



NEWS

Bolinás ranch tenants take legal action

by **Ben Stocking**
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Tenants living in condemned housing on a Bolinás ranch have gone to court to demand the repayment of rent and unspecified damages as compensation for threats to their health, safety and emotional wellbeing.

Two legal aid groups have filed a motion in Marin Superior Court on behalf of current and former residents of the Tacherra ranch, most of whom are Latino. People have been living for years in ramshackle housing and rundown trailers scattered about the property, many without hot water, heat or proper plumbing. The property lies within sight of the fire station and health clinic on Mesa Road.

Children at the ranch play in yards sometimes soaked with sewage, according to the Sept. 13 motion. Families live in makeshift dwellings infested with vermin and caked in mold. The environment stripped them of their dignity and left them feeling traumatized.

“Home should be the place where you feel safe and secure,” said Laura McMahon, the director of Legal Aid of Marin, which is representing the families along with the California Rural Legal Assistance Foundation. “Instead, our clients and their children

have lived in deplorable conditions and been told to pay rent when the defendants had no legal right to collect it.”

The filing lists as plaintiffs 35 individuals, including 14 children, and the Tacherra Ranch Tenants’ Association, which represents the roughly 60 people currently living at the property.

Last year, the county condemned the roughly 20 structures on the site as unfit for human habitation. In May, it approved a permit for emergency housing on an adjacent 20-acre property.

The Bolinas Community Land Trust has leased 27 trailers and hopes to move all the residents into them by Oct. 20. But some last-minute snags have cast doubt over whether the project can meet that target.

The property has been in a receivership for years due to a legal and financial dispute between Ernie Tacherra and his brother Jim, who lives at the property with his wife, Susan. The court-appointed receiver, Larry Baskin of Stinson Beach, is negotiating a purchase-and-sale agreement with the land trust, which hopes to replace the structures at the site with new, affordable housing.

The attorneys representing the tenants asked a Marin superior court judge for permission to either intervene in a suit between the Tacherra brothers or to sue the receiver for several years of back rent and unspecified financial damages.

“The defendants have trampled upon our clients’ rights for years,” said Amagda Perez, executive director of the C.R.L.A.F. “They must be held accountable for their unfair, fraudulent and illegal actions that targeted some of the most vulnerable families living in Bolinas.”

Their filing says tenants paid monthly rent ranging from \$250 to \$2,000 for housing that lacked proper septic systems, functioning sinks and toilets, operable heating units, smoke detectors, and running water. The units had leaky roofs and windows and poor wiring and ventilation, and were infested with mold and vermin. One tenant paid rent to live in a van draped with a tarp.

Located next to the housing was an illegal dump where Bolinas residents paid to leave garbage and hazardous waste. “Old, inoperable trucks, tires, refrigerators, propane gas tanks, and plastic trash cans can be seen as well as 12-foot-high mounds of garbage and/or waste covered in dirt,” the filing says.

Jack Siedman, an attorney for Jim and Susan Tacherra, declined to comment on the tenants’ demands. Mr. Baskin said he thinks the residents should be allowed to bring their case, which cannot proceed without approval by the judge overseeing the receivership.

“They have a right to pursue those claims and we will respond to them,” Mr. Baskin said. “We would evaluate the claims and would be willing to enter into good-faith negotiations to settle them.”

Many of the conditions described in the tenants’ filing were echoed in a letter circulated to county officials in March by Christina Gomez-Mira, the medical director of the Point Reyes and Bolinas Health Center. Dr. Gomez-Mira shared the March 23 letter—which was unrelated to the court proceedings—with the Light last week. It offered vivid depictions of conditions she observed on a visit to the ranch.

One woman she met—a Latina grandmother who paid \$1,200 a month in rent—lived in a unit with no toilet. The woman, her daughter and two granddaughters used a single porta-potty that was shared with six other neighbors. She had high blood pressure and Type 2 diabetes, and she cooked in a makeshift outdoor kitchen because rats had eaten through the wiring of her stove.

“She pulls out a box of insulin from her fridge, which she says has been leaking lately and has not been fixed,” Dr. Gomez-Mira wrote.

One man who lived at the ranch had a chronically oozing wound that did not heal even after months of treatment, Dr. Gomez-Mira said. His trailer had a sink with only cold water and no shower or bath.

Another of her patients, a 5-year-old girl, was hospitalized several times with a staph infection, Dr. Gomez-Mira said. The girl’s mother told her that their house was full of

mold and that her daughter's symptoms cleared up after they moved away.

The urgent conditions at the ranch make it imperative to open the R.V. park as soon as possible, said Annie O'Connor, executive director of the Bolinas Community Land Trust. The trust is still lining up funding and zoning approvals but is determined to open the park in advance of the rainy season.

Ms. O'Connor said community organizations have rallied to support the project. The West Marin Fund has pledged \$250,000 and the Marin Community Foundation has invited the trust to apply for a similar grant. A private donor has given a \$500,000 bridge loan, and county officials at the Community Development Agency and State Senator Mike McGuire's office are identifying public funding sources.

Lunny Paving and Construction has already prepared the property, and the trust has signed a two-year lease for the trailers, which are scheduled to arrive on Oct. 15. But completing a major project on an emergency timeline is challenging, Ms. O'Connor said, and some last-minute complications have arisen.

The Bolinas Community Public Utility District previously granted limited-use water permits for the project—but only on the condition that the sale of the ranch was completed before the park opened. The trust is still negotiating the sale with Mr. Baskin. Both parties expect to have a purchase-and-sale agreement in hand before the trailers arrive, but it will likely take several months before the purchase-and-sale agreement is closed, Ms. O'Connor said.

During its meeting last week, the utility district declined the trust's request to grant the water permits before the deal is finalized. The board will hold a special meeting on Oct. 4 to see if a solution can be found that allows the park to open by the time the trailers arrive.

"I'm confident that we're going to find a solution," Ms. O'Connor said.

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