



Eviction Resolution Pilot Program: Dispute Resolution Center Update October 2022

“ This has been really helpful. I feel much less nervous now knowing that mediation isn't like going to court. Thank you for the call. I feel a lot better so I really appreciate it. ”

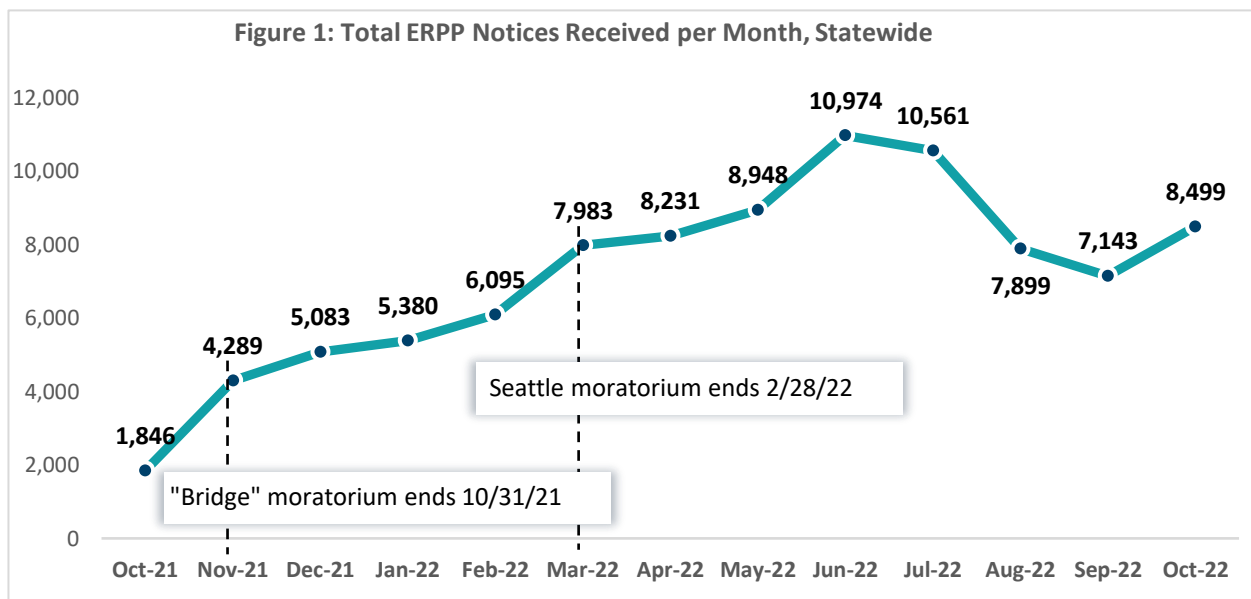
- Landlord after receiving ERPP services

Year One Reflections

October 31st marked the end of the first full year of ERPP implementation statewide. As rental assistance funds dwindle and shift from emergency to permanent funding levels, the DRCs continue to serve tenants and landlords with dispute resolution and referral services. ERPP case volume continues to be high. Reduced rental assistance means that fewer participants are finding external solutions and instead need to work through problem solving with the resources still available to them. These may include repayment plans, moving to a cheaper unit within a complex, accessing food, utility or other economic assistance, roommates, or move-out plans that support a smooth transition for tenant and landlord when necessary.

DRCs have decades of experience helping landlords and tenants to resolve disputes and are leaning into that experience to support self-determination, informed decision-making, and collaborative problem-solving through ERPP. Resolution Washington supports DRCs to continue the work and have the tools necessary to serve people on the frontlines of some of the most challenging issues people face: security of housing. Statewide DRC training in October focused on preparing and supporting ERPP staff to facilitate difficult conversations between the parties in an environment where rental assistance is often no longer available.

In October, statewide ERPP case volume increased by 19% compared to September (fig. 1).



- Approximately 45% of the statewide total of ERPP Notices originated in King and Pierce Counties. Eleven DRCs experienced an increase in volume in October over September.



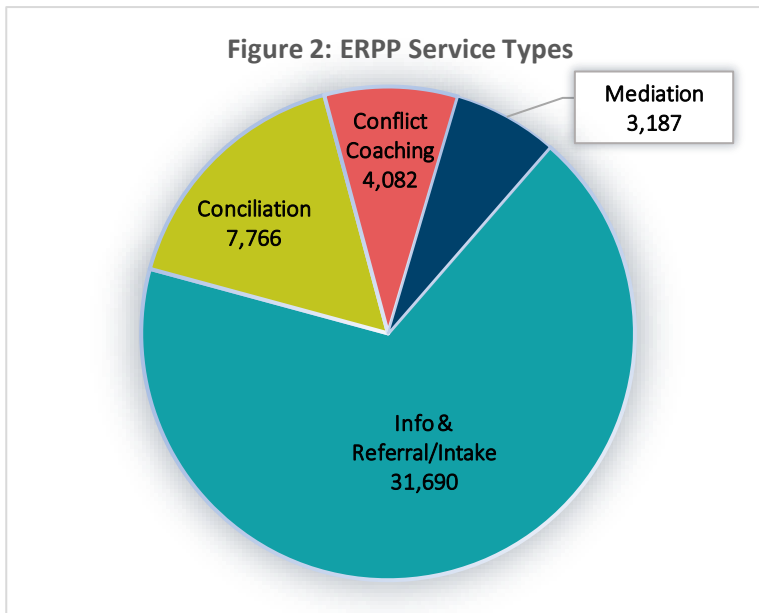
- The average statewide tenant response rate was 48% for cases closed in October.

