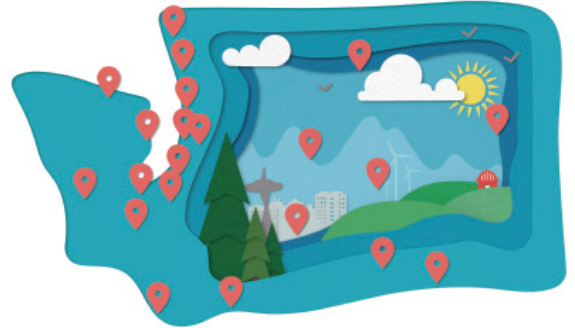


EVICTION RESOLUTION PILOT PROGRAM

Washington's Eviction Resolution Pilot Program (ERPP) brought tenants with rent owed and landlords together to try to resolve issues before eviction cases were filed in court. The ERPP was established by the state legislature under RCW 59.18.660 to help stabilize housing and reduce court caseload in direct response to the pandemic public health emergency. The two-year mandatory pilot operated statewide in all counties from November 1, 2021, to July 1, 2023, and directly served more than 200,000 tenants and landlords.



The ERPP supported tenants in retaining housing and landlords in receiving rent owed. It also reduced burdens on courts from unlawful detainer eviction proceedings and provided a path for trauma-informed access to justice outside of court.

Implemented by 21 non-profit Dispute Resolution Centers (DRCs) statewide, the ERPP helped empower people to find early resolution through access to resources, conflict resolution coaching, and mediation. Working with a trained eviction resolution specialist, tenants and landlords were able to develop solutions including accessing rental assistance and legal aid, developing a repayment plan, creating a move out plan, and mediating conflicts and misunderstandings between them. ERPP services were offered for free and regardless of income and immigration status.

ERPP IMPACT IN WASHINGTON NOVEMBER 2021 - JUNE 2023

208,847

PEOPLE SERVED
WITH ERPP
(TENANTS AND
LANDLORDS)

