



# Eviction Resolution Pilot Program Final Report



November 2023

The Eviction Resolution Pilot Program (ERPP) was a mandatory, statewide two-year program ending on June 30, 2023. The Bellevue Conflict Resolution Center (BCRC) was the official provider of the ERPP for landlords and tenants in the cities of Bellevue Kirkland. The BCRC is a free service to help participants resolve conflicts through increased communication and understanding.

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## Legend

BCRC – Bellevue Conflict Resolution Center

DRC – Dispute Resolution Center

EPRAP – Eviction Prevention and Rent Assistance Program

ERPP – Eviction Resolution Pilot Program

HAP – Housing Accord Program



## Mission / Purpose of the ERPP

- The ERPP was a collaborative program that connected DRC's to landlords, tenants, legal aid, and housing security agencies to support housing stability and rent payment during the COVID-19 crisis.
- As part of the ERPP, the BCRC provided free, confidential, and impartial negotiation services to help landlords and tenants in Bellevue and Kirkland avoid expensive and burdensome eviction proceedings.
- The BCRC worked with community partners to implement the ERPP's three-prong approach to housing stability (rent assistance, legal assistance, and negotiation services).
- Through its comprehensive and collaborative efforts, the BCRC helped landlords reduce rent arrears and helped about 9,000 people stay in their homes, neighborhoods, and schools.

## BCRC Meets Early Pandemic Need

The BCRC was quick to respond to Governor Jay Inslee's call for DRCs to assist landlords and tenants with rent repayment plans. In October 14, Governor Inslee made clear his desire for "landlords and tenants to avail themselves of the services offered at existing dispute resolution centers to come to agreement on payment and repayment solutions." As a result:

- The BCRC did not wait for a longer-term legislative solution. On October 1, 2020 (two weeks before the governor's declaration), the BCRC presented a training program for volunteers as part of an *ad hoc* rent negotiation program *before* the ERPP mandate.
- The number of landlords and tenants seeking help from the BCRC quickly increased after the start of the voluntary *ad hoc* rent negotiation program and kept climbing until the end of the mandatory ERPP.
- From October 1, 2020 through October 31, 2021, the BCRC opened 561 cases. Of those, just under 300 were rental housing cases that would have been classified as ERPP cases if the program were mandatory at the time.
- As a comparison, in calendar year 2019, the BCRC opened a total of 276 cases.
- During the "mandatory phase" of the ERPP, the BCRC opened 3480 cases, of which about 2,800 or 83% were ERPP cases.



## The BCRC Method Brings Success

Despite the mandatory nature of the ERPP, the BCRC adhered to the remaining central tenets of mediation in the DRC model: confidentiality, impartiality, and non-adversarial engagement. The BCRC method consisted of two core components provided by trained staff and volunteers:

- **Intake:** Under BCRC best practices, intake specialists reached out to tenants through phone, email and, where necessary, US Mail multiple times during the ERPP response period. These BCRC employees used trauma-informed interview and listening techniques to support tenant self-determination around their housing needs
- **Conciliation:** The BCRC used conciliation, a phone-based negotiation method in which the conciliator contacted each party separately, sharing information between the landlord and tenant, as appropriate. This is a culturally appropriate approach that balances power and allows for flexibility as information, resources and needs change.

## BCRC Approach Drives Positive Outcomes

The BCRC's participation in the ERPP demonstrated that DRCs have an important role to play in helping landlords and tenants build relationships to reduce the number of rent-based evictions from ever reaching the courts. As the only municipal-based DRC within the state of Washington, the BCRC worked closely with the Cities of Bellevue and Kirkland Communications, Human Services, and Housing Departments toward outreach. These partnerships helped patch an often-disconnected resource distribution system. As a result, private agencies gained traction and increased efficiency through connections with both cities and with other private agencies.

Community partnerships were key to the BCRC's success in keeping landlords and tenants out of court. BCRC referred each tenant to rent assistance agencies with every email, phone conversation and US Mail contact. In turn, many agencies provided education to renters about ERPP and distributed flyers and other information. Cultural agencies assured government-fearful immigrant renters that BCRC could be trusted, creating a "chain of trust."



## Impact on the Community

The ERPP, and the BCRC as part of it, helped slow the pace of housing disruptions. The BCRC's neutral presence helped re-frame the conversation around rent owed and, within program limits, explored options to keep tenants housed while landlords were paid. Most cases stayed outside of court. BCRC demonstrated a nearly **80% success rate for ERPP as an eviction diversion program**.

- The BCRC served about 2,800 households in Bellevue (nearly 1,800) and Kirkland (nearly 1,000). Average household: 3

- 78% of ERPP cases could not go to court during the program because they closed without a dispute resolution certificate
- 22% of cases closed as eligible for a certificate
- 6% of cases (168 households) resulted in a termination of the tenancy

All Bellevue and Kirkland tenants were referred to rent assistance.

## King County Data

### Eviction Prevention & Rent Assistance Program (EPRAP)

- 30,037 King County households received EPRAP rent assistance from July 2021-June 2023
- 3.2% lived in Bellevue
- 1.4% lived in Kirkland

## A Look at the People BCRC Served

As an impartial negotiation facilitator and referral source for rent assistance and legal assistance, the BCRC (as well as all other DRC's within the state of WA) could not invite the community to participate in the ERPP. The mandatory ERPP was a landlord-initiated program mandated by law. Yet, the BCRC considered equity while maintaining its crucial and defining impartiality. The BCRC translated key documents into languages widely spoken in Bellevue and Kirkland. Conciliators, who already used a culturally-sensitive negotiation model, had access to interpreters in even more languages on a telephone service. The BCRC also worked to make written materials as accessible as possible, and provided staff members and volunteers with trainings in culturally-aware communication.

