



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

“ The ERPP process and opportunity to mediate with our tenant saved us time and thousands of dollars in court costs.  
- Comment from property managers after a mediation session ”

### August Outlook/Update

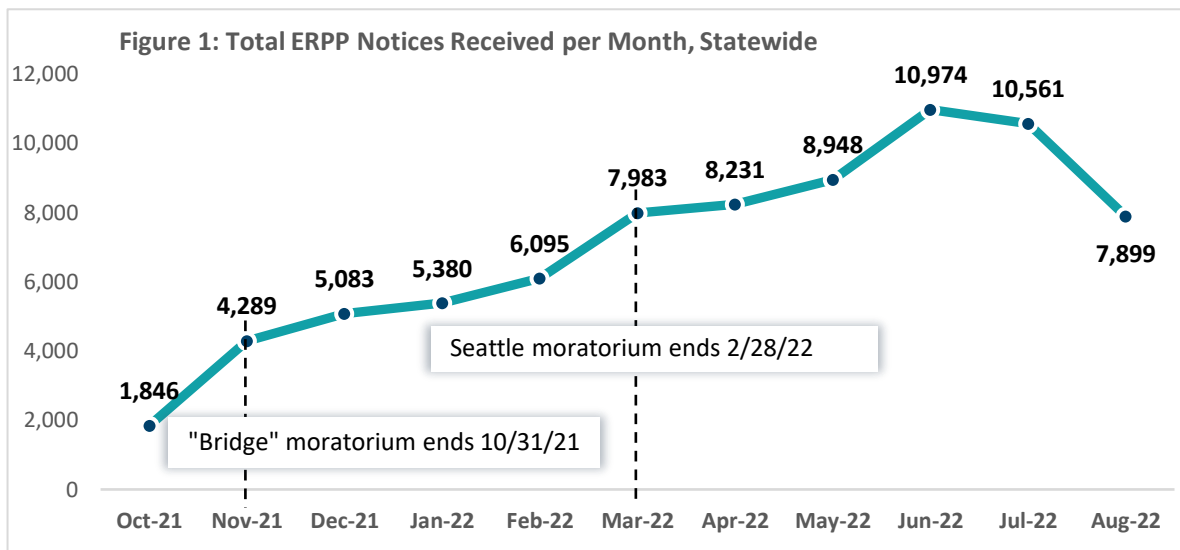
The recent infusion of funds to support the ERPP enabled DRCs to switch from using essential program funding and increase ERPP resources to work to meet the volume of the ERPP program.

- Additional ERPP staff were hired and received training on de-escalation techniques, trauma informed practices, landlord-tenant mediation, and equity.
- Demand continues to exceed capacity. As expected, the full staffing improvement supported by the July funding will take a few months to be fully realized.

ERPP staff continues to spend a significant amount of administrative time handling notices received for tenants who are less than 14 days late on rent, that is, late only on the current month's rent.

- Roughly 50% of the ERPP Notice cases are for the current month of rent and don't require rental assistance or dispute resolution services. Often the tenant pays in full during the 14-day notice period.
- DRCs have taken measures to reduce the staff time taken on these notices, but each notice must still be processed.
- Two counties have issued a new standing order to address 'current month rent' notices. After the Snohomish County Superior Court amended the standing order in June, the DRC serving Snohomish County saw a reduction of 36% in ERPP Notices received in July compared to June by providing enough time for most tenants to pay in full before being served with an ERPP Notice. This trend continued in August.

In August, ERPP case volumes declined further from their high in June (fig. 1).

