

# Yeehaw!

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In late August the Director of The Planning and Building Department, John Ford stated to this reporter,

*I am very concerned by the people that live there....I am open to creative solutions, though this is something that's been going on for a long long time. I don't want to be heartless, but on the other hand the Public Health Officer in 2017 issued an order to have all of those places not lived in anymore. It has been a long time that everybody has known that those shouldn't be dwellings right now.*

One of Charlie's other tenants, Alex Valle, says, "The county is acting as if they think it's safer for us to be homeless, than to live here."

Valle and his partner are in their early 20s and have lived on the land for 7 years, initially with his partner and her mother when he was a juvenile. Valle describes their family as, "Honest folk just trying to get by." Valle works at the Scotia Saw Mill and says, "Even having a decent job like mine, this is all we can afford, to be comfortable, to have food and reliable transportation."

Valle added, "The rental situations in California are crazy right now, if we didn't have our place on the land, I don't know how we could afford to live."

The lack of access to affordable housing is not just an issue in Humboldt County, but also across the nation. A recent annual report released by the National Low Income Housing Coalition found,

Full-time minimum wage workers can't afford rent anywhere in the US... This year, workers would need to earn \$24.90 per hour for a two-bedroom home and \$20.40 per hour for a one-bedroom rental. That's an increase from \$23.96 and \$19.56, respectively, from last year.

The last Census in 2019 found 19.1 % of Humboldt residents live in poverty, with a per capita average income of \$28,769. The Census also found the gross median rental cost in Humboldt was \$981. That equates to 41% of the average per capita income, spent on rent. Most budgeting experts recommend one spend only 30% of their income on rent.

When people cannot afford housing sometimes they end up on the streets. The 2019 Point In Time Count found nearly 1500 houseless residents countywide who were willing to participate in the survey. That does not include people who refused to be surveyed, or those who are underhoused, such as couch surfing or sleeping in their cars.

Owner Charles Garth not only provides low income housing at Yeehaw but also opportunities for people to recover from health issues who would otherwise have no place to go.

One double cancer survivor who wishes to remain anonymous (who we will call Jane Smith) spoke about Charles allowing people who are struggling to get back on their feet again, saying, "Yeehaw saved my life."

Smith first found out she had cancer while she was going through a divorce and supporting her two teenage daughters alone. She could not work due to cancer treatments and had to find a place to live on Social Security of less than \$1000 a month.

Smith says,

*"I found this ad on Craigslist for a cabin in the redwoods. Before I moved here I never even thought about living in an intentional community, now I can't imagine anything else... It was hard to find a place to live with our cats too... When I first moved here I had complications from radiation and I almost died from that, but I was able to heal more here without having the high rent to deal with."*

In 2019 Smith got stage four cancer a second time, beat it and went back to Yeehaw to recover again.

Charles recalls about her return, saying, "I'll never forget how she sat in the field beneath that maypole in the sun for

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days, playing with the rabbits after surviving cancer the second time. She was just so grateful to be alive."

Smith adds, "I'm still healing from cancer today. I really don't want to move, I feel safe here... we've looked for other places to rent but there's nothing available even if you make good money... It's not just about people, it's animals too. We have goats, bunnies, chickens, cats and dogs. All the animals don't have a place to go either and I think they matter also."

One viewpoint is that the affordable housing and homeless narrative is used to condone slumlords and their un-permitted houses. One community member pointed out on this website in a comment, "The argument about putting people on the street was also used by Floyd Squires to justify his non-compliant nuisance properties."

On February 2, the Board also voted to affirm a Superior Court's decision to fine Charles Garth for \$62,000, with Fifth District Supervisor Madrone dissenting. The cost of the abatement would be added to the \$62,000 and then attached to Charles's land via a property lien, often running in the hundreds of thousands.

Charles says he offered to pay the county \$62,000 earlier this year which included \$17,000 in administrative fees going directly to the Code Enforcement. However Charles claims the Code Enforcement Unit Manager, Karen Mynell, said it would be much more than \$62,000 and abatement was inevitable. Thousands more in administrative costs have been added since the February 2nd Supervisors' meeting, bringing the fine up to about \$65,000 and growing.

On July 14, the CEU came out to Yeehaw with environmental health, the Planning and Building Dept., and contractors for a pre-abatement inspection. They posted bright green tags on vehicles and notices to abate on the structure the county intends to demolish or remove.

