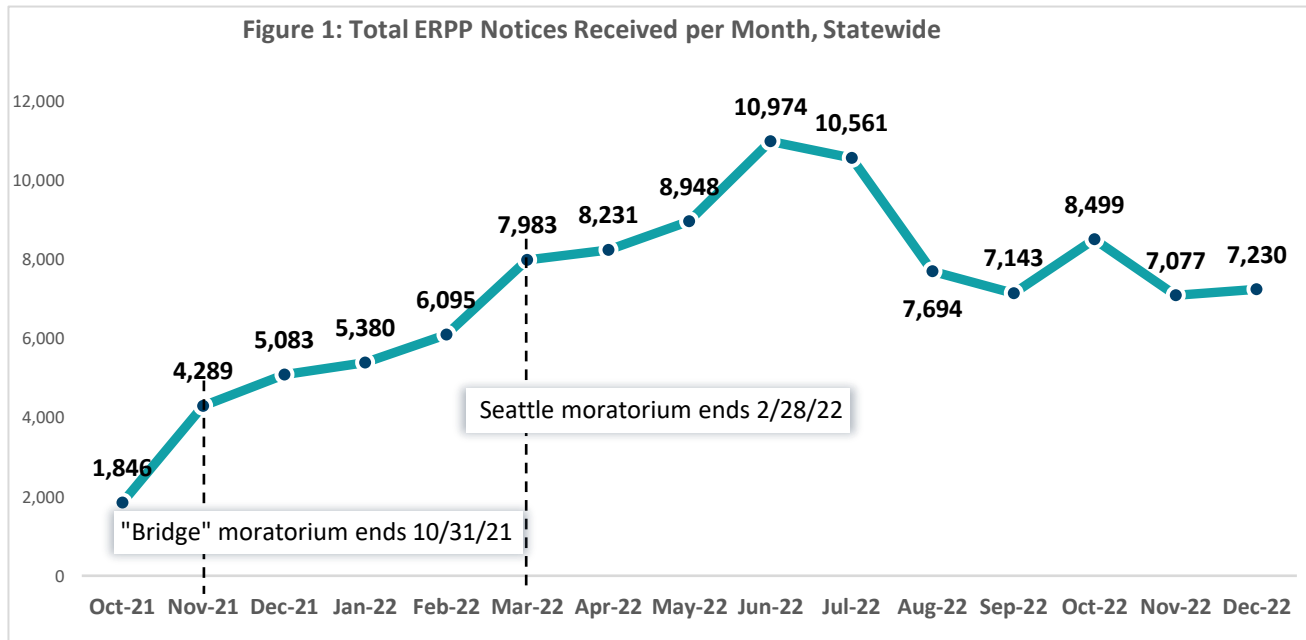
“ You've been great already with your accessibility options. I've been very impressed by your services and program. You've worked with my landlord and family for some time now and pretty much saved my family's life and health, which fell apart during COVID. Thank you so much.  
- Tenant after receiving ERPP services ”

### December Outlook/Update

DRCs continue to work closely with tenants and landlords to support problem-solving as our State shifts from a high level of public resources available for crisis response, including significant rental assistance dollars, to a more limited range of resources. Local resource navigation, including food and utility assistance, crisis counseling, re-housing, and others up front help some address rent disputes. Other clients need more intensive communication and dispute resolution support through conflict coaching, conciliation or mediation.

Pilot program participation is mandatory for landlords, but settlement is not required from either party. Seventy-three percent of cases that went to mediation settled without having to go to court, reflecting a self-determined resolution through the ERPP and countless hours, dollars, and stress saved. Through conciliation and mediation, participants variously develop payment plans, shift to more affordable units where possible, or coordinate a move out plan and handling of rent debts where tenancy is no longer viable.

In December, statewide ERPP case volume showed a slight uptick compared to November (fig. 1).



