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**Admitted Pro Hac Vice*

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF THE STATE OF
IDAHO, IN AND FOR THE COUNTY OF ADA

**DECLARATION OF CHASIDY
DECKER IN SUPPORT OF MOTION
FOR PRELIMINARY INJUNCTION**

2. I am 46 years old, a native of Idaho's Treasure Valley and have lived in the Boise area almost my entire life. I'm currently working in a warehouse for a cash-handling company. In the past, I have worked as a bookkeeper, salon manager, a hair stylist, and a cage cashier at a casino. By late 2018, the costs and benefits of owning a traditional home or renting an apartment in Boise no longer made sense for me. So I started looking into more affordable, flexible, and stable housing options.

3. I gravitated to tiny homes on wheels because they were attractive, affordable, reliable, mobile, and stable. With a tiny home on wheels, I believed I would always have a roof over my head.

4. In about January 2019, I had to move to Reno, Nevada, temporarily to help my mother after her father (my grandfather) passed away. While there, I communicated with Tiny Idahomes about purchasing a tiny home on wheels from them. In May 2019, my mother used her inheritance from her father to help me purchase a tiny home on wheels from Tiny Idahomes.

5. By early 2022, I was ready to return home to the Boise area. Housing prices had gone up a lot since I left in 2019, so traditional homes and rental apartments were not affordable for me. So I was happy I already owned my tiny home on wheels. I also preferred the stability, flexibility, and affordability of living in it. I began searching for places near Boise to move my tiny home on wheels.

6. That process was difficult and required months of time and effort. In April 2022, I found Robert Calacal's listing on Craigslist offering a space to live in an RV, trailer, or tiny home on wheels once he purchased a property at 1926 N. Leisure Lane in Meridian. I ultimately signed a lease with Robert to live on his property in my tiny home on wheels.

7. On or around May 18, 2022, I parked my tiny home on wheels on Robert's property at 1926 N. Leisure Lane and began living in it.

8. It was safe for me to continue living in my tiny home on wheels on Robert's private property. When I moved onto Robert's property, I had lived in my tiny home on wheels for close to three years in Reno, and later Jerome, ID, without it causing any health or safety issues to me, my pets, or anyone else. The home was well-made by Tiny Idahomes just for me.

9. My tiny home on wheels was customized by Tiny Idahomes and cost approximately \$76,000. It is 252-square feet and constructed with 2"x4"s, Board and Batt siding like is typically used on traditional homes, blown-in fiberglass insulation, and standing seam metal roofing. It includes many features expected in a traditional home, such as a bedroom; a "pop out" or "slide-out" extendable living room/dining area; a bathroom with a 60" whirlpool tub, a kitchen area with a 24" white apron sink, 21" drop-in range, and 9.2 cu ft stainless steel refrigerator; two storage lofts; and a 20' awning to cover the front-porch area. It is equipped for power, water, and sewer utilities. It has a 21"x26 7/8" ventilation skylight, emergency exit windows, a smoke alarm, and a fire extinguisher.

10. The tiny home is permanently mounted on a 28'x8' flatbed tandem axle trailer and cannot be detached without damage to both the tiny home and the trailer. The trailer is equipped with permanently installed stabilizer jacks that can be deployed while the tiny home on wheels is parked to keep the tiny home perfectly level and stable.

11. The tiny home on wheels was perfect for me. It provided me the flexibility, affordability, and stability I needed.

12. I expected to live in the tiny home on wheels on Robert's property under a lease agreement we entered into in May 2022. I would pay Robert \$600 per month in rent, plus the

monthly cost of utilities for the tiny home. In return, I would be able to live in my tiny home on wheels on the side of the house on Robert's property at 1926 N. Leisure Lane. Also, I was able to plug into RV hook ups installed on the house for water, power, and sewer utilities. I moved into the spot at 1926 N. Leisure Lane on or around May 18, 2022.

13. The next day, Meridian Code Enforcement Officer Anthony Negrete came to the property. He asked whether I was the property owner, and I said no. He stated that no one could live in the tiny home on wheels. He also said that the tiny home could remain parked on the property, but it would have to be parked on an approved surface. I understand that it could alternatively be surrounded by a fence, instead of parked on an approved surface.

14. Following Officer Negrete's visit to the property, I learned that I had only 10 days to move my home or vacate it and leave it behind and that Officer Negrete had refused to grant any extension.

