

CITY COUNCIL STUDY SESSION**Eviction Resolution Pilot Program Update**

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DIRECTION NEEDED FROM COUNCIL**INFORMATION
ONLY**

Staff will provide a program update for the Eviction Resolution Pilot Program, a program of Bellevue's Conflict Resolution Center that provides landlords and tenants an opportunity to negotiate repayment plans for rent arrearages.

RECOMMENDATION

N/A

BACKGROUND & ANALYSIS

The Bellevue Conflict Resolution Center is a dispute resolution center formed under Chapter 7.75 of the Revised Code of Washington to provide for all people in Washington equal access to justice.

To assure housing stability across the State, the Washington State legislature passed SB 5160, which establishes a role for dispute resolution centers to create the Eviction Resolution Pilot Program (ERPP) to help facilitate agreements between landlords and tenants to address payment plans for rent arrearages. Bellevue's Conflict Resolution Center is an official provider of the ERPP for tenants and landlords of the City of Bellevue and the City of Kirkland.

The ERPP is a program that works in partnership with Resolution Washington, King County Superior Court, Administrative Office of the Courts (AOC), Housing Justice Project (HJP), Eastside Legal Assistance Program (ELAP), King County Dispute Resolution Center, King County Eviction Prevention and Rent Assistance Program (EPRAP), Department of Commerce Treasury Rent Assistance Program (T-RAP), Eastside Rental Assistance Coalition, Lake Washington and Bellevue School Districts, Eastside Homelessness Advisory Commission, and landlord and tenant organizations.

Bellevue's Conflict Resolution Center officially launched the ERPP on July 21, 2021, in coordination with a statewide launch. With the statewide eviction moratorium ending on October 31, 2021, the ERPP has experienced a steady upsurge in landlord and tenant cases.

From November 1, 2021 to early March 2022, the program has already handled 381 official ERPP cases.

ERPP PROGRAM ELEMENTS

In April 2021, the Washington State legislature passed SB 5160. A part of this legislation mandates that dispute resolution centers across the state provide the ERPP to negotiate repayment plans between

landlords and tenants as a prerequisite (or alternative) to landlords filing unlawful detainer suits against tenants. The program tracks performance measures required by the Administrative Office of the Courts on closed cases, including rent arrearage amounts, rent assistance received, termination of tenancy, agreements made, and demographic information on tenants.

Through the ERPP, trained conciliators provide help with:

- Free conflict coaching to help landlords and tenants resolve eviction-related issues;
- Conciliating financial disputes that put tenants at risk of losing their rental housing and landlords operating without rental income;
- Facilitating mediated agreements between tenant and landlord, to develop reasonable arrangements for unpaid rent;
- Coordinating rental assistance (when available);
- Sharing referral and resource information; and
- Providing a Certificate of Participation once negotiation has ended to both landlord and tenant.

Bellevue's Conflict Resolution Center's ERPP does not:

- Assist those tenants or landlords outside Bellevue or Kirkland;
- Offer legal advice or representation; or
- Offer rental assistance directly.

COMMUNITY PARTNERSHIPS

The early success of the ERPP is tied to the active partnerships with Eastside rent assistance agencies, legal aid, and homelessness prevention agencies for the purposes of education, outreach and cross-referral of resources. Within the City, Bellevue's Conflict Resolution Center is also working closely with other City programs such as Human Services, Bellevue Fire Cares, and Mini City Hall.

The Conflict Resolution Center also relies on the dedication and skills of community volunteers. Volunteers are highly trained and mentored, becoming certified conciliators and mediators, meeting and exceeding the requirements of state-wide mediation consortium, Resolutions Washington. At present, 13 seasoned volunteers are actively engaged on a weekly basis in the ERPP and 18 new volunteers have just received training and are coming onboard for mentoring.

RESULTS

The ERPP is structured to create a process for landlords and tenants to negotiate agreements that help households remain housed and remediate losses for landlords. Since the eviction moratorium has ended:

- **92 percent** of those who respond either enter into negotiations for a mediated rent repayment plan agreement or meet their financial obligation through income or rent assistance.
- **78 percent** of tenants who received ERPP notices from their landlords responded to our intake calls.
- **Only 8 percent** of cases, mostly due to non-response, resulted in a certificate of participation the landlord can use to file for unlawful detainer in Superior Court.

The ERPP is expected to operate until June 2023.

PRESENT AND UPCOMING CHALLENGES

The COVID-19 pandemic continues to impact our entire community and many households are facing both the reality of reductions in income and rising rents.

- Families with children are most deeply impacted by lack of childcare options;
- People with disabilities are especially vulnerable (hard to find alternative housing);
- Tenants are beginning to default on prior repayment plans;
- Landlords are carrying additional costs and asked to forgive greater debts, but are reaching their own financial limits;
- Rent assistance funds are being depleted and are increasingly scarce;
- Housing costs and rents are rising, and have increased up to 27 percent since last year; and
- Caseloads are increasing with likely corresponding increases in evictions.

Rent assistance from King County EPRAP has been distributed to 12,000 households, with an additional 11,000 households that have applied for additional assistance. Bellevue's rent assistance ARPA funds have already been distributed to approximately 2,000 households. The ERPP will continue to refer landlords and tenants to any known and available rent assistance funds.

The overall number of households in Bellevue that will face future evictions is unknown.

POLICY & FISCAL IMPACTS

Policy Impact

The mission of Bellevue's Conflict Resolution Center is "to increase the problem-solving capacity of the community" and strengthen the capacity of local neighborhood communities to actively engage and respond to changing internal neighborhood needs and external stresses.

The ERPP advanced the following policies from the Human Services chapter in the Comprehensive Plan:

- HS-3. Identify opportunities and develop strategies that are preventive in their approach to human services' needs.
- HS-6. Facilitate the community response to human service needs. Involve the City in direct delivery of human service needs when delivery is consistent with a department's mission or as a last resort when the City is the most equitable and effective provider, or there are no other qualified providers.

Fiscal Impact

The ERPP is funded, in part, through a capacity grant from Resolution Washington (ResWA) and an additional grant from the Administrative Office of the Courts funds to support the ability to provide the ERPP for Bellevue and Kirkland tenants and landlords for 2021-2022.

OPTIONS

N/A

ATTACHMENTS & AVAILABLE DOCUMENTS

N/A

AVAILABLE IN COUNCIL LIBRARY

N/A