

Agreement on 53 Union St.

By DAN YOUNG

City officials and the owner of a rooming house at 53 Union St. have come to an agreement: The 25 or so people still living in the run-down building would be better off anywhere else, and the sooner they vacate the building — whether voluntarily or through eviction — the better.

But the council made it plain that it's not happy about being forced to deal with the problem in the first place.

"Any person who lets a building get in this shape and still charges rent deserves no considerations," an angry Councilman Vido Deretich said last night, moments before the council voted unanimously to reject a request by owner Manuel Gonzalez for an extension on the city requirement

that repair work begin by the middle of this month.

Council members had just viewed photographs and a video of living conditions at the Union Street apartment, and were appalled.

Apparently no more so, however, than Mike Adams, a San Jose lawyer representing Gonzalez, who, in the end, was in agreement that his appeal should be denied.

Adams said the extension of deadlines was sought because the owner was having difficulty getting the residents to move out. Several of the tenants, with the help of the county's Legal Aid Society, have appealed eviction notices issued last month.

And, Adams told the council,

it appeared to him at the time he filed the appeal that the city was "close-minded about demolishing this building."

"We are absolutely in concurrence that we need to rectify the terrible conditions" at the rooming house, Adams said. "It now appears to me the city is being open-minded about possible refurbishment," in which case, he said, he didn't mind his appeal being denied.

City Attorney Don Haile said he admitted that the city would rather see the building torn down, but that the owner had a right to refurbish it if he wanted, and a denial of his appeal would not stop him from doing so.

And, Haile added, the denial would allow the city to file a court action to force the people out of the house, which, he said, it may be able to accomplish quicker than the owner, who is currently attempting to obtain a court order to that end.

"I would like to see these people forced out," Haile said, and answered "on the street" when asked by Deretich where the sheriff would put the tenants if a court order for evacuation was granted.

"The safety of the tenants is at stake," Haile said, emphasizing that the residents were facing supreme health hazards by remaining in the building.

In making the motion to deny the appeal, Councilman Frank Osmer asked — at Haile's suggestion — that the city staff make every effort to contact social-service groups that might be able to help find housing for those about to be displaced.

"The landlord also has a responsibility to get these people relocated," said Councilwoman Betty Murphy.