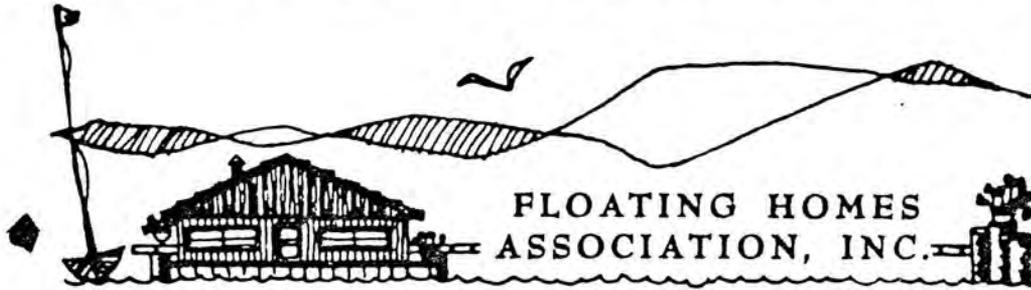


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EVICTON THREAT TO COLLECT EXCESSIVE FEES CHALLENGED Pg.2



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Houseboating in 1910 -- Seven Rooms & Bath



This photograph of Mrs. J. E. Patten's houseboat the "Tatsitt" (they named them in those days) was taken in 1910. The seven-room floating home was moored 90 feet offshore in Lake Washington near Madison Park. The "Tatsitt" measured 28 x 62 feet and was typical of the Lake Washington houseboat colony of that period. It was moored off the lakeside estate of Judge and Mrs. Thomas Burke. Judge Burke was a pioneer capitalist and railroad lawyer. The organization of that period was "The Houseboat & Home Protection League." An officer of the organization, Roland B. Winn, lived at 1501 Fairview on Lake Union. (Photo courtesy of The Seattle Times)

PICTORIAL HOUSEBOAT HISTORY PROGRAM April 22

EQUITY SOUGHT FOR HOUSEBOATS

EVICTON THREAT STARTS HERE...

What could become a landmark case in determining whether owners of floating homes have any legal rights, was filed in the King County Superior Court March 22nd on behalf of William and Caryl Keasler and the Floating Homes Association against Frank Granat Jr., owner of a moorage at 2201 Fairview Ave. E.

The complaint, filed by Attorney Bruce N. Corker, charges that a "free market" in moorage sites no longer exists, and in this monopoly situation Mr. Granat used the threat of eviction to compel payment of moorage fees far in excess of those prevailing in the area. The "prayer for relief" asks that the defendant be enjoined from:

"Arbitrarily evicting or threatening arbitrary eviction of the Keaslers, or persons privity to them, from their moorage space."

"Demanding monthly moorage fees from the Keaslers in excess of \$131 per month unless an increase in moorage fees is justified by increased costs, capital investments, or a rise in the consumer price index for residential rents in Seattle, as determined by the U.S. Department of Labor, Bureau of Labor Statistics."

The events leading up to the law suit began December 1, 1976 when the Keaslers and two other families were notified of the increase from \$131 to \$156 to "bring them into line" with others at the moorage. This was the last in a series of increases since Mr. Granat purchased the moorage in 1972 and the largest since the expiration of federal rent controls in June, 1974. Of the ten units at the moorage Mr. Granat owns three which are used as rental property. Of the remaining four, one—the end—pays \$181 and the remainder, \$156. In a letter to Mr. Granat the Keaslers, and others, questioned the increase and stated that they were withholding it until they determined their legal rights. They were then served with a notice to "vacate said premises and remove the houseboats by February 1, 1976 or face action for unlawful detainer."

The complaint charges that the moorage owner "has exercised the economic power of a state-created monopoly to deprive plaintiffs of the rights, privileges and immunities guaranteed by the Constitution of the United States;" that these actions "violate the laws and Constitution of the State of Washington," and that these actions "have abridged the plaintiffs' constitutional rights to freedom from deprivation of property without due process of law."

The houseboat colony of Seattle, the complaint states, is a "unique community which has existed for more than 75 years." There are now, it says, some 450 floating homes, mainly owner-occupied, and with an assessed valuation of \$5,198,530. (Note: A Floating Homes Association count in late March shows 453 legal moorage sites in Lake Union and Portage Bay. **All are occupied.** At an adjacent moorage to the Keaslers' the monthly fee is \$87—a spread of \$69 monthly. The effect of monopoly on moorage fees is revealed in those charged at the new "Mallard Cove Village," now under construction. As a part of a package purchase of a new floating home the developer gives 30-year leases and the monthly moorage fee for the floating home site and a pleasure boat moorage (up to 40 feet) is given at \$130. These fees are adjustable every three years according to the increases, if any, in Seattle residential rentals, Department of Labor, Consumer Price Index. The facilities at this "luxury moorage" cost some \$185,000 exclusive of land.)

Unlike many moorage owners Mr. Granat refuses to give leases and this gives him, the complaint says, "the power to threaten total confiscation of the property interests of houseboats owners in their houseboats by instituting eviction or unlawful detainer actions against them. Eviction from a moorage would constitute total confiscation of the value of the houseboat. With no alternative moorage, the value of a houseboat, evicted from its moorage, is reduced to scrap value. Threat of eviction is used by the defendant to enforce arbitrary and unreasonable increases in moorage fees which return monopoly profits to the defendant on his moorage investment."