At the time, Yeehaw had reduced the households in attempts to accommodate the county's requests and adhere to building codes. They removed excess items, including cars, they took out kitchens in the residences, replacing them with common kitchens, and they removed plumbing. They even got a portapotty and used the old toilets to create up-cycled art, which now sits in their parking lot with plants growing in the bowls beside a sign that reads, "Tower of thrones," and another that says, "Fasten Seat Belts."

Terra says that when the county came out in July to paper the property with notices to abate, tagging some operable cars and a horse trailer with bright green stickers, the images used were about five years old. She said, "The violations that were listed did not exist anymore."

Terra explained,

*"There was an inspection but the papers they served cited information from 2017 and earlier. We've worked really hard as a community for the last six months to do all the things that were requested and to meet the county's standards, get rid of vehicles and trash... If they are going to serve us with papers saying they are going to bulldoze it, at least have it be with accurate information...that's just embarrassing for the County. If you're really going to take out a bunch of households and a legacy of affordable housing and peaceful living, at least do it with accurate up to date information- I mean don't do it - but if you have to do it, cite accurate conditions."*

Ford has not been to Yeehaw yet, but he said he may go out soon.

Charles and the residents said they "welcome him with open arms and encourage a visit."

Ford says, "I don't have a plan right now... We're still putting information together, that will be my immediate focus, if it extends beyond that ... and something seems like it can be fruitful, I will definitely go out and look."

### Backstory

As many recall, this isn't the first run-in Yeehaw has had with Code Enforcement. In 2001 their commune began receiving letters and unannounced inspections from Humboldt County's Code Enforcement Unit (CEU).

In 2007, the CEU held Yeehaw residents up at gunpoint including young children. A lawsuit was filed by Charles and his tenants on November 1, 2007 against the County. This CEU incident led to the disarmament of the Department, with help from the Civil Liberties Monitoring Project (CLMP).

On August 4, 2008, Charles signed a mutual release and settlement agreement with the county stating he would drop the lawsuit, abate alleged nuisances and, "Within 30 days after the effective date Charles shall submit to the county a complete permit application(s) with all information and documentation required by applicable county standards for a complete application in effect on July 25, 2008."

"We gave up our rights to sue the county, possibly for millions, all in exchange to simply be left alone," Charles claimed. Charles said "I've been sad having most of the families chased off. They are the most vulnerable to CEU pressure."

The mutual settlement agreement also states, "The County shall process all of the Charles applications and/or requests for exemptions diligently and in good faith under all applicable federal, state and local laws and regulations in effect as of the application date."

In 2008, Charles said that he paid \$350 to the Planning Department and submitted his application in person for an alternative owner builder permit to essentially grandfather in the homes using the Alternative Owner Builder (AOB) permit. A County inspector named Mikal Damian came to the property in 2008 and Charles claims he was so impressed by the teal three story yurt and he allegedly commented that it should be "featured in Architectural Digest."

Charles said after the gun incident in 2007 the county came out for a couple inspections and he thought he appeased their requests to obtain permits on his structures and be in compliance under the AOB. Charles said the inspection was followed by, "A great ten years of peace."

"The county did not follow through with their end of the bargain," Charles claims. "They just sat on my permit application. My lawyer at the time said not to contact the County if they were not contacting me, but that turned out to be bad legal advice."

Director Ford said Charles did not hold up his end of the agreement, though he admitted that he had never seen the application submitted by Charles.

Ford explained, "[Charles Garth] was required to submit complete applications and that was never done. So in 2008 there was no resolution there...The information was not adequate for AOB permits and he was notified of that."

After a certain amount of time applications and files are purged if they are inactive, so the county does not have access to Charles's 2007/2008 AOB application in question.

Ford explained, "We purged our files so we have no way to prove what [Charles Garth] submitted." Ford added, "The department's recollection of those who were here at the time is that the plans were not adequate for AOB, they didn't show enough detail or compliance."

During the most recent abatement in 2018, Charles was offered a compliance agreement he says, but, "The timelines were not possible for removing cars and people- It was un-doable." Charles recalls, "John Ford was standing over me as Bob Russell handed me the pen to sign the compliance agreement in that backroom." Charles refused to sign it because he felt he would be, "giving up his right to sue again." Something Charles felt didn't work out so well the last time.

The county said Charles was not cooperative in the February Supervisors meeting, though he explained he wasn't getting

their letters. Charles said, "I wasn't even notified about the Supervisors meeting in February. I wouldn't have known if a friend didn't happen to see it on the agenda...I was up against the county alone, and I still am."

Charles noted he had a difficult time with maintaining legal representation during his appeal process.

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