



PHOTO BY DIEGO DIAZ

Final countdown

Evictions are coming due at The Melrose apartments in St. Johns, where some residents are suing claiming their ouster is retaliatory

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Life is somewhere between hard and heartbreak for the majority-Latino tenants remaining in The Melrose Apartments, where residents of 40 of its 72 units are facing an eviction deadline in a matter of days.

This is the latest, and probably the final wave of no-cause evictions at the apartment complex, where tenant rights have gone head-to-head against its ownership for the past year.

Previous eviction notices began early last year but were later rescinded following a public outcry. Tenants that remained in their units then received a rent increase Oct. 1, followed by a new wave of 90-day evictions issued Nov. 1.

The evictions are the subject of a lawsuit by the Oregon Law Center representing 19 tenants who say their ouster is retaliation for complaining about the condition of the units. The tenants had asked that the rent increase be rescinded until repairs were made to the units. The no-cause evictions arrived soon after.

And barring any change in plans by the building's owner, the largely Latino community will be dispersed from the St. Johns complex, which is being updated with better amenities and higher rents. José "Chepe" Vierra, a tenant of The

Melrose, said "the situation is critical" for his family. He said he can't find affordable rentals near his current home and his family needs more time. Vierra is 63 years old, and spoke in Spanish as he stood in an apartment with rotting living room carpet and a dilapidated kitchen floor.

Another tenant, who declined to give her name but will go by Maria for this story, was thankful her family found a new apartment just days before it was time to vacate. Still, she said, standing in her living room and rocking a 7-month-old child, the move is a hardship for her family.

The initial eviction notices went out within weeks of the property's sale in October 2016, The Willamette Week reported. Then Oregon Public Broadcasting looked into the new ownership group and found links to T. Gary Rogers, a Californian who's been CEO of Dreyer's Grand Ice Cream, chairman of Levi Strauss & Co. and chairman of the San Francisco Federal Reserve Bank. The property is being managed by Avenue 5 Residential LLC.

Staff at the Community Alliance of Tenants (CAT) have been working with residents in the 45-year-old North Fessenden Street complex since 2014. But it was after the current owners began issuing eviction notices that it became a symbol for the city's affordable housing crisis. The building, then known as Titan Manor, was

purchased by a group of limited liability companies for \$8.3 million and renamed The Melrose.

"We are deeply disappointed to hear that our friends and neighbors are being told to leave their homes," CAT and the Titan Manor Tenants Alliance wrote in a December letter to owners and managers. "More disturbing is that we began to trust you and your intentions when your change of heart prompted you to rescind the termination notices 10 months ago."

There's no evidence the owners and managers intend to discriminate, but the waves of evictions at The Melrose fall predominately on the shoulders of the Latino community that calls the building home.

"At the end of the day it feels like economic and ethnic cleansing," said Katrina Holland, executive director of CAT, echoing the sentiment of some residents. "You can't pay, so whatever. You've got to go."

"We categorically reject any inference or charge that race or ethnicity has anything to do with the renovations and changes at the Melrose," said Dan Lavey, a spokesman for the owners.

The owners maintain that the building needs repairs that can't occur while residents stay in their units, necessitating the evictions.

"While nearly half of the residences were renovated in just a few months, further work remains to ensure that every residence is improved to meet the expectations shared by our residents, owners and city officials," Lavey said in a statement to media. "To expedite the renovation process, in November, the difficult decision was made to give residents living in un-renovated units official notice that they will need to seek different housing arrangements. In accordance with city law, each resident has roughly three months to secure different housing."

Lavey said that to date, 30 impacted residents have received \$4000 each in relocation assistance from the apartment owners and have been offered \$200 for moving assistance.

However the lawsuit notes four Melrose eviction recipients were tenants whose apartments already had been substantially renovated or who had already been relocated into newly renovated apartments in the past year.

After complaints from tenants, city inspectors found 490 housing code violations at the former Titan Manor, the most that any single property in Portland has ever received, according to CAT.

According to the lawsuit, code violations were rampant under the previous owner. Numerous inspections by the Bureau of Development Services dating back to June 2015 record multiple, repeated violations and a failure to correct the violations. It also found new violations last year related to electrical, plumbing and mechanical repair work conducted without proper permits and inspections.

Tenants reported mold and mildew throughout their units, toilet and bathtubs that were not secured or leaked, rodent, cockroach and bedbug infestations, leaking or malfunctioning appliances and severe dilapidation.

Lavey and an attorney for the Oregon Law Center declined to discuss the lawsuit,

which seeks approximately \$4,000 to \$5,000 for each of its 19 residents.

Maria and José Vierra aren't in the lawsuit, or working with CAT, but they're part of what appears to be a majority of tenants who are Latino.

More than half of the 19 plaintiffs in the lawsuit have Latino surnames. A school secretary at the majority-Latino school James John Elementary, Angela Diaz-Deleon, said she was aware of 20 students living at Titan Manor/The Melrose whose families got eviction notices last year – all of whom were Latino.

"We've lost some and kept some," Diaz-Deleon said. "This week I've had two families who have come with those eviction notices."

Vierra and his wife Julia Morales currently pay \$900 for the dilapidated 2-bedroom apartment they have lived in for 18 years. They said The Melrose's Seattle-based management company Avenue 5 Residential LLC won't accept their application to move to a vacant renovated unit at a higher price point.

Vierra said managers haven't responded to calls from other property managers calling for a reference from those who found other places to go, like his nephew, who lives in a separate unit. "They don't answer the phone for references," Morales said.

Policy and Organizing Director Pamela Pham of CAT said she's heard similar complaints from other residents trying to move, though lately managers "have made some effort" to return calls for references.

Lavey said the idea that managers wouldn't return calls for references "doesn't seem logical."

An inquiry to the media email for the property's management firm Avenue 5 Resident LLC was not returned.

Lavey confirmed the building's manager left their job Jan. 16. He said it's "not accurate" to say applications from current residents have been turned away. Lavey said the owners and managers are "streamlining the application process and waiving fees for those impacted residents wishing to move to a different unit."

One thing that no one disputes is that the owners are intent on fixing up the property after years of neglect. On Jan. 18, Sherwin-Williams vans decorated the parking lot, maintenance workers were busy, and paint fumes filled the air. New design elements graced exterior walls.

Lavey emphasized that owners are dedicated to providing a "healthier, cleaner, safer, warmer place for people to live."

"We believe strongly that we're doing everything possible to make The Melrose a better place for the residents," Lavey said.

CAT's Pham said the focus is on the building, not its residents.

"I've spoken to the owner several times, also site manager and leasing manager, and it's pretty consistent that folks see (them) as units that provide income and they definitely do not see the residents who live there."

Not all facing eviction are persons of color. Those who aren't, however, may be vulnerable in other ways.

Sam, 62, struggled to lift groceries up weather-beaten stairs badly in need of a paint job to his second-story home.

"Everybody's getting evicted, far as I