72%

OF ERPP
MEDIATIONS SETTLED

94%

OF TENANTS
CONTINUED TENANCY*

*Where outcome known



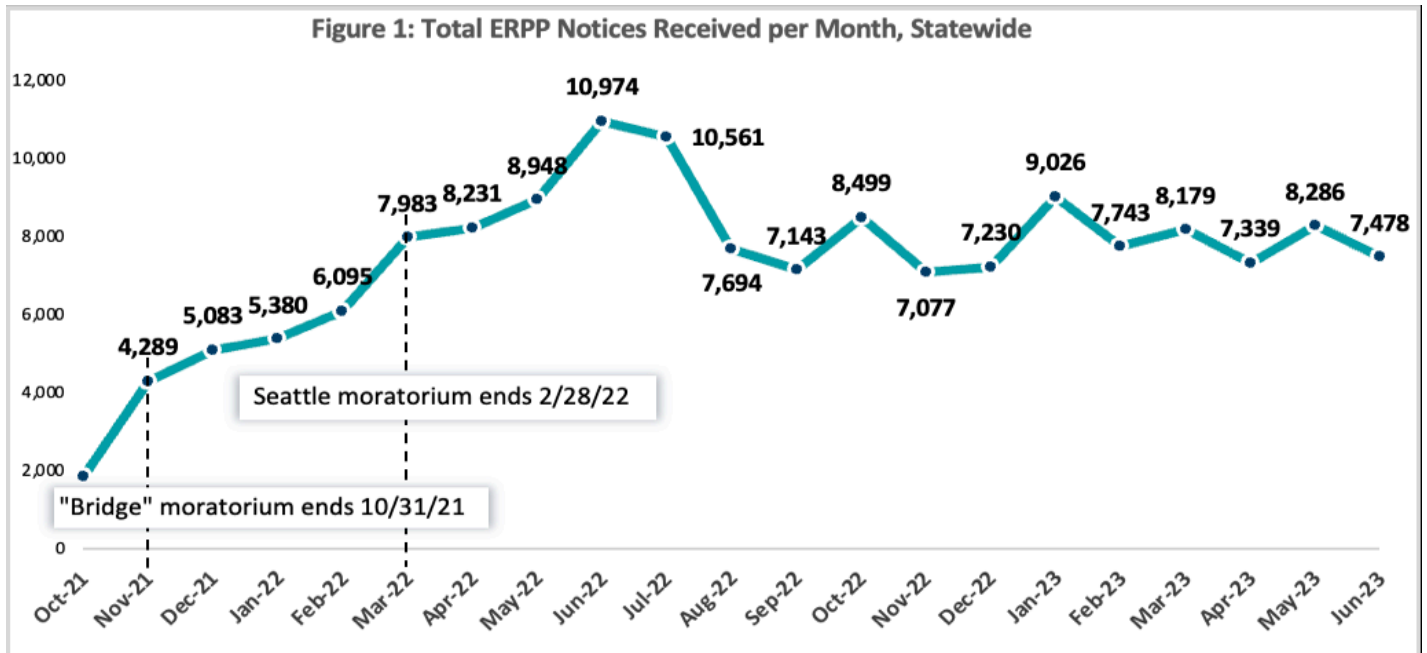
Resolution Washington

Communities thrive by transforming conflict into opportunity.

Resolution Washington is the member association for Dispute Resolution Centers (DRCs) in Washington State authorized under RCW 7.75. For nearly 40 years, DRCs have provided **low-cost and effective conflict resolution services** including mediation, facilitation, consultation, workplace conflict resolution, and training to individuals and organizations.

IMPACTS OF THE ERPP IN STABILIZING THE HOUSING SECTOR

A first of its kind program, the ERPP aimed to help reduce evictions and reduce burdens on courts from a potential landslide of unlawful detainer actions when the statewide eviction moratorium ended on October 31, 2021. Statewide demand for DRC services remained high from the end of the moratorium through the closing of the program in 2023 (fig 1.). The issuance of Pay or Vacate rent notices remained steady throughout the program, averaging more than 7,000 per month statewide. King, Pierce, and Spokane Counties combined generated 57% of the total 158,251 ERPP notices received statewide during the two-year pilot program.



Prior to the ERPP, information on the statewide volume of Pay or Vacate notices served to tenants was not collected. The program raised understanding of the sheer volume of these notices received by tenants on a monthly basis across the state.

Landlords were required to offer ERPP services to tenants, for whom the program was voluntary. DRCs received the notice from landlords and directly contacted tenants to offer services. Many ERPP cases were quickly resolved with DRCs. For example, cases with current-month rent paid within a few days and those addressed through information and referral or with rental assistance were resolved without need of further services. DRCs provided additional dispute resolution services for the remaining cases. In cases where an agreement wasn't reached and the landlord wished to file for eviction in court, landlords would request that the DRC issue them a certificate of participation.

The average statewide tenant response rate was 51% for cases closed during the program implementation period. The overall statewide settlement/agreement rate was 69%; and in mediation and conciliation cases parties reached an agreement 74% of the time.

“
 Thank you for keeping my children and me from becoming homeless.
 May your kindness and actions come back to you 10 fold!
 - Tenant who participated in the ERPP
 ”

LESSONS FROM THE ERPP

In addition to the hundreds of thousands of people supported by the ERPP, the program set a foundation for collaboration and common language between housing providers and renters. It also strengthened pathways, both during the ERPP and going forward, for tenants and landlords to access services from community organizations and resources like legal aid that can help successfully reduce the number of evictions.

Tenants and landlords—the people directly involved and impacted by rent disputes—were empowered to communicate with one another on a human-to-human level, while resolving some of the deep challenges the housing sector, courts, and individuals faced during the pandemic.

- The ERPP successfully helped many landlords get rent paid, have viable tenancies, keep their properties within the rental market, and resolve their disputes without the cost and delay of going to court.
- The ERPP successfully helped tenants maintain stable housing with current properties or create supportive move-out plans, while avoiding barriers to future housing that filing of an unlawful detainer court case may cause.
- The ERPP created a pathway to available, supportive resources including rental assistance, legal aid, re-housing support, and other local services.
- DRCs help participants explore options to support durable outcomes and document shared agreements in a trauma-informed manner.
- Superior Courts had a notable reduction in unlawful detainer dockets, allowing for resources to be allocated toward cases with high-need priorities requiring formal adjudication.