As rental assistance is shifting to the smaller, permanent program, DRCs will adjust 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 October 2022 period was 27 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 October 31, 2022, 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 **99,611** 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 1,900 people have been served directly through this voluntary participation in DRC landlord-tenant services.
- **46,725** cases were closed and completed (depicted by service type in figure 2); and **18,913** 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 40% of Info & Referral service cases and 63% 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.

“ I feel educated and aware and extremely appreciative. I'm in a bad spot and I need to figure out how to get out of it. First and foremost is having a roof over my head for me and my dog. I want to be able to help more but I'm also really suffering. You guys are doing an incredible job and I appreciate you so much.

- Tenant after receiving ERPP services ”

- The overall settlement/agreement rate was **76%**.³
- Where outcomes were known, DRCs reported that in **94%** of mediations and conciliations the tenancy was preserved upon case closing.
- **328** 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 **6.3%** 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 October 2022 were the following (data reflects all demographics received, approximately one-quarter of all ERPP clients):⁴

- Race/Ethnicity: 56.0% White; 20.9% Black/African American; 7.1% Other; 4.6% Native Hawaiian/Other Pacific Islander; 4.2% Multiracial; 3.6% Asian; 3.1% American Indian/Alaska Native; 0.6% Indian/South Asian.
- Non-Hispanic or Non-Latino/a: 31.6%; Hispanic or Latino/a: 8.1%; No Response: 60.3%.
- 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](#).

“ We received an ERP notice from a landlord involving an older couple in their late 80s and learned that the wife had broken her hip and was at a local rehab facility. The ERP coordinator visited her at the clinic, per her approval, and was able to explain the ERP process in detail and complete the ERP intake and rental assistance referral. Ultimately, the couple received rental and utility assistance, and rent was paid up until December, 2022.

- DRC ERPP staff member ”

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.”



Eviction Resolution Pilot Program: Wenatchee Valley Dispute Resolution Center Update

serving Chelan & Douglas counties

October & November 2022

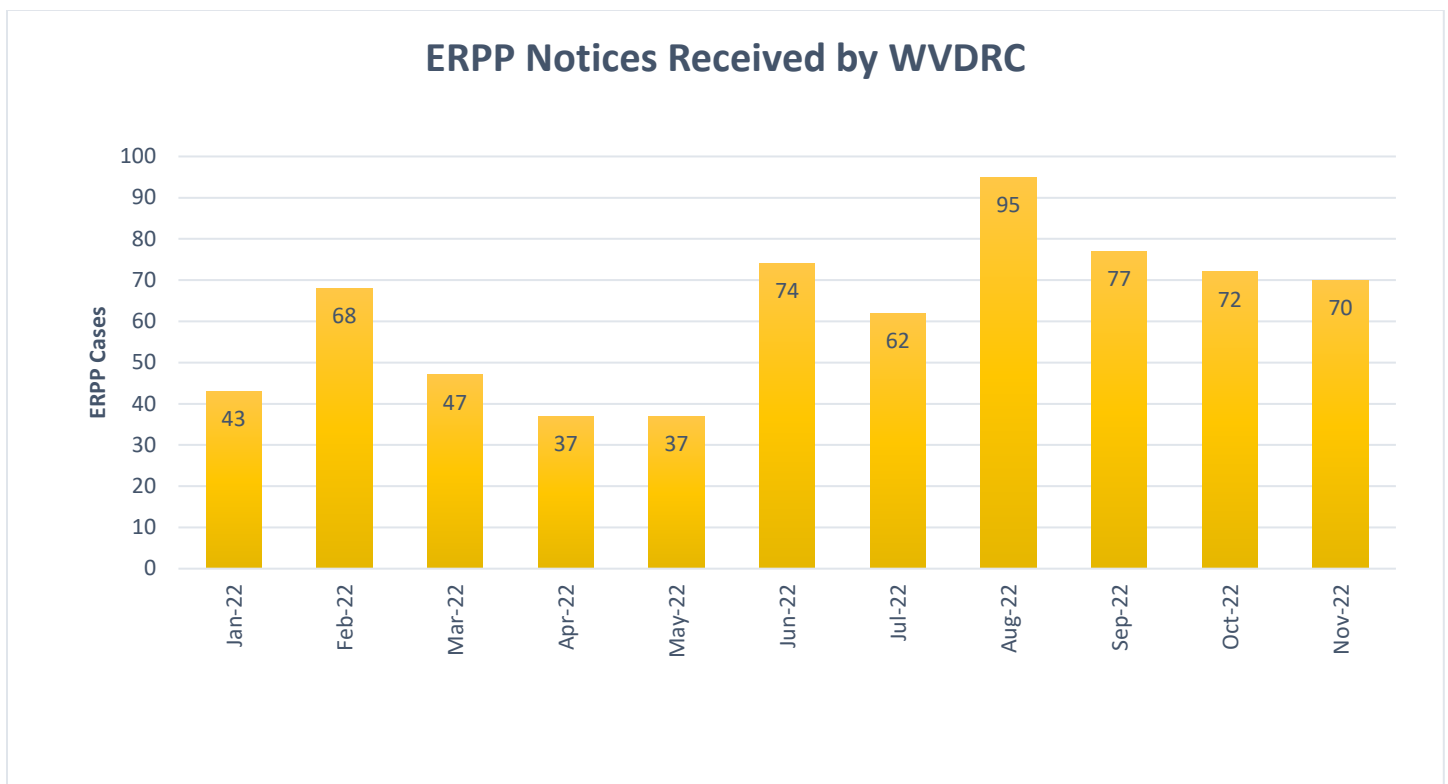
The Eviction Resolution Pilot Program is a proactive method for helping landlords and tenants resolve nonpayment of rent cases through rental assistance, dispute resolution, and legal aid. The landlord and tenant may be able to access rental assistance, work out a payment plan, or create a plan to move 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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