15. I was confused. Almost every property in the neighborhood had at least one RV or trailer parked at it, and many had more than one. Many RVs were also parked on grass, dirt, or other unapproved surfaces. Several RVs in the neighborhood also appeared to be used as living quarters because they were visibly plugged up to utilities and many had their slide-outs extended, steps down, and other indications of regular use.

16. I was also scared. I could not purchase another home or rent an apartment.

17. I needed help, so I contacted Jason Jones, who supports the tiny home movement in Idaho. He contacted the Meridian City Council. In response, the Deputy City Attorney responded by email that I could not continue living in my home. The Deputy City Attorney encouraged me to take my tiny home on wheels to an RV park and live in it there. A true and correct copy of that

email is attached to my declaration as Exhibit 1. Officer Negrete would later tell me the same thing via email, a true and correct copy of which is attached as Exhibit 2.

18. But RV parks were not an option. I made many calls to RV parks and the RV parks in the area were full and had very long waiting lists of months or even years. Also, many of the RV parks did not accept tiny homes on wheels.

19. The Deputy City Attorney also said I should ask Officer Negrete for an extension. I understand, however, that Officer Negrete had already denied the request for an extension.

20. So Jason Jones contacted the *Idaho Statesman* on my behalf. I agreed to talk to the *Idaho Statesman* to do a story about my situation. I participated in an interview where I described my interactions with the City and my confusion, sadness, and fear over being forced out of the home that I owned. I also participated in the *Statesman's* video crew filming and photographing me and my home. The *Idaho Statesman* published a digital and print piece about my story on June 8 and 9, 2022. It was the top story in the newspaper's print edition. The online version of the story also included a video about me and my home.

21. Subsequently, on June 14, 2022, Officer Negrete sent me two "Notice of Criminal Violation of Unified Development Code and Order to Abate." I believed then and now that the citations and abatement orders I received were in retaliation for the *Idaho Statesman* article because they followed the article so quickly, because a separate violation letter sent to Robert indicated that Officer Negrete had visited the 1926 N. Leisure Lane property the very next day after the article came out, June 9, 2022, to look for violations, and because one of the cited violations related to two automobiles parked at the property that had not previously been mentioned before by Officer Negrete when he visited the property on May 19, 2022. In addition, Officer Negrete ignored many other nearby properties with the same code violations.

22. The first citation was for using my tiny house on wheels as a residence or living quarters outside an RV park. A true and correct photograph of that citation is attached to this declaration as Exhibit 3. The citation gave me no information about whether I could appeal or seek help from other officials with the City. It directed me to vacate my home by August 1, 2022, at 5:00 p.m. This deadline was an extension of time from the original deadline, which I thought was likely as a result of the *Statesman* article. The citation said that if I failed to comply by that deadline, I faced criminal prosecution.

23. The second citation was for having cars with “expired registration” parked on Robert’s side yard and not screened behind a six-foot privacy fence. It ordered that the vehicles must be removed from the property or that a six-foot privacy fence must be constructed to screen the vehicles, which Robert built to comply with Officer Negrete’s citation letters. It gave me until June 27, 2022, to comply. A true and correct photograph of that citation is attached to this declaration as Exhibit 4.

24. I thought this citation also was retaliatory. Officer Negrete had never mentioned issues with my car when he had previously visited the property on May 19, 2022, even though they had been parked there at the time. Plus, there are cars on properties nearby that have expired registrations or are completely inoperable, including two visibly wrecked racing cars at the property immediately next door. A neighbor even mentioned to me that he had had an unregistered car parked in his front yard for years without being cited. Other properties nearby on Leisure Lane and the surrounding neighborhood also have broken-down cars parked on their yards, and many homes in the neighborhood have a car, RV, commercial shipping container, or something like that parked on the lawn, or even multiple such items on their lawn. Many, if not all, of those things are in the front yard or side yard of these homes, placed on the grass or dirt, and not placed behind any kind

of fence. True and correct copies of photographs providing examples of these nearby properties, all of which are within eyesight of 1926 N. Leisure Lane, are attached to my declaration as Exhibits 5-8. The addresses and other identifying information relating to other properties in this declaration and the related exhibits have been redacted to avoid incriminating the property owners in a filing provided to the City, but I will provide unredacted copies to the Court upon request for its review.