There is work to be done in housing stability to overcome some of the challenges encountered during the ERPP. Greater public education about renter and landlord rights and responsibilities; increased outreach about relevant programs and services; expanded partnership with the primary service recipients during program design; and sufficient capacity for staffing to fully meet high service volume and accessibility needs would help future programs maximize their positive impacts. Some efficiencies would also be supportive of overall housing stability such as adjusting eligibility criteria to those situations most in need of services and further judicial administrative consistency guiding implementation of a statewide court-adjacent legislative program.

The Eviction Resolution Pilot Program:

- was trauma-informed and equity-based;
- was served by highly trained, impartial dispute resolution specialists and mediators;
- encouraged joint problem-solving;
- reduced conflict in our communities and encouraged mutual understanding;
- provided skills and perspective to participants, regardless of resolution; and
- provided access to justice as both an alternative and complement to court.

ERPP CLIENTS SURVEYED STATEWIDE NOV 2021-JUNE 2023

74%
OF ERPP TENANTS
SERVED AT OR BELOW
200% OF THE FEDERAL
POVERTY LEVEL*

54%
OF ERPP CLIENTS
SERVED REPORTED A
RACE OR ETHNICITY
OTHER THAN WHITE**

*Excludes "No Response" and "Unknown" categories for Race/Ethnicity and Annual Household Income.

**Census data shows 32.5% of all residents statewide reported a race or ethnicity other than White.

“

Mediation normalizes conflict and frustration, letting people know it's OK to have disputes and there are tools to resolve them without landing in court. DRCs create a space where people can talk out disputes and create solutions that work for each person's individual lives.

- LaDessa Croucher,

Executive Director, Resolution Washington

”



After the close of the program, a University of Washington researcher analyzed ERPP conciliation and mediation cases with data from 18 DRCs representing 12,259 cases. The analysis found that the very large majority of clients experienced positive outcomes through the program and very few tenants had their tenancy terminated.

Analysis revealed that different approaches to eviction prevention offered through the ERPP network (mediation vs. conciliation) had a bearing on key outcomes. For example, cases that were resolved with conciliation tended to resolve more quickly and when cases went through the mediation process there were a greater number of full repayment plans agreed upon. Demographics of the parties* participating in the ERPP were not predictive of differences in outcomes, including rural/urban, by age, race or gender.

*Asian, Indian/South Asian, and Pacific Islander categories sample size was too small to draw a conclusion.

“

The ERPP process and opportunity to mediate with our tenant saved us time and thousands of dollars in court costs.

- Property manager after DRC ERPP mediation

”

“

Without (the ERPP) we would have become homeless and unable to get ahead with our bills.

- Tenant who participated in the ERPP

”

DISPUTE RESOLUTION IN HOUSING GOING FORWARD



While the mandatory ERPP ended in June 2023, housing challenges including systemic issues of diminishing affordable housing stock, rising rents, and inconsistent access to supportive resources remain. Eviction prevention and other housing services remain an essential element in stabilizing housing and long-term, ongoing management of critical housing challenges.

DRCs have been supporting Washingtonians' housing stability and access to justice statewide for 37 years with voluntary mediation and conflict resolution to navigate many types of housing issues outside of court. Working with highly trained, impartial community mediators simplifies the complex processes, allowing for increased self-determination that empowers people to advocate in their own best interests and connects them with local resources.

DRCs engage communities with diverse services that stabilize housing from many different approaches and sectors across the state, including landlord and tenant dispute services, renter certification, neighbor-to-neighbor and multi-family housing community conflict resolution and training for housing sector professionals. DRCs also help develop safety plans and violence reduction programs at multi-family housing and in communities and facilitate community engagement meetings on topics such as homelessness shelter planning and civility projects. Each regional DRC's confidential and affordable or free services may differ depending on the needs in the local community.

*“ I entered the ERPP process with frustration and agreed to mediate with low expectations but was pleasantly surprised by the opportunity for a quick and cost-effective resolution.
– A landlord after DRC ERPP mediation ”*

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