



Eviction Resolution Pilot Program: Dispute Resolution Center Update September 2022

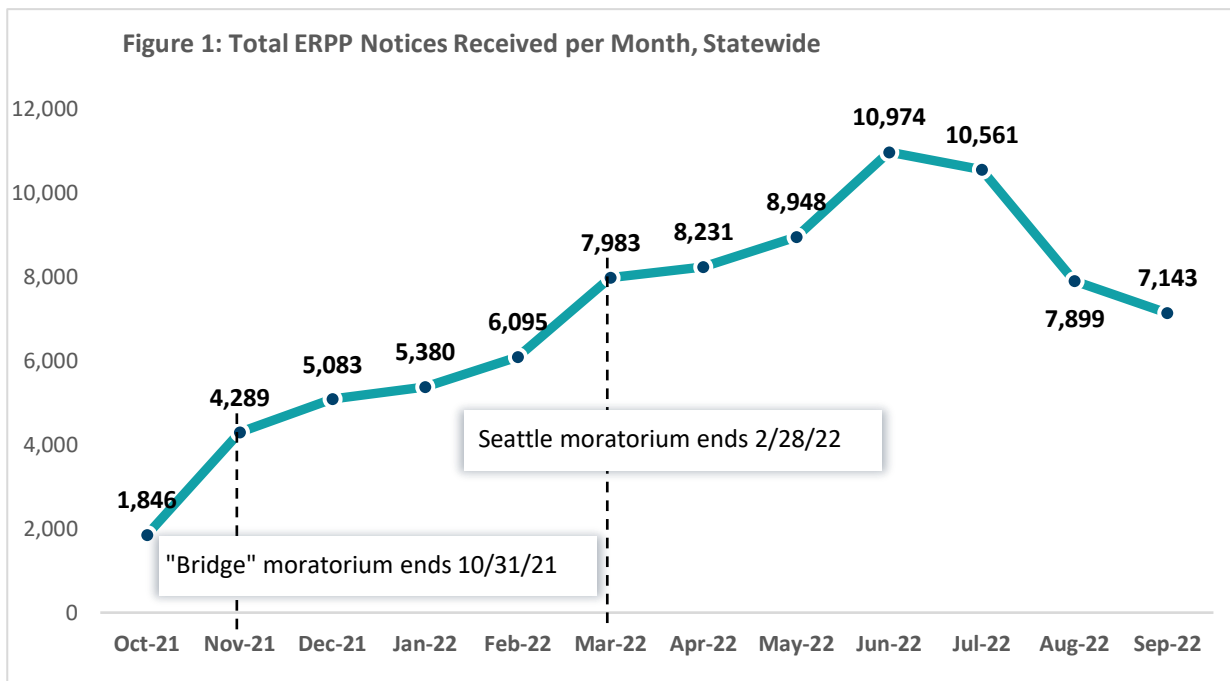
“ Thank you for all the work you've done on your end to help people. It's really admirable, and we want to give everyone their best shot.
- Landlord after engaging in the ERPP process ”

September Outlook/Update

During the third quarter, Dispute Resolution Centers (DRCs) have begun hiring and onboarding new ERPP staff with the additional ERPP funding that became available in July. As anticipated, the past three months have seen a reduction in available rental assistance and an increasing number of tenants who have used up their rental assistance allowances. In addition, some landlords are hesitant to accept rental assistance.

These two factors of more staff capacity and less rental assistance are contributing to an increase in ERPP certificates issued. Statewide, in Q3, DRCs issued an additional 13% to 27% more certificates month over month, representing a steady upward trend.

In September, statewide ERPP case volume continued to decline, albeit less steeply than in the previous month (fig. 1).



- Despite the statewide decline in case volume, more than half the DRCs saw an increase in ERPP Notices received. The volumes in Pierce and King Counties were not as high as they were in June and July, which accounts for the statewide downward trend in case volume.
- The average statewide tenant response rate was 48% for cases closed in September.

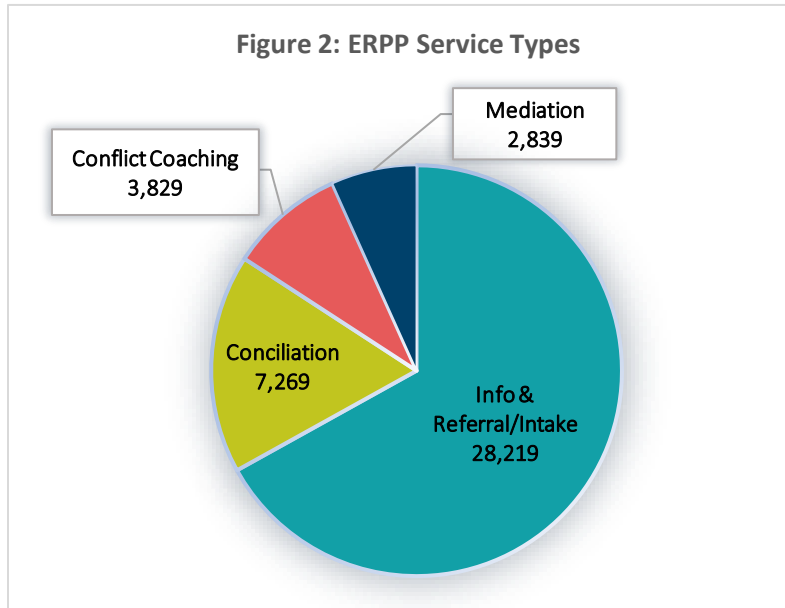


As rental assistance is shifting to the smaller, permanent program, DRCs will adjust to help tenants and landlords navigate reductions in assistance. They expect clients to take longer to solve disputes and the rates of agreement to start declining somewhat as rental assistance diminishes.