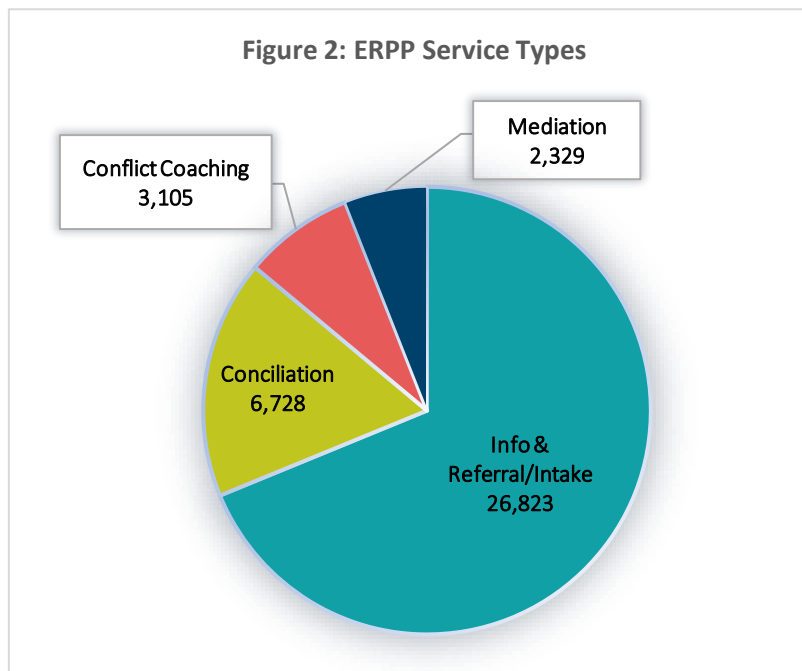


- More than 50% of the volume of ERPP Notices in August originated in King and Pierce Counties.
- The average statewide tenant response rate was 57% for cases closed in August.

As rental assistance shifts to the smaller, permanent program in September, DRCs will adjust to help tenants and landlords navigate reductions in assistance and expect clients to take longer to try to solve rent disputes at the DRC. Current median case duration measured during the November 2021 – August 2022 period was 23 days and cases that reached mediation took a median of 60 days to close.

**As of August 31, 2022, the DRCs reported the following on cases closed year to date (July 2021-August 2022):<sup>1</sup>**

- The ERPP Notices received represented a combined total of **78,706** 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, or assistance through information and referral, or with rental assistance.
- **38,985** cases were closed and completed (depicted by service type in figure 2); and **13,222** 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 36% of Info & Referral service cases and 54% 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.

“

She [DRC staff member] did a great thing for me and did it while she was trying to juggle 37 plates at once. Nothing but absolutely 100% helpful to me.

- Tenant after receiving ERPP services

”

- The overall settlement/agreement rate was **76%**.<sup>3</sup>
- A total of **14,620** tenancies were preserved upon case closing.
- **293** tenants were served using an interpreter due to clients' limited English proficiency.
- Just **3%** of tenants had legal representation during the conciliation stage and **7%** 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 during July 2021 through August 2022 were the following (data reflects all demographics received, approximately one-quarter of all ERPP clients):<sup>4</sup>

- Race/Ethnicity: 59.3% White; 18.8% Black/African American; 7.4% Other; 4.5% Native Hawaiian/Other Pacific Islander; 4.4% Multiracial; 3.4% Asian; 2.4% American Indian/Alaska Native; 0.6% Indian/South Asian
- Non-Hispanic or Non-Latino/a: 32.8%; Hispanic or Latino/a: 8.5%; No Response: 58.7%
- Annual Household Income: 44% was at or below 100% of the Federal Poverty Level (FPL); 31% was at 101-200% of FPL; 15% 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](#).

“

Our recent ERPP Forum was the first time landlords and their counsel, Northwest Justice, rental assistance agencies, community partners and local representatives came together to discuss ERPP challenges and possible solutions. More than 85 people attended and provided feedback.

- DRC ERP Specialist

”

<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*

### August & September 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

Over the past several months, Wenatchee Valley DRC has experienced an increase in *mediation sessions* providing landlords and tenants a *free opportunity* to attempt to resolve their housing conflict pre-court filing. For cases where mediation occurs, the settlement rate averages at *80% settled*.

