

# Living on a landslide

**Leah DeAnda, Lakeport Record-Bee, 1-28-15**

LAKEPORT – From the closed road below, the sight of four, mostly-collapsed houses edging their way down a hill half-covered in tattered tarps makes it easy to write off Lakeside Heights as a long abandoned subdivision.

Indeed, seven of the 29 homes in the subdivision have been red-tagged by the county, but the problems began recently. Since the landslide of March 2013 devastated the upper-middle class neighborhood, two of the seven have since been entirely demolished and removed. Another four still stand on halfway bottomed-out foundations, broken open to the elements and awaiting a bulldozer's nudge to fully collapse.

Next door to the disaster's first line of attack, three more houses have been abandoned to the banks by their owners.

But uneasily situated at the edge of the wreckage, 19 homeowners remain, living within what they describe as a slow-motion disaster area.

While a lawsuit is waged in the courthouse to determine where blame for the landslide can be rested, Lakeside Heights' residents count the cracks in the corners of their walls and fresh fractures in their lawns. Especially during the winter rains, daily inspections of the encroaching damage is necessary for at least some.

As a poignant example, Mike and Janice Kropa live in a home that used to be the last unit in a row of four connected townhouses. However, since the landslide, the last unit at the other end of the four-plex has fallen a good 12 feet, taking the shared wall of its adjoining house with it.

The Kropas are the only people still living in the string of units with the remaining three having been red-tagged.

So far, the Kropa's house has sustained only a few cracks in their walls and patio pavement. Their kitchen floor is noticeable starting to slope downward. But peering around the corner every day at the ever-more impending damage has pushed the couple to pack up most of their belongings; on the second story of their house just a bed and television can be found.

"We don't want to be like some of the people who had a weekend to move out," Mike said. "We know what's coming, but it makes it really difficult to just enjoy life."

Christmas, for instance, is harder to celebrate when all the decorations are sitting in a storage locker and the grandchildren aren't allowed to come over. The fan in the Kropa's heater also just went out. But who's going to invest more money into a house that may not be safe to live in six months down the road?

Aside from the unsightly view, the safety issues and even the looting that residents of Lakeside Heights must withstand, there's other reasons for the homeowners to move. Many of the neighborhood's residents are elderly and with their life savings invested in houses that can't be resold, their options are limited.

Heidi and Ken Thomason, for example, have owned their house on Oxford Drive for 15 years; they came to Lake County for the clean air after Ken started having lung problems.

It's a lovely home, aside from a hairline crack running up their wall. But at age 81, Ken's two knee replacements make it hard for him to climb the stairs to their bedroom anymore.

"This is supposed to be our retirement," Heidi explained. "Who's going to buy a house like this? Maybe you can find a buyer if it's really cheap, but who's going to finance it? And if somebody has cash in hand, they're still not going to want to invest in this place if they're smart."

As proof of the utter lack of value in the Lakeside Heights houses, homeowners association (HOA) President Randall Fitzgerald points to the address of 5382 Lancaster Rd. Its owner walked away from his mortgage after the landslide and Wells Fargo assumed ownership.

"Even though this house has absolutely no damage to it, two attempts by the bank to sell the property at public auction resulted in not a single bidder," Fitzgerald stated.

Zillow.com lists the value of the property at \$337,479, being unaware of the neighborhood's condition. But the opening bid price was listed at \$145,000.

Another one of the bank-owned homes has been in foreclosure for more than a year and the bank hasn't even attempted to sell it, Fitzgerald added.

Since the landslide, Lakeside Heights homeowners have seen an average decrease of 14 percent in their property taxes, according to Fitzgerald. (There's exceptions; the Thomasons' property tax bill has actually continued to rise over the past four years. They paid about \$37 more last year than they did in 2012, according to Heidi.)

But without a realtor in the county willing to even list the properties, the homeowners believe they should be paying much less.

In an attempt to request lower property taxes for the neighborhood, six of the Lakeside Heights homeowners met with the county's former assessor-recorder, Douglas Wacker in November. His reply, according to Fitzgerald, was to argue the houses were still rentable.

"But that would mean our mostly retired and elderly residents would have to vacate their homes that they've put their entire life savings into in order to have any remuneration," Fitzgerald said. "It's just not feasible."

Every homeowner on the hill has suddenly found themselves in a catch-22; they can't cash in and they can't just walk away because they'd still have a mortgage to pay on a hole in the ground. The insecurity is overwhelming and the lack of options is frustrating, they lament.

Since it's next to impossible to find an insurance policy to cover subsidence, that leaves either the county or the homeowners association on the hook for the cost of a 30-year-old development that's literally on it's way downhill.

That also puts Fitzgerald in a bind as he purchased his home almost exactly a year before the landslide occurred and only took up the position of presidency for the HOA afterward.

"Quite a few residents up here bought our houses in 2012 and early 2013," he said. "How can we be accused of being responsible in the long-term for any damage that's occurred up here?"

The county's primary concern and responsibility is the protection of Hill Road, which has become so

endangered by the steadily sliding mud and debris, the county recently closed the road and detoured traffic to the back entrance of Sutter Lakeside Hospital.

It's somewhat difficult to discuss where responsibility for cleaning up the hilltop blight lies though since the HOA's lawsuit against the county and the county's subsequent counter-suit against the HOA ties some tongues.

In their respective complaints, the county alleges its the HOA's irrigation 2-inch line, buried about 8 inches deep, that leaked and caused the fill used for a portion of the hill to begin sliding. The HOA contends it's the county's public water line, about 6 inches in diameter and buried about 6 feet deep, that caused the destabilization.

Either way, the necessary repairs and precautions are taxing both sides. The county's cost in protecting Hill Road lies well up in the six-figure range and the HOA's \$55-a-month dues have allowed it to spend about \$15,000 on keeping up with the destruction.

"Who knows what we'll have to fix next," HOA Treasurer Garey Hurn said as he described the association's dwindling reserves.

The subdivision has received one state grant; \$250,000 went toward replacing the neighborhood's sewer line, according to Fitzgerald. However, after December's rain another 10 feet of pavement has sunk, allowing just 6 feet of a buffer zone between the new sewer line and the freshly-formed cliff's edge.

If the new sewer line fails, Fitzgerald predicts all the houses will have to be abandoned and red-tagged.

The worst-case scenario would result in the HOA and individual homeowners filing bankruptcy, in which case the state would take over administration of the subdivision, Fitzgerald said.

Ironically, the location for the development was chosen for its prized view of Clear Lake. But now the sight of half-prostrated houses has sent rumors of landslide problems in Lakeport all the way down to Bay Area realtors. And every day, the residents of Lakeside Heights watch their neighborhood and life savings sink a little more into the lost cause of a muddy hill in Lakeport.