

NEWSBRIEFS

State bill could protect homeowners in foreclosure

The Oregon State House has passed a bill that would shield some foreclosed homeowners from lawsuits from their mortgage lenders.

The bill aims to protect people who had two mortgages before losing their homes to foreclosure. If the home has already been foreclosed and sold because of a default on the first mortgage, and the second mortgage is with the same lender, the bill prohibits the lender from suing the former homeowner for the second mortgage's interest.

Rep. Brian Clem said he introduced the bill after a constituent informed him that some out-of-state lenders were using the tactic, which he called predatory.

"Out-of-state lenders should not be able to use bullying tactics to go after already beleaguered Oregonians who have just lost their homes," said Rep. Chris Edwards, one of the bill's co-sponsors.

The bill passed 51-6 on June 4. It now passes to the Senate for a vote.

Seattle tent city gets a reprieve on industrial site

Nicklesville, Seattle's tent city, has moved back to the vacant site on which it began nine months ago, with one adjustment: the tents are now erected on the state-owned portion of the riverfront industrial land, and the campers hope the state will grant them permission to remain there permanently.

The cluster of 155 bright pink tents first formed in September on a city-owned parcel of land at the same site in South Seattle. They were evicted from the site in October, and 23 campers were arrested for criminal trespassing. The city recently dropped those charges.

Since then, authorities have compelled the tent city to move several times. Most recently, it stayed in a church lot for three months before moving back to the original site June 7. The campers hope to petition Washington Gov. Christine Gregoire to allow them a permanent spot on the vacant lot.

CORRECTIONS

Street Roots strives for accuracy, but we're human. So we also strive to correct errors in our paper whenever possible. Please report any errors to our managing editor, Joanne Zuhl, at 503-228-5657, or write in to joanne@streetroots.org.

May 29: In the May 29 edition of Street Roots, a line of text was accidentally omitted suggesting St. Francis Dining Hall had closed. St. Francis did close for one day, but is now back in operation, serving meals to people in need.

Judge hears arguments in camping challenge

BY AMANDA WALDROUPE
 CONTRIBUTING WRITER

District Court Judge Ann Aiken heard oral arguments from Deputy City Attorney David Landrum and the Oregon Law Center's Monica Goracke June 5 to determine the validity of a class action lawsuit challenging the constitutionality of city ordinances prohibiting camping and erecting temporary structures on public property.

The suit, Anderson et al. vs. the City of Portland, claims that for people who are homeless, the city's ordinances infringe on the constitutional rights of freedom from cruel and unusual punishment, and the right to travel.

Landrum is asking the court to dismiss the case because, he says, the legal merits of Goracke's arguments were not well-founded. Landrum also argued that overturning the anti-camping ordinance would create a legal precedent for providing certain groups immunity from being criminally convicted.

"Irrespective of the plaintiff's relative efforts one way or another to alleviate or not alleviate the condition that they find

themselves, which is indigency, it really turns the idea of equal protection on its head," Landrum said.

Landrum said that because the scope of Goracke's case only applies to those experiencing homelessness, overturning the anti-camping ordinance would prevent homeless people who camped in public places or erected temporary structures from being convicted for violating the ordinance, though other groups of people would still be held accountable to the law.

"I'm struggling with your argument," Aiken told Landrum. "It seems what you're discussing is the status of homelessness. I think the analysis is what conduct of these individuals can be criminalized. Not their status."

Landrum responded by saying that the two ordinances' ban on camping or erecting a structure in public places clearly addresses conduct.

Goracke's argued that the anti-camping ordinance and the way it is enforced by Portland police creates an extraordinary circumstance.

"What we have in Portland, like in (Los Angeles), (are) two ordinances that apply

during all hours of the day and the night that make it illegal to exist, to be, in Portland," Goracke said.

The back and forth continued on for another hour, with Landrum attempting to poke holes in Goracke's arguments in the case's right to travel, right to sleep and due process claims. Goracke emphasized that the lawsuit is challenging the anti-camping and temporary structures ordinances because of the way they are enforced against individuals, and not the language of the ordinances themselves.

At the end of oral arguments, Judge Aiken appeared unlikely to accept the city's motion to dismiss the case, saying in her concluding remarks that the case needs to "put in a different context" in the future, because both sides "are asking the wrong questions." She said that she expects to issue her opinion on the request for dismissal in the next 10 days.

Mike Neal, the Oregon Law Center's Litigation Director, was present during the arguments and thinks the likelihood of dismissal is slim. "I feel confident in our case," he said afterwards.

Latest plans unveiled for homeless access center

BY MARA GRUNBAUM
 STAFF WRITER

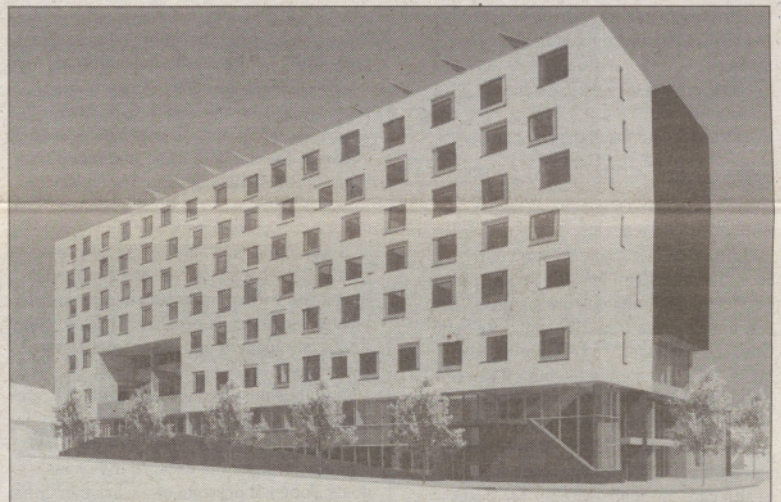
Representatives from Holst Architecture presented their latest renderings for the long-awaited Resource Access Center to downtown's Public Safety Action Committee on June 8.

The RAC, planned for NW Broadway and Irving across from the Greyhound bus station, will include a full-service day center, a 90-bed men's shelter and 130 units of permanent supportive housing. Originally planned to fill the entire block, the building was redesigned with a smaller footprint earlier this year when tax credit funding became scarce.

Plans show the slender eight-story building with a façade of dark bricks on the east side and light bricks on the west. The windows are lined with off-center multicolored accents, which Holst Architecture's Dave Otte said are meant to keep the building from looking institutional.

"What we're really trying to do is create a usable space that will be inviting, easy to maintain and very durable," Otte told the committee.

The main entrance to the center will be through a courtyard on the east side, which



will feature benches and parking spaces for bikes and shopping carts. Otte said the courtyard will have a 150-person capacity.

"This is intended to be the place to be so people don't have to line up ... out on the street," he said.

The plans now enter the design review process and will need to be approved by the design commission in about two months, Otte said. The developers plan to break ground in early fall and finish the project by spring 2011.

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