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Homeowners but no place to call home

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From the sidewalk, the block of town houses looks just like all the others along Northwest Sedona Lane.

Except for the eviction notices on the front doors. The shaky retaining wall out back. The slipping fill dirt. The sliding foundations. The gap between houses and their driveways. And the staggering financial burden facing the homeowners.

"This is an enormous problem," says Anne Madden, spokeswoman for Washington County's Department of Land Use & Transportation.

Madden is one of the few people willing to talk -- within limits -- about the situation. Almost everyone else has bunkered down with their lawyers and refused to return phone calls.

It was Madden's department that six weeks ago ordered the residents living in the Quatama-area development to leave their homes. County inspectors were concerned the six attached town houses had shifted enough to burst water and gas lines or short electric wires.

The eviction notices left owners scrambling, forcing some to pay rent and storage fees, along with mortgages, insurance and taxes.

"It is a huge burden for them," Madden says.

And no one seems sure who should be shouldering it.

It's pretty obvious what's wrong: The earth is moving under the homes that were built along a slope overlooking nearby wetlands. What's not apparent is how it got that way.

The homeowners had every expectation that modern construction practices and government inspections insured against something like this.

Apparently they didn't.

Much of the confusion lies in determining who is responsible.

No one is raising their hand other than to point a finger at someone else. And there are enough "someone else's" to throw a block party.

Kevin V. Harker, a lawyer for the homeowners in Brownstone Orenco Park, says the homes were built by related companies Brownstone Homes and Quatama Park, but only after Genstar Land Co. Northwest prepared the site.

Madden says it was Genstar that received the permits to put up the retaining wall that made the area

buildable. But the U.S. division of Genstar, a Canadian company, has since been sold.

And Brownstone became part of RCM Homes in Tigard. Company leaders there did not return calls seeking comment about home construction or site preparation.

Somewhere along the line, Washington County issued permits to build, and the presumption is that a county employee looked at the retaining wall and the backfill and approved it.

And it isn't much of a stretch to partly blame the state's land-use laws that spur builders to develop on lots that a decade ago they would never have considered fit for a home site.

But wait, there's more.

Harker says the homeowner's association is responsible for the neighborhood's common grounds, which may include the retaining wall, even though it had nothing to do with its construction.

The association hired PLI Systems in February to stabilize the wall.

Jorge Castaneda, project manager for the Hillsboro company, says his workers drilled holes into the bank and attached "tie backs" to keep the wall from moving.

But it will be months before anyone is sure how successful the effort is.

The attorney says geo-technical crews have bored test holes to monitor soil movement and to determine whether the shifting has stopped.

"Unfortunately, no one will know for sure until the area undergoes another rainy season," Harker says. "Figuring out what to do next could take a while."

Explain that to the homeowners still making payments on a place they can't call home.

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