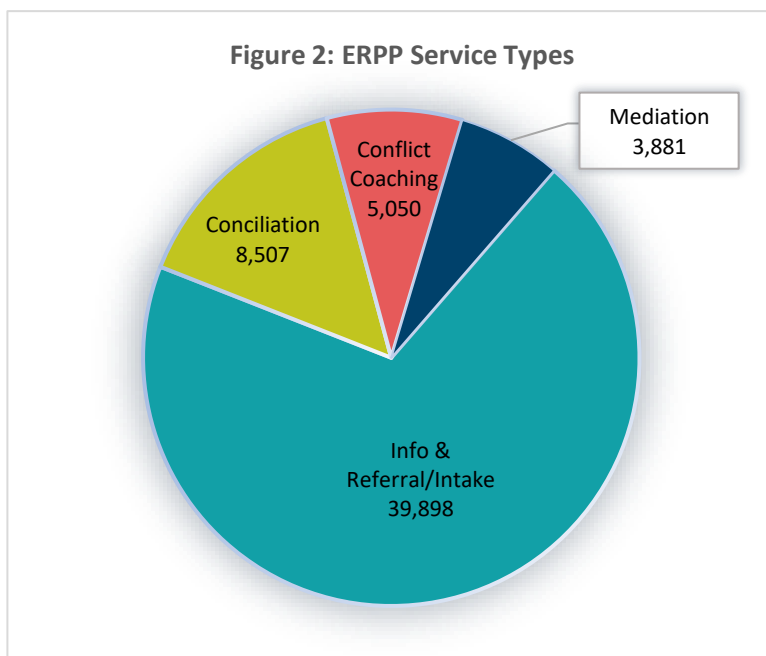
- King and Spokane Counties generated 48% of total ERPP notices received statewide.
- Eleven DRCs experienced an increase in volume in December, six of which are located in eastern Washington.
- The average statewide tenant response rate was 53% for cases closed in December.

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 this specific contribution to success, rental assistance, diminishes.

- Current median case duration measured during the November 2021 to December 2022 period was 29 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 December 31, 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 **123,188** 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 2,200 people have been served directly through this voluntary participation in DRC landlord-tenant services.
- **57,336** cases were closed and completed (depicted by service type in figure 2); and **24,194** 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 44% of Info & Referral service cases and 62% 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.

“ It was the conversation that took place after that really spoke to the shift this program has given so many people... the compassionate property manager stated many times that the goal is to keep the tenants from having an eviction on their record.

- 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.
- **401** 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 December 2022 were the following:<sup>4</sup>

- Race/Ethnicity: 55.6% White; 21.4% Black/African American; 7.1% Other; 4.6% Native Hawaiian/Other Pacific Islander; 4.0% Multiracial; 3.7% Asian; 3.0% American Indian/Alaska Native; 0.6% Indian/South Asian.
- Non-Hispanic or Non-Latino/a: 30.7%; Hispanic or Latino/a: 8.2%; No Response: 61.1%.
- 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](#).

“ A tenant received an Eviction Notice for not paying 1 month of rent plus was behind on a past payment plan balance. A plan created by the landlord was not realistic for her. During mediation, both parties discussed the mutual benefits of her maintaining her residence. They were able to agree on a payment plan that was realistic. The new ownership and tenant were pleased with this resolution and signed the agreement.

- DRC ERPP staff ”