25. Regardless, I complied with the order regarding the tiny house citation and moved out of my tiny home on wheels on August 1 before 5:00 p.m. and found a temporary place to stay with friends. I also complied with the order about my car, and I registered my car in Idaho. The cars were then enclosed behind a 6-foot-tall privacy fence that Robert paid to have built on the property.

26. I faced additional pressure from the City on August 2, the morning after I moved out. I had returned to the tiny home to take care of a few things before heading to work, including walking my dog. It was about 6:30 a.m. when I first arrived, and I first took a walk around the neighborhood with my dog. When I returned from my walk, at around 6:45 a.m., Officer Negrete confronted me on the street in front of Robert's house at 1926 N. Leisure Lane.

27. I explained to Officer Negrete that I had not stayed in the tiny home the night before and I was just dropping off things, walking my dog, and grabbing some clothes and other belongings.

28. Officer Negrete then said that he hasn't had much contact with me, since he has mainly been talking to Robert, as the homeowner. He continued to say that he saw the article in the *Idaho Statesman*, and he became visually upset and angry. He explained that the article mentioned that he was evicting me, but that he had never used the word "eviction." He said angrily, "Those words *never* came out of my mouth."

29. I explained why I thought using the word “eviction” was fair under the circumstances, especially as Officer Negrete had only given me 10 days to leave, which he did not extend until after the article came out.

30. Officer Negrete explained what I would have to do to keep my tiny home parked on Robert’s property. He said that the tiny house had to remain unplugged while it was parked. He also said that I should pull in the slide on my tiny house because “no one he knows that stores an RV has their slides out.” Officer Negrete also said the tiny house was still on an unapproved surface, so that to stay parked where it was, it had to either be on an approved surface or behind a fence. But he then mentioned that Robert had already gotten a permit for the fence, so after the fence was up, the tiny house could stay parked where it was with no further changes.

31. At this point I started crying. I explained that I was homeless and I asked Officer Negrete what my other options were, and if there was any other place I could live. He said I could live in an RV park, but I told him they were all full. Officer Negrete nodded in agreement at this.

32. I asked Officer Negrete why he was singling me out. I said there were many other people in the neighborhood with RVs and other vehicles hooked up to their homes and that they were “all over the place.” I said I am not being a nuisance to anyone, I’m paying rent and my tiny home is aesthetically pleasing.

33. Officer Negrete then told me that even if I didn’t have a tiny home on wheels, I still couldn’t live on Robert’s property in any other accessory dwelling unit because Robert didn’t live on the property.

34. Officer Negrete also said that this enforcement against me was happening because Robert was from California and had just bought the house there, so he was not grandfathered in. He

said I could have continued living in my tiny home on wheels on the property if I had had the same lease with the previous owners of the property.

35. He then pointed at my car and said, in a very condescending tone: “I’m sure glad to see you finally got it registered in Idaho.” I explained that I am an Idaho native and that due to a death in my family, I had to move to Nevada temporarily, and that I just recently moved back home, and was planning to register my car in Idaho regardless, but the 10-day notice to vacate my home took priority over re-registering my vehicle, until he sent me an official citation ordering me to register my car by June 27th.

36. I then pointed to a neighbor on the right of the property and pointed out that it had multiple broken down race cars in the yard and a commercial shipping container in the yard. True and correct photographs of that property are attached to this declaration as Exhibits 7 and 8. He did not respond to that comment.

37. Then, out of nowhere, Officer Negrete said: “Well, I’m just telling you, don’t be surprised if officers will be driving up and down this little private drive at all hours of the day and night to ensure nobody is living here” referring to my tiny home on wheels.

38. He then immediately warned me against bringing a lawsuit against the City. He said that any lawsuit involving the city would be “nasty” and cost me and Robert lots of money. He said the city has a “powerhouse team of attorneys” and said they were ready to go “toe-to-toe” with me if I sued.

39. The comments about a lawsuit also came out of nowhere, especially because I had never mentioned a potential lawsuit to Officer Negrete or anyone in the City before.

40. When I asked if I had any other options for my tiny house, Officer Negrete said my only other option was to ask the Meridian City Council to enact a new zoning ordinance. But he

then corrected himself, and he said that I could not even go to the City Council for help because I did not own the house at 1926 N. Leisure Lane.

41. Officer Negrete's behavior confused and scared me. I was clearly upset during the interaction, but Officer Negrete used a hostile and angry tone anyway.