Last December the Association called the present "monopoly" situation to the attention of the City Council. The communication said that "a monopoly exists and will continue to exist in respect to availability of floating home moorage sites due to the legal controls and restrictions on the use of our limited shorelands. We agree with these restrictions as they are certainly necessary and in the public interest. We therefore feel that it is incumbent on municipal government to protect floating home owners from the harsh impact of such restrictions. Fairness dictates that moorage fees should bear some relation to fair return on the investment in moorage property. Such is not always the case. While some owners exercise restraint and are satisfied with a fair return, others are not. There is a wild fluctuation in moorage fees now being charged."

The petition was referred to the Planning and Urban Development Committee headed by Councilman Paul Kraabel. In the form of a "discussion memo" the Association suggested a possible solution in the form of an Ordinance setting up an arbitration procedure as a means of being fair and equitable to both the floating home owner and the moorage property owner. The Committee has asked the Corporation Counsel for an opinion as to the city's power in this field.

The Association points out that it is not "frozen" to any particular course of action. In the policy statement (see February Newsletter) it calls on "all well-disposed persons, who have the future of our unique in-city neighborhood at heart, to address themselves towards the finding of solutions."

The solution, the Executive Committee points out, must answer the key question, "Do floating home owners have any rights?" This will be on the agenda at the April 22nd membership meeting for a free-for-all discussion.

Whoops! In 1914 Lake Union is Pulled



March 14, 1914 is not the happiest day in the somewhat turbulent history of Seattle's houseboats. An earth dam at Fremont held back the waters of Lake Union while digging of the Ship Canal was in progress. This photograph shows what happened in the early morning hours when the dam gave way, dropping the water level more than ten feet. To see what it did to houseboats turn the page. (Photo courtesy of The Seattle Museum of History & Industry)

COMING IN OUR NEXT ISSUE:

ROANOKE REEF: A Lively Corpse

"IN UNITY THERE IS"

Fellow Houseboaters:

Now that spring is here we must turn our attention once again to organization. We can't bask too long in the achievement last year which recorded the largest new member gain and lowest number of dropouts in the long history of our Association. The Executive Committee will, once again, set an example with doorbell ringing and a cordial invitation to come aboard.

You can decrease the number of these calls by using the blank below. The agenda of the 14th Annual Meeting April 22nd certainly offers something of interest and concern to every floating home resident. It also gives you an opportunity to do your bit in organizing. If you have non-member neighbors, why not bring them along? They will be welcome. We can't repeat too often that the main objective of our Association is **"To protect the interests of Seattle's old and colorful houseboat colony."** This is something we can't leave to others.

—Jack MacIntyre, Organizational Director

Suddenly Lake's Houseboats Short Of Water



The Seattle Times for March 15, 1914 captioned this photo **WHEN FRONT YARD MOVED**. It certainly did for these houseboats moored along what is now Fairview Ave. E. The Times reported the photo "shows three of the scores of snug little houseboats that were left stranded when the waters of Lake Union receded following the bursting of the dam at Fremont. Along the bulkhead is plainly seen the old water mark showing to what extent the lake was lowered." Newspapers reported that some owners had time to cast off mooring lines allowing their floating homes to drift out into what was left of the lake. (Photo courtesy of The Seattle Times)

Lively Agenda Marks April 22 Meeting

What promises to be the most interesting and important program in the 14-year history of the Association is scheduled for 7:30 pm Thursday, April 22nd at St. Patrick's Parish Hall, 2702 Broadway E. While there is ample parking, St. Patrick's is a comfortable walk from the Fairview E. and Portage Bay neighborhoods.

Highlight of the evening will be the first showing of a selection of historic photographs and commentary by Howard Droker, historian, who is writing the first definitive history of Seattle's houseboats. Using a dual screen and projection, Dr. Droker will present more than 80 slides covering the period 1859-1938. Seattle's "old and colorful colony" once included the Duwamish and Lake Washington, now is confined to Lake Union and Portage Bay.

The agenda calls for an open forum discussion of the policy statement "**Do Floating Home Owners Have Any Rights?**" (See February, 1976 Newsletter); a report on the law suit (page 2); the possibility of forming a "Lake Investment Fund"; and the regulations covering floating homes in the new "Seattle Shoreline Master Program" adopted by the City Council in March.

The Membership will be asked to vote on three By-Law amendments: (1) Creating the office of "Organizational Director" to be appointed by and serve on the Executive Committee (2) Enlarging the number of at-large Executive Committee members from three to five, and (3) permitting meeting notices to be made in the Newsletter as well as by mail.

The Executive Committee voted a contribution to the Pacific Northwest Music Camp as a memorial to Otto Leonhardt Jr., a charter member of the Floating Homes Association, who died recently. Mr. Leonhardt was a widely-known musician who was a member of many of the big-name dance bands in the 1940's and who in recent years has been teaching woodwinds.

Mrs. Lucille Leonhardt says the camp, held each summer at Ft. Flagler, Marrowstone Island, is an intensive orchestral and chamber music festival. It is sponsored by the Seattle Youth Symphony. Contributions should be sent to the Symphony Office, 416 Sixth & Pine Building, Seattle, 98101, designated for the Otto Leonhardt Jr. Scholarship Fund.