#### Recent feedback received by WVDRC:

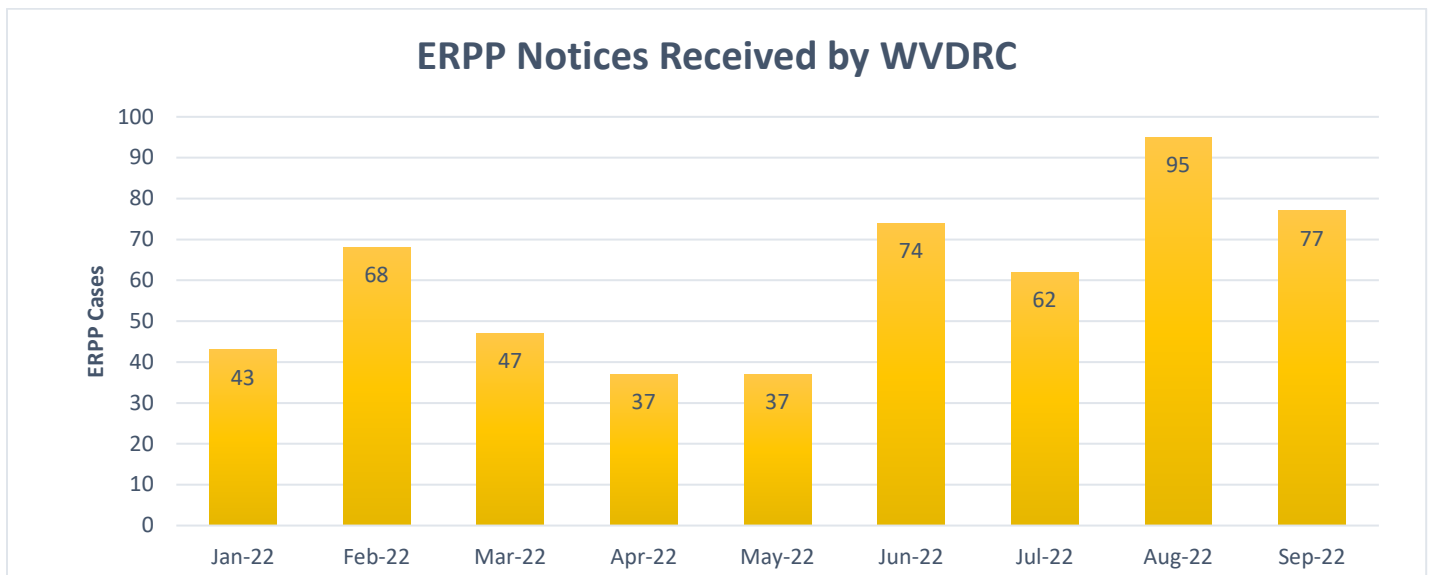
***“Me gustó mucho la comunicación entre todos, creo que hacen muy bien su trabajo. Gracias!!”*** -- Tenant after ERPP mediation (Translation: I really liked the communication between everyone, I think they do their job very well. Thank you!!)

***“Awesome job! Clear communication. An agreement was reached.”*** -- Property Manager after ERPP mediation

***“Cannot think of anything to make the mediation better. I thought it was a great tool for success. I appreciate the available service.”*** -- Property Manager after ERPP mediation

***“Although it’s a group effort: the DRC is amazing and patient, the tenants are willing to participate and come to a resolution as well. Teamwork makes the dream work!”*** -- heard from a property manager by ERPP staff

#### WVDRC Data as of September 30, 2022



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**CLOSED Cases June 2022 thru September 2022**

Date DRC Received Notice (Monthly)	Jun, 2022	Jul, 2022	Aug, 2022	Sep, 2022	Total (Disposition)
Disposition	74	60	87	57	278
Tenant Declined ERPP			1	1	2
No follow-up from LANDLORD	6	1	8		15
Other	2	4	1	4	11
No response from TENANT	4	9	23	13	49
Mediated Agreement		2	6		8
ERPP no longer needed	39	31	44	37	151
Resolution by Rental Assistance	23	13	4	2	42

**ERPP Case Closed Possible Dispositions**

RESOLVED	NOT RESOLVED (ERPP CERTIFICATE ISSUED)
Rental Assistance	No response from tenant (at least 3 attempts)
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 – June 2022 thru September 2022 Cases**

Date DRC Received Notice (Monthly)	Jun, 2022	Jul, 2022	Aug, 2022	Sep, 2022	Total (ERPP Case Status)
ERPP Case Status	74	62	95	77	308
Case Closed, Administrative	6	3	7	1	17
Case Closed, Certificate Issued	6	13	26	17	62
Case Closed, Resolved	62	45	54	36	197
Schedule Pending		1	2	1	4
Rental Assistance pending			4	10	14
Confirmation (no ERPP) pending			2	5	7
Current Month Rent Pending				1	1
Tenant outreach pending				6	6

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