The BCRC collected demographic data only for tenants who participated in ERPP negotiations. The BCRC did not require tenants to share this information. Below is a look at participation in the ERPP by various groups.

### ERPP Participation by Income

A total of 574 residents in Bellevue and Kirkland reported their income during intake. Of these 361 lived in Bellevue and 213 lived in Kirkland. Income distribution of ERPP participants is shown in the chart below:

% of FPL*	Bellevue	Kirkland
< 100	38%	31%
101-200	24	31
201-300	12	17
>300	26	21

\*Federal Poverty Level

The data suggest that the lowest-earners are most vulnerable to economic fluctuations and housing cost variabilities, while those at the highest levels reported on are also at significant risk from instabilities in the job market and increasing costs.

## ERPP Participation By Racial Identity

A total of 709 responding tenants in Bellevue and Kirkland provided their racial identity, as shown below:

Racial Identity in ERPP	Bellevue*	Kirkland^
White	30%	44%
Black	22	20
Hispanic	20	09
American Indian/Alaska Native	02	00
Asian (Not Indian/S Asian)	09	04
Indian/S. Asian	04	02
Native Hawaiian/PI	01	01
Other	04	05
Two or more	08	10

## ERPP Participation by Language Spoken

During the ERPP mandatory program, 113 people in Bellevue and Kirkland requested an interpreter for intake and/or conciliation. Of these tenants, 78 individuals lived in Bellevue and 35 in Kirkland. The number of tenants requesting each language is shown in the chart below .

Languages Requested in ERPP	# Bellevue Tenants (78 total reporting)	# Kirkland Tenants (35 total reporting)
Spanish	59	14
Portuguese	00	20
Russian	05	01
Chinese	01	00
Mandarin	02	00
Vietnamese	02	00
Farsi	03	00
Hindi	01	00
Punjabi	01	00
Amharic	02	00
Arabic	02	00

## Stakeholder Needs

**Education:** A common language and understanding of rent issues in multi-family housing will be necessary to develop a successful program to help reduce the number of evictions in Bellevue and Kirkland. This can begin with communication and education efforts so tenants and landlords understand their rights at every stage of the relationship—from lease signing to termination and all that comes in between.

**Collaboration:** The BCRC should consult with and involve landlords, tenants, and advocates in new program development. This will help target resources to the most urgent needs. Such an approach can also avoid key challenges:

- Using the Pay or Vacate Notice as an indicator of urgency: Linking the ERPP Notice to the already required Pay or Vacate Notice drove up case numbers and diverted attention from landlords and tenants in greatest need of a resolution. Involving landlords early in program development may better focus efforts on identifying populations in need and could increase trust at program rollout.
- The framework also didn't anticipate tenants' common reactions to Pay or Vacate notices, which, as described above, some saw every month. These reactions included:
  - ◆ Surprise that the BCRC called them in response to the Pay or Vacate Notice (with the ERPP Notice) because they were accustomed to this warning from their landlord
  - ◆ Ignoring the notice (not reaching out to the landlord or the BCRC) even in months they would be unable to pay
  - ◆ Thinking the notice is not "real" and the landlord will not act on it because this was usually the case in the past.

## Continuing Community Partnerships

In some cases, a landlord may file an eviction summons after a broken agreement or instead of trying conciliation. The BCRC can coordinate with partners who provide services to tenants and landlords in eviction so the BCRC can make appropriate referrals. Not only will this help ensure parties understand their options and rights but could provide more efficient assistance if parties choose to come back to the BCRC instead of continuing in court.

## Next Steps for the BCRC

The BCRC now has a unique opportunity to influence housing stability for renters in Bellevue and Kirkland. The legislature, through the State Department of Commerce, increased the BCRC's capacity funds over a two-year grant cycle to support housing stability programming. The BCRC core practices of conciliation, trauma informed practices to help tenants gain self-determination around housing issues, and conflict coaching for all parties will inform program implementation.





The BCRC must also use what it learned in implementing a mandatory program to create eviction alternatives that meet the needs of all parties.

The BCRC's nearly three decades of experience in resolving conflicts through understanding and communication allowed it to get a head start on managing ERPP services to efficiently meet the needs of landlords and tenants. Within the limits of a mandatory program, the BCRC's culturally appropriate intake and conciliation methods helped balance power issues between ERPP participants.

There continues to be a regional need to connect tenants and landlords to community services, and to financial, legal and negotiation services to ensure renters remain in their homes and landlords get paid. The BCRC can be a part of this continuing demand for housing stability programs with a comprehensive housing initiative that covers rent negotiations, non-rent negotiations and tenant-to-tenant conflicts. The BCRC will expand on its methods that made participation in the ERPP and the BCRC's core work successful:

- Employing conciliation as the dominant negotiation strategy
- Developing and maintaining community partnerships
- Approaching challenges with equity-centered and trauma-informed approaches
- Providing education programs for landlords and renters

The BCRC looks to the present and to the future. The work of ERPP has led to the state-funded development of BCRC's developing program to continue to serve landlords and tenants, the Housing Accord Program (HAP). HAP intends to utilize the relationships and goodwill earned during the ERP program to continue helping landlords develop repayment plans with tenants in arrears, and to help negotiate other non-rent related issues such as maintenance, noise, tenant-tenant issues, etc. The program will also create a pilot program in select low-income multi-family housing buildings helping tenants connect with one another to build internal resiliency, to learn about being renters, and to access City and community resources.

## Housing Accord Program

Visit website for more information. [BellevueWA.gov/housing-accord-program](https://BellevueWA.gov/housing-accord-program)



*With credit to Jill Sulzberg, ERPP Coordinator who authored an earlier version of this report.*



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