

COVID-19 Rent and Mortgage Assistance¹

“I strongly encourage landlords and tenants to avail themselves of the services offered at existing dispute resolution centers to come to agreement on payment and repayment solutions.”

- Governor Jay Inslee, Proclamation on Evictions and Related Housing Practices

Bellevue Conflict Resolution Center (BCRC), and other dispute resolution centers across the state, are encouraged to help landlords and tenants devise payment and repayment solutions for arrearages caused by the COVID-19 pandemic. In addition to the Governor’s proclamation and accompanying orders, the Washington State Attorney General has developed a worksheet to assist landlords and tenants in creating a reasonable repayment plan for unpaid rent or other charges related to housing. BCRC conciliators can work with landlords and tenants to complete this worksheet, engage one another in good faith, and develop a formal written agreement to resolve any outstanding arrearage after the Eviction Moratoria have ended.

There is a lot of confusion right now as to the rules for landlords and tenants, which change due to the unprecedented and shifting nature of the COVID-19 pandemic. No one knows whether Washington’s eviction moratorium will extend into 2021; and no one knows what might happen at the federal and state level. However, here is a snapshot of current rules in Washington as of October 14, 2020.

For Landlords:

- Assume you can’t evict a tenant unless the situation meets one of two exceptions:²
 1. The tenant’s behavior is causing a significant and immediate risk to the health, safety, or property of others. (However, a tenant that has COVID-19 or observing COVID-19 mitigation protocols is not a qualifying risk).
 2. You give 60 days’ advanced notice of your intent to sell the property or to use the premises leased as your primary residence.

¹ **Important Note:** This summary should not be construed as offering or providing legal advice in any form. The information contained herein is for informational purposes only and is not intended to be exhaustive or complete. This document is not intended to replace the reader’s need to speak with their own legal counsel regarding the issues presented or their rights and obligations under the law. All readers should seek independent legal advice where they have specific legal questions pertaining to specific legal circumstances or where otherwise appropriate.

² These exceptions require landlords to provide supporting affidavits under penalty of perjury, and they may also require additional provisions concerning notice and delivery to be observed.

- Assume you can't charge late fees, raise rents or deposits, or make threats to do either.
- **You CAN talk to your tenant about rent repayment, offer information and resources, and try to come up with a reasonable repayment plan that takes their individual financial, health, and other circumstances into account.**

For Tenants:

- Assume any unpaid rent is a debt that you will have to pay.
- Assume a good relationship with your landlord will help you stay in your home.
- Assume you must continue to pay rent if your income has not been reduced by COVID-19, or if you otherwise have means to pay.
- **You CAN talk to your landlord about rent repayment, apply for rental assistance dollars and look for other resources, and try to come up with a reasonable repayment plan that takes your individual financial, health, and other circumstances into account.**

There is a LOT of legal information available to the public. **If you have a specific legal question, please speak to an attorney, who can give you advice that fits your exact situation.** If you just want to read more about the current rules for landlords and tenants, here are two great resources:

- <https://www.washingtonlawhelp.org/issues/health/coronavirus-covid-19>
- <https://www.atg.wa.gov/landlord-tenant>

If you are looking for help paying for rent, and aren't sure where to go, the City of Bellevue offers a COVID Resource Navigator program, to help you figure out which programs will best fit your needs:

- 425-452-2800
- minich@bellevuewa.gov

The City of Bellevue also maintains a current list of all human service agencies in Bellevue, and the types of help they provide:

- https://bellevuewa.gov/sites/default/files/media/pdf_document/2020/human-services-agencies-funded-by-bellevue.pdf

If you want to start a conversation about how to deal with unpaid rent, and aren't sure how to get started, give BCRC a call. Again, as part of a conciliation process, we can help you through

the Attorney General’s “Unpaid Rent Repayment Plan Worksheet”. Once completed, BCRC can help the landlord and tenant develop a formal agreement: memorializing what debt is owed, what debt is forgiven, what payment is affordable, and how any rental assistance dollars are being applied. We can also help you make partial agreements if you don’t have a solution for the entire amount owed, and to have conversations about how future rent will be paid.

BCRC works as a third-party neutral, helping both sides explore their options and communicate offers. While our conciliation process can help parties develop a mutually acceptable agreement to resolve outstanding arrearages, there are significant benefits for both tenants and landlords in the event a voluntary agreement cannot be realized. Tenants can identify evidence to support claims they have suffered an economic hardship and have been materially impacted by the COVID-19 pandemic; and landlords can evaluate whether the payment plan offered was reasonable based on the individual financial, health, and other circumstances of the tenant. Our service is both free and confidential, and we provide interpreters as needed. We can be reached at BCRC@bellevuewa.gov, or by calling 425-452-4091.