**Landlord Mitigation Program**

**Application Package**

**PLEASE READ ALL OF THE FOLLOWING BEFORE SUBMITTING YOUR APPLICATION**

**ELIGIBILITY**

To be eligible for the Landlord Mitigation Program, a landlord must have leased a private market unit to a tenant using the HUD Housing Choice Voucher Program. A “private market unit” is defined as one which is not currently owned by a Public Housing Authority (PHA), and/or which has no existing contractual rent restriction or subsidy *except for* a tenant-based Housing Choice Voucher. Examples of units that would not qualify for reimbursement include:

* Any unit in a project owned by a Housing Authority,
* Any unit in a project funded, in part or in full, by an award from the Washington State Housing Trust Fund,
* Any unit subsidized via a project-based Housing Choice Voucher (PBV).

For more details on the various Housing Choice Voucher types, including HUD-VASH and Section 8, visit HUD’s Housing Choice Voucher Program [website](https://portal.hud.gov/hudportal/HUD?src=/program_offices/public_indian_housing/programs/hcv/about).

To qualify for this assistance, an interested landlord must first obtain a judgment against the tenant from a court in the county in which the rental property is located. The judgment claim must have been initiated no earlier than April 18, 2016 (the enactment date of this program). The application for reimbursement under the Landlord Mitigation Program must be submitted to the Department of Commerce within one year of the date of the judgment and must include the judgement as an attachment.

The rented unit/property in question must be located in a jurisdiction that prohibits landlords from denying tenancy based solely on the tenant's source of income. The jurisdiction need not have enacted the prohibition prior to the commencement of the tenancy, but it must have been in place before the judgement was issued.

Damages must exceed normal wear and tear on the property and must be in excess of $500, but not more than $5,000 per tenancy. Program assistance may be available on a judgment that exceeds $5,000, but the amount of assistance provided will not exceed $5,000.

For more detailed eligibility criteria and program information, please visit the [Landlord Mitigation Program page](http://www.commerce.wa.gov/building-infrastructure/housing/landlord-mitigation-program/) on our website.

**APPLICATION INSTRUCTIONS**

Completed applications should be submitted via email to Sean.Harrington@commerce.wa.gov. Do not leave any blanks. If something does not apply, please explain in the space provide or attach additional pages. A scanned copy of the application including the signed and dated signature page, along with scanned copies of all required documents and attachments, must be attached to your submittal email. If the total file sizes exceed your ability to attach to an email, Department of Commerce will work with you to arrange for an alternate submittal. See contact information below.

Applications are for reimbursement only. Claims are limited to amounts in excess of $500 but no more than $5,000 per tenancy. After submitting the application and supporting materials, the Department of Commerce will notify the landlord within 10 days that the application was received and, if necessary, ask for additional information or clarifications. Department of Commerce will process applications on a first come, first served basis. If all criteria for reimbursement are met, payments will be provided to the landlord within 45 days from the date the application is received.

**AFTER REIMBURSEMENT**

Within 30 days of receiving financial assistance from the Department of Commerce, the landlord must file a satisfaction of judgment in the amount of assistance received from the Department. A "partial satisfaction" must be filed if the judgment is more than the amount received. The landlord must file satisfaction documents in the court that issued the judgment against the tenant. Landlords have 40 days from the date they received assistance to deliver a copy of the filed satisfaction of judgment to the Department of Commerce. If the assistance received from the Department did not cover the full amount of the judgment, the landlord may pursue other means to complete the judgment.

**QUESTIONS?**

For any remaining questions, contact Sean Harrington at 360.725.2995, or via email at Sean.Harrington@commerce.wa.gov.

**Landlord Mitigation Program Application**

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| **Landlord/Payee** |
|  |
|  | Landlord’s Name as Listed on Court Judgement: |  |
|  |
|  | Mailing or Contact Address: |  |
|  |
|  | City: |  | State: | WA | ZIP Code: |  |
|  |
|  | Phone: |  | Email: |  |
|  |
|  | Statewide Vendor Number\*: |  |

\*Payment of Program reimbursement funds requires a Statewide Vendor Number (SWV). If you do not currently have an SWV, you must first [register](http://des.wa.gov/services/ContractingPurchasing/Business/VendorPay/Pages/default.aspx) with the Washington State Department of Enterprise Services to obtain a SWV number.

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| **Eligibility Checklist** |
| The following questions will help determine a landlord’s eligibility for reimbursement under this program. If you answer “No” to any of the questions below, please contact Department of Commerce prior to submitting your application. |
| [ ] Yes [ ] No Is this application for a private market unit (i.e., non-subsidized, non-publicly owned unit)?[ ] Yes [ ] No Is the tenant a tenant-based housing choice voucher holder (see HUD’s [Housing Choice Voucher Program](http://portal.hud.gov/hudportal/HUD?src=/program_offices/public_indian_housing/programs/hcv/about))?[ ] Yes [ ] No Did the landlord obtain a judgement against the tenant from the county in which the property is located?[ ] Yes [ ] No Is the property located in a jurisdiction that prohibits denying tenancy based solely on an applicant’s source of income?[ ] Yes [ ] No Is the landlord’s request between $500 and $5,000? (No more than $5,000 can be reimbursed per tenancy.) [ ] Yes [ ] No Does the judgement list property damages, unpaid rent, or other damages, exceeding normal wear and tear, caused as a result of the tenancy?[ ] Yes [ ] No Has the judgment claim been initiated on or after April 18, 2016?[ ] Yes [ ] No Is the landlord submitting this application to Department of Commerce within 1 year of obtaining the judgement? |

