

Eviction Resolution Program (ERP)

TIER TWO – Landlord Sends Notice #2/Resource Sheet to Tenant & local DRC After Tenant Fails to Respond to “14-day Notice to Pay or Vacate” & Notice #1

Most Likely But Not Exclusive Scenarios

SCENARIO #1: - Tenant Does Not Respond to Notice #2 from the Landlord and does not respond to outreach efforts by the local DRC during a ten (10) day calendar period which is subsequent to expiration of the 14-day period related to the Landlord’s Notice to Pay or Vacate, i.e. Notice #1; DRC Certification issues.

TIMELINE	ACTION	COMMENTS
DAY 15+ (sent at least 14 days after Notice #1 and IF no response to Notice #1)	Landlord (LL) sends Tenant (T) & Dispute Resolution Center/Eviction Resolution Specialist (DRC/ERS): <ul style="list-style-type: none"> • Rent Owing Notice; and • Eviction Resolution Program (ERP) Notice #2 & Resource Sheet (combined). 	Use: Mandatory Form: ERP Notice #2 & Resource Sheet that includes contact information for: (a) rental assistance program; (b) the local Housing Justice Project (HJP) and local Northwest Justice Project (NJP); and (c) the local DRC.
DAY 15+	DRC/ERS Notifies the local Housing Justice Project (HJP).	Note: Notification by DRC/ERS to HJP: “locale-specific.”
DAY 15-DAY 25	DRC/ERS makes three (3) attempts to contact T for the next ten (10) calendar days.	Note: DRC trains and has Eviction Resolution Specialists (ERS) ready to assist.
	T does NOT respond to DRC’s outreach efforts during the ten (10) calendar days.	
	DRC/ERS issues DRC Certification Form to LL who can file unlawful detainer (UD) case in court.	Use: Mandatory Form: DRC Certification Form to include: parties met, whether mediation was or was not offered, whether mediation was or was not accepted, case not resolved, and, as applicable, whether parties agree to any information (from meet & confer and/or mediation) being shared with the court at a later date.

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SCENARIO #2: - After the 14-day Notice period has expired (i.e. the Notice to Pay or Vacate), the Tenant & the local DRC receives Notice #2; DRC undertakes outreach to Tenant; Tenant Responds & Engages with DRC/ERS at some point during a subsequent ten (10) day calendar period; Multiple early resolution (ER) options available (involving the local DRC/ERS & HJP) to include: Resolution Facilitation, Meet & Confer #1, Mediation, Meet & Confer #2.

TIMELINE	ACTION	COMMENTS
DAY 15+ (sent at least 14 days after Notice #1 and IF no response to Notice #1)	Landlord (LL) sends Tenant (T) & DRC/ERS: <ul style="list-style-type: none"> Rent Owing Notice; and Eviction Resolution Program (ERP) Notice #2 & Resource Sheet (combined). 	<u>Use:</u> Mandatory Form: ERP Notice #2 and Resource Sheet that includes contact information for: (a) rental assistance program; (b) the local HJP and the local NJP; (c) local DRC.
DAY 15+	DRC/ERS Notifies HJP.	<u>Note:</u> Notification by DRC/ERS to HJP: “locale-specific.”
DAY 15+	DRC/ERS makes three (3) attempts to contact T during a ten (10) calendar day period.	<u>Note:</u> DRC trains and has Eviction Resolution Specialists (ERS) ready to assist.
ONGOING	T does respond and engages with DRC/ERS (during the ten (10) day calendar period).	
ONGOING	DRC/ERS connects T to HJP & Paying Agency/Agencies.	
ONGOING	DRC/ERS works on funding packet; funding packet received.	
ONGOING	OPTION A – Resolution Facilitation: <ul style="list-style-type: none"> DRC/ERS facilitates resolution with LL & T; HJP involvement &/or participation preferred. Case gets resolved. 	
ONGOING	<u>If Case does NOT get resolved:</u> OPTION B – Meet & Confer #1:	<u>Soft Engagement/Conciliation</u>

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Notice #1

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TIMELINE	ACTION	COMMENTS
	<ul style="list-style-type: none"> • T works with HJP; DRC/ERS shares funding packet with HJP. • DRC/ERS Schedules <i>Meet & Confer #1</i> • HJP, T, LL & LL’s attorney & DRC/ERS meet & confer.* • Case gets resolved. 	
	<p><u>If Case does NOT get resolved:</u> OPTION C – Optional Mediation:</p> <ul style="list-style-type: none"> • DRC/ERS offers <i>mediation</i>. • If <i>mediation</i> is accepted by both parties, the DRC/ERS schedules <i>mediation</i> for the parties and their respective attorneys and the ERS; • <i>Mediation</i> occurs. • Case gets resolved. 	
	<p><u>If Mediation NOT accepted by both parties OR if case does NOT get resolved:</u> OPTION D – DRC Certification:</p> <ul style="list-style-type: none"> • No mediation; DRC/ERS gives DRC Certification Form to LL who can file UD case in court. 	<p><u>Use:</u> <u>Mandatory Form:</u> <i>DRC Certification Form to include: parties met, whether mediation was or was not offered, whether mediation was or was not accepted, case not resolved, and, as applicable, whether parties agree to any information (from meet & confer and/or mediation) being shared with the court at a later date.</i></p>
	<p>*If T did not have representation at <i>Meet & Confer #1</i>:</p> <ul style="list-style-type: none"> • A <i>Meet & Confer #2</i> is scheduled by the DRC/ERS within a reasonable time and with notice to the invitees/attendees, <i>i.e.</i> the T, the LL, T representation and LL representation. 	

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TIMELINE	ACTION	COMMENTS
	<ul style="list-style-type: none">• The DRC/ERS provides T with referral/connection to the local HJP and the local NJP office for help/representation before and at the <i>Meet & Confer #2</i>.• <i>Meet & Confer #2</i> occurs.• Case gets resolved.• <u>If Case does NOT get resolved:</u> DRC/ERS offers <i>mediation</i>; if <i>mediation</i> is accepted by both parties, the DRC/ERS schedules <i>mediation</i> for the parties and provides T with referral/connection to the local HJP and the local NJP office for help/representation before and at <i>mediation</i>.• <i>Mediation</i> occurs.• Case resolved.• <u>If case does NOT get resolved:</u><ul style="list-style-type: none">• DRC/ERS gives DRC Certification Form to LL who can file UD case in court.	