<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*

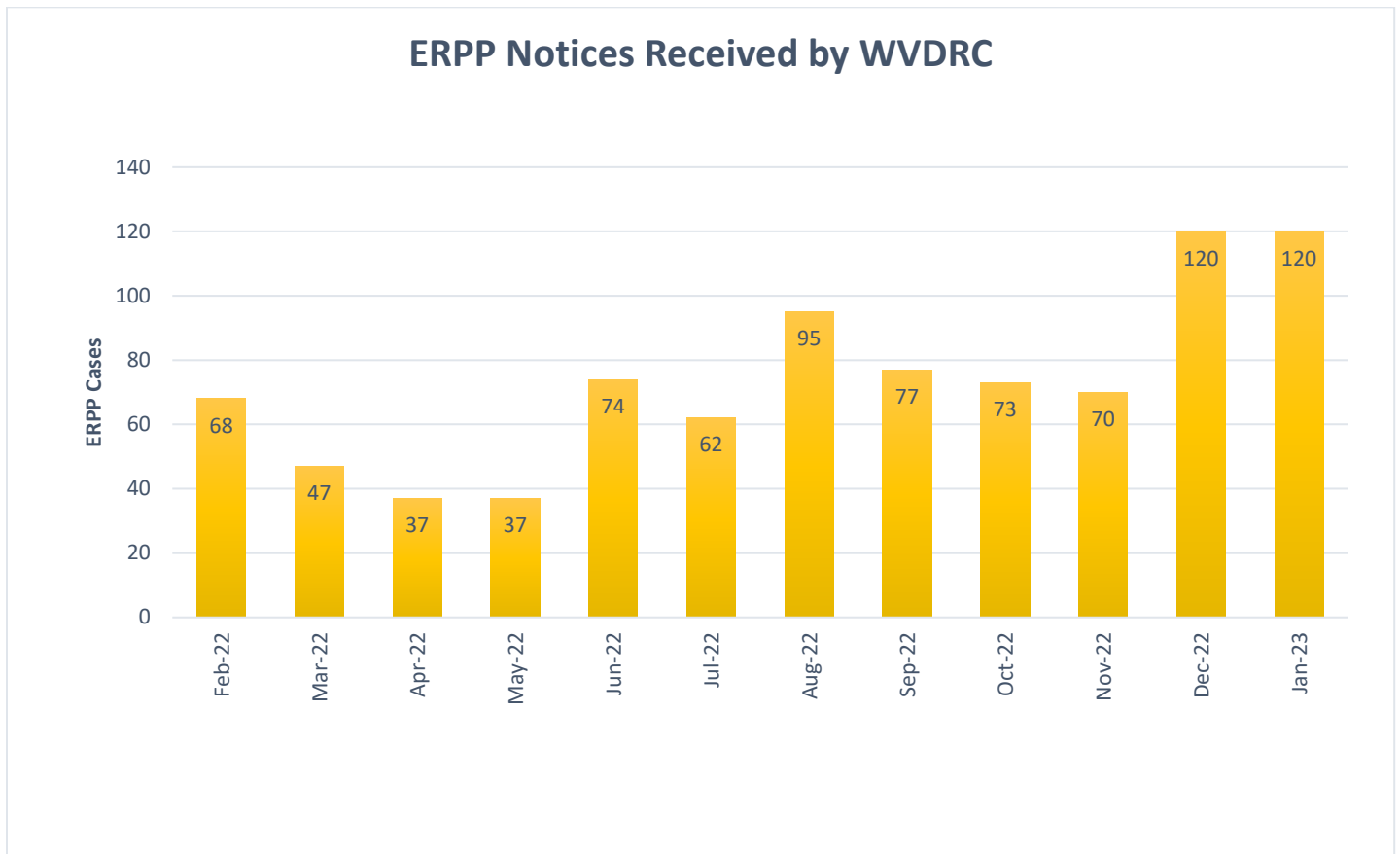
### December 2022 & January 2023

*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

Wenatchee Valley DRC experienced **high case volumes in December and January**. Some cases were repeat cases due to the property managers needing to re-issue pay-or-vacate notices from 14-day to 30-day. **Rental assistance** continued to be available throughout the past two months for tenants in Chelan and Douglas counties. In cases where landlords and tenants have taken advantage of free mediation services, the **settlement rate averages 84%** while **tenancy preserved** (where outcome is known) is **96%**.

#### WVDRC Data as of January 31, 2023



*changing relationships through peaceful conflict resolution*

[www.wvdrc.org](http://www.wvdrc.org)



**CLOSED Cases October 2022 thru January 2023**

Date DRC Received Notice (Monthly)	Oct, 2022	Nov, 2022	Dec, 2022	Jan, 2023	Total (Disposition)
Disposition	73	70	84	75	302
No follow-up from LANDLORD	14	4	8		26
Other	2		4	1	7
No response from TENANT	8	8	10	7	33
Mediated Agreement	2	1	1		4
ERPP no longer needed	33	41	43	56	173
Resolution by Rental Assistance	14	16	18	11	59

**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 – October 2022 thru January 2023 Cases**

Date DRC Received Notice (Monthly)	Oct, 2022	Nov, 2022	Dec, 2022	Jan, 2023	Total (ERPP Case Status)
ERPP Case Status	73	70	120	120	383
Case Closed, Administrative	14	4	10		28
Case Closed, Certificate Issued	10	8	12	8	38
Case Closed, Resolved	49	58	62	67	236
Closing Certificate Pending				2	2
Rental Assistance pending			36	27	63
Confirmation (no ERPP) pending				11	11
Current Month Rent Pending				1	1
Tenant outreach pending				4	4

**changing relationships through peaceful conflict resolution**

[www.wvdrc.org](http://www.wvdrc.org)