



Washington's Association of Dispute Resolution Centers

## Eviction Resolution Program

### The Growing Eviction Crisis

The COVID-19 pandemic has severely impacted the economy and there is a growing housing and eviction crisis. Eviction not only leaves a family without a home, it can lead to job loss, depression, and make it harder to secure housing in the future. Landlords face loss of property and investment during the crisis. Eviction risk is a statewide problem that requires a multi-pronged approach. Dispute Resolution Centers have a long history of navigating housing challenges, serving as the state's primary provider of foreclosure mediation during the last recession.

### Eviction Resolution Program Launch

At the direction of Washington State Supreme Court Chief Justice Debra Stephens, Resolution Washington created the Eviction Resolution Program to resolve landlord and tenant disputes about rent owed before they lead to court filings and evictions. The program was developed in collaboration with the Superior Court Judges Association, the Office of Civil Legal Aid, the King County Bar Association, and landlord and tenant associations. The Eviction Resolution Program will launch in the six counties selected by the Superior Court Judges Association for initial roll-out: King, Pierce, Snohomish, Spokane, Clark, and Thurston.

National studies report 20% of Washington residents, or 525,541 people, are at risk of eviction by the end of 2020.<sup>1</sup> According to the Census Bureau, 26% of Washington adults report that eviction or foreclosure in the next two months is either very likely or somewhat likely.<sup>2</sup> Washington state and some localities have time bound moratoriums on evictions - in October Governor Inslee extended the eviction moratorium to December 31, 2020. The goal of the Eviction Resolution Program is to facilitate communication and resolution between landlords and tenants to prevent evictions when the eviction moratorium lifts. The program provides case management, conciliation, facilitation and mediation to provide essential relief through payment plans and behavior agreements that keep tenants in their homes and support landlord rent collection. Washington's nonprofit Dispute Resolution Centers facilitate access to existing rent assistance funds, legal assistance and human services as needed. The centers utilize a trauma-informed approach in service provision.

The Eviction Resolution Program saves time and legal fees for the landlord and tenant by engaging them prior to court involvement while supporting stable housing. A standing order in each participating Superior Court will require landlords to demonstrate their participation in the program before filing an unlawful detainer (the beginning of the eviction process) against a tenant for rent owed. Preventing unnecessary court filings saves the courts time and money and helps ensure tenants can find housing

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<sup>1</sup> The Aspen Institute "20 Million Renters are at Risk of Eviction." <https://www.aspeninstitute.org/blog-posts/20-million-renters-are-at-risk-of-eviction/>, published 6/19/2020.

<sup>2</sup> Census Bureau, Household Pulse Survey Week 13. <https://www.census.gov/data-tools/demo/hhp/#/>.



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later by keeping the filing off of their records. The combination of facilitating communication between tenants and landlords along with access to rent assistance was successful in 90% of cases accepting services in the Snohomish County DRC-led housing navigation program for 7 years before the pandemic.

This approach, connecting dispute resolution, legal and financial support for successful tenant-landlord agreements, is an innovative prevention measure against the predicted 'tsunami' of the growing eviction crisis. Communities of color, domestic violence victims, and families with children are all at higher risk for eviction.<sup>3</sup> Both financial support and facilitated negotiation are more critical than ever to stabilize housing and rent collection. By addressing landlord-tenant issues early, the Eviction Resolution Program can help prevent eviction and support vulnerable communities.

#### Funding Needed to Expand Program Statewide and Sustain Services in 2021

CARES Act funding under the Administrative Office of the Courts will support a limited launch of the Eviction Resolution Program from October to December 2020 in King, Pierce, Snohomish, Spokane, Clark and Thurston counties. Additional funding is needed to expand the program statewide and continue into 2021 as the economy struggles to recover from the public health crisis. Dispute Resolution Centers statewide are working to address the eviction crisis with limited capacity and funding resources.

#### Resolution Washington and Dispute Resolution Centers Background

Conflict surrounds us. The way in which we engage with conflict can either strengthen or erode relationships and resources - between family members, in workplaces, within our schools, and in our communities at large. Resolution Washington and the state's 21 Dispute Resolution Centers (DRCs) advocate for and deliver collaborative approaches to dispute resolution that:

- Support equitable access to justice;
- Preserve and repair relationships;
- Resolve disputes efficiently with self-determination; and
- Promote civility and compassion during times of conflict.

In 1984 the state Legislature established a framework for DRCs to provide a high-quality resolution alternative for disputes. DRCs "meet the needs of Washington's citizens by providing forums in which persons may voluntarily participate in the resolution of disputes" at no charge or according to the participants' ability to pay (RCW 7.75).

DRCs have addressed landlord and tenant disputes for over 30 years and partnered with the Department of Commerce in delivering the Foreclosure Mediation Program in response to the previous recession. In 2019, DRCs across Washington state directly served 58,368 residents, engaged volunteers in delivering over 37,000 skilled service hours, mediated 5,070 cases, and trained 12,147 residents.

<sup>3</sup> <https://evictionlab.org/why-eviction-matters/#eviction-facts>; <https://www.aspeninstitute.org/blog-posts/the-covid-19-eviction-crisis-an-estimated-30-40-million-people-in-america-are-at-risk/#:~:text=Studies%20from%20cities%20throughout%20the,white%20households%20to%20be%20evicted.>