- Current median case duration measured during the November 2021 to September 2022 period was 26 days and cases that reached mediation took a median of 63 days to close as the participants worked toward resolution.

As of September 30, 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 **89,560** 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 1,500 people have been served directly through this voluntary participation in DRC landlord-tenant services.
- **42,156** cases were closed and completed (depicted by service type in figure 2); and **16,491** 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 37% 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.

“ Thank you for your work on this matter. I had a general idea of what to expect, but it was much more effective than I anticipated. You were well-organized and the session was well-structured, resulting in a successful and positive outcome. I hope we do not have to come to you for this tenant again, but either way, a job well done.

- From an attorney to DRC mediators after participating in ERPP mediation ”

- 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.
- **304** tenants were served using an interpreter due to clients' limited English proficiency or preference.
- Just **3%** of tenants had legal representation during the conciliation stage and **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 September 2022 were the following (data reflects all demographics received, approximately one-quarter of all ERPP clients):⁴

- Race/Ethnicity: 58.1% White; 19.0% Black/African American; 7.1% Other; 4.5% Native Hawaiian/Other Pacific Islander; 4.3% Multiracial; 3.4% Asian; 3.0% American Indian/Alaska Native; 0.6% Indian/South Asian.
- Non-Hispanic or Non-Latino/a: 31.2%; Hispanic or Latino/a: 8.0%; No Response: 60.8%.
- 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](#).

“ The mediators were extremely helpful. They made it where both parties were able to express our thoughts, feelings, and organize everything out on paper for us. They were very educated on how the process went. I would definitely use the mediators again for future problems.

- Tenant after an ERPP mediation ”

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

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:

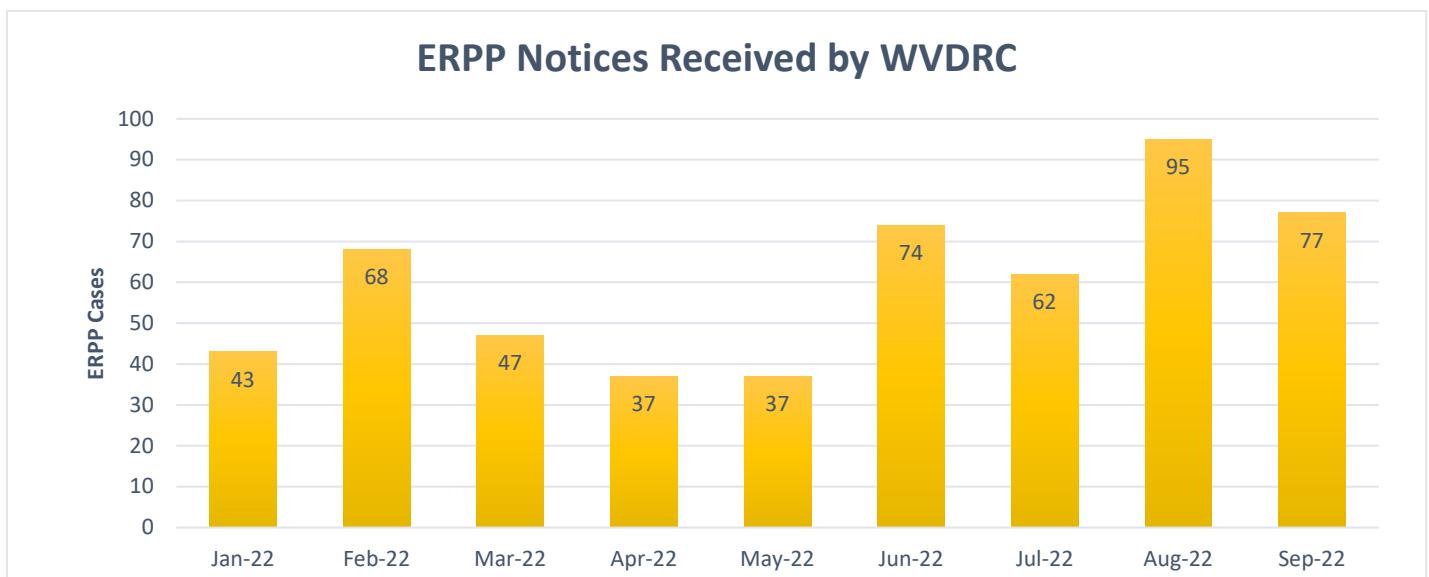
“Me gustó mucho la comunicación entre todos, creo que hacen muy bien su trabajo. Gracias!!” -- Tenant after ERPP mediation (Translation: I really liked the communication between everyone, I think they do their job very well. Thank you!!)

“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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