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| **Court Judgement Information** |
|  |
|  | Name of Court: |  |
|  |
|  | Entered Date (mm/dd/yyyy): |  | County: |  |
|  |
|  | Case Number: |  | Amount: |  |
|  |
|  | Small Claims Court | [ ]  | Yes | [ ]  | No |  |
|  |
|  | Default Judgement | [ ]  | Yes | [ ]  | No |  |
|  |

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| --- | --- | --- | --- | --- | --- |
|  | Has the debt been assigned to a collection agency? | [ ]  | Yes | [ ]  | No |

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| **Reimbursement Request** |
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|  |  |
| --- | --- |
| Property damages | $ |
| Unpaid rent | $ |
| Other Damages\* | $ |
| Less deposits retained, if any | $ |
| Less payments to landlord after judgement, if any | $ |
| Total Reimbursement Request (min. $500 and max. $5,000) | $ |

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| \*Any damages included as “other” must be specified in the court order and listed in the space provided below: |
|  |  |

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| **Damaged Property Information** |
|  |
|  | Address where damages occurred: |  |
|  |
|  | Date of tenant’s move-in (mm/dd/yyyy): |  |  |
|  |
|  | Date of tenant’s move-out (mm/dd/yyyy): |  |  |

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| **Jurisdiction Property Is Located in**  |
|  |  |  |
|  | [ ]  | Unincorporated King County |  | [ ]  | Seattle |  |
|  |  |  |  |  |  |  |
|  | [ ]  | Bellevue |  | [ ]  | Olympia |  |
|  |  |  |  |  |  |  |
|  | [ ]  | Redmond |  | [ ]  | Vancouver |  |
|  |  |  |  |  |  |  |
|  | [ ]  | Kirkland |  | [ ]  | Tumwater |  |
|  |  |  |  |  |  |  |
|  | [ ]  | Renton |  | [ ]  | Kent |  |
|  |  |  |
|  | [ ]  | Other:  |  |

If other, documentation of the jurisdiction’s prohibition (e.g., a copy of the statute or local ordinance) must be attached.

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| **Housing Choice Voucher Program Information** |
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|  | Housing Authority Name: |  |
|  |
|  | Address: |  |
|  |
|  | City: |  | State: |  | ZIP Code: |  |
|  |
|  | Contact Name: |  |
|  |
|  | Phone: |  | Email: |  |
|  | Type of Voucher used by Tenant whose tenancy resulted in the damages: |
|  |  | [ ]  | Tenant-Based Housing Choice (Section 8) |
|  |  |  |
|  |  | [ ]  | Veterans Affairs Supportive Housing (VASH) |
|  |  | [ ]  | Other:  |  |

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| **Required Attachments** |
| [ ]  | Court certified copy of the judgment and money award. This court document identifies the “Plaintiff” (Landlord) presenting the claim, the “Defendant” (Tenant), and the total amount awarded by the judgment. It is signed by the judge. (Note: This is not the same as an Unlawful Detainer or eviction judgment.) |
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| [ ]  | Final accounting for the tenant’s security/damage deposit containing an itemization of damages, unpaid rent, and other damages as described above and included in the court order. This should include:1. Itemized list of work done in a unit occupied by a Housing Choice Voucher holder in the form of the itemized accounting document provided to tenant per their lease agreement.
2. Invoices (with unit number included, if applicable) for work done in unit/property.
3. Proof of payment for work done in unit/property.
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| [ ]  | Housing Choice Voucher Contract Part A and Housing Authority termination notice or alternative proof of Housing Choice participation that identifies lease term, the landlord, tenant, and the participating housing authority |
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| [ ]  | If applicable, documentation of the jurisdiction’s prohibition (e.g., a copy of the statute or local ordinance) if the jurisdiction was not listed above. |
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| **Landlord Mitigation Program Application****Legal Certification** |
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| The landlord (or landlord’s authorized person) attests by signing this document that all entries, including all attachment entries, are true and correct to the best of her/his knowledge, under penalty of perjury. Landlord will report within ten (10) days any payment on the judgment received after submission of this application for reimbursement and/or after reimbursement is received. The landlord also attests that no appeal of judgment has been filed or received related to this application for payment. |
|  |  |  |
| Landlord agrees to file a full or partial (as the case may be) satisfaction of judgment in the amount of the reimbursement with the court which issued the judgment within thirty (30) days of payment from the Landlord Mitigation Program or any other source. Landlord also agrees to send a copy of the filed satisfaction of judgment, within ten (10) days of filing, to the Department of Commerce, c/o the Landlord Mitigation Program. |
|  |
| ***I declare under penalty of perjury that the above statements are true and correct.*** |
|  | **Signature** |  | **Date** |  |  |
|  | **Printed Name** |  |  |  |  |
|  | **Title** |  |  |  |  |
|  |  |  |  |  |  |
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