42. Because of the City's enforcement actions, I am still being excluded from legally living in my tiny home on wheels on Robert's private property at 1926 N. Leisure Lane.

43. The City has never informed me that my tiny home poses any risk to health or safety, whether due to something inherent to the home itself, living in it, or living on Robert's property.

44. My tiny home on wheels is still parked in the same spot by the house on Robert's property at 1926 N. Leisure Lane. Attached to this declaration as Exhibit 9 is a true and correct copy of a photograph I took from Leisure Lane on the afternoon of August 14, 2022, of my tiny home on wheels behind the six-foot privacy fence on Robert's property. Now that the fence has been installed, the tiny home's tires, trailer, and RV hookups are no longer visible from the street regardless of whether the hook ups are plugged in or not.

45. I would still be living in my tiny home on wheels in the same spot by the house on Robert's property at 1926 N. Leisure Lane if it were not for the City's enforcement of its ban on living in tiny homes on wheels against me.

46. Since August 1, I have been excluded from my tiny home on wheels by the Defendants under penalty of criminal fines and/or jail time.

47. In addition to the unnecessary costs I've been forced to incur traveling from place-to-place and finding a temporary place to stay, the City has caused me a great deal of anxiety, stress,

and suffering by forcing me out of my tiny house on wheels. I desperately want to live in the home that I already own on the space I already leased for that purpose.

48. Right now, I am temporarily staying with friends. I am grateful to my friends, but I feel like I am burdening them and I miss the independence of living on my own. I also can't have my cat and dog at my friends' place, so my cat and dog must stay with another friend.

49. On September 3, 2022, from approximately 2:00 p.m. to 3:00 p.m., and again on September 11, 2022, from approximately 1:00 p.m. to 2:00 p.m., I drove around looking for RVs and trailers that were hooked up to houses' utilities or otherwise appeared to be used as living quarters around the neighborhood of 1926 N. Leisure Lane. I looked within an approximately 1,500-foot radius of 1926 N. Leisure Lane (within approximately 1/3 of a mile). I also walked by a few of the houses on Leisure Lane on July 28, 2022, from approximately 1:00 p.m. to 2:00 p.m. and observed RVs and trailers that appeared to be used as living quarters. The photographic exhibits described below are true and correct copies of the photographs taken on those dates, but the address numbers, license plates, and other identifying numbers have been redacted so as to not incriminate the homeowners in a filing being sent to the City. My attorneys can provide unredacted copies of these photos to the Court for *in camera* review upon request.

50. I found 13 properties with hooked up RVs and trailers. These RVs and trailers all appeared to be used as living quarters, as I describe below. This was based not just on their utilities being hooked up, but also based on other factors, like having their slide-outs extended, having stabilizer jacks down, and having stairs or steps lowered.

51. Some RVs or trailers have slide-outs (a/k/a pop ups or room extenders), which can be used to extend a room to make it bigger. In my experience from owning a mobile tiny home and living alongside RVs in an RV park (and a mobile home park that allowed RVs) for nearly three

years, and as Officer Negrete himself told me (see paragraph 30 above), no one ever stores their RV or trailers with their slide-outs extended, and no one drives an RV or trailer that way. Instead, in my experience, slide-outs are only extended when a person plans to keep their RV or trailer in place and wants extra space to use as a living quarters.

52. One property was at . On September 3rd and September 11th, the same Aspen Trail trailer was parked in a driveway of the house and hooked up to the house's utilities. In addition to the Aspen Trail trailer being hooked up, it appeared this trailer was being used as living quarters because its stairs were lowered, its stabilizer jacks were in place (to level the trailer and keep it steady while people are inside), and it had blocks under the wheels to prevent them from moving while people are inside. Attached to this declaration as Exhibits 10-13 are true and correct copies of photographs of the trailer taken on those dates. It also seems like the trailer was hooked up for year. I looked on Google Maps Street View, which showed that this same trailer was also hooked up to the house in August 2019. Attached to this declaration as Exhibit 14 is a true and correct copy of a printout of a photo from Google Maps. (The 2019 Google Maps photo at Exhibit 14 also shows a different trailer next door at having two slide-outs extended, stabilizer jacks in place, blocks under its wheels, and other telltale signs of being used as living quarters. *See* Exhibit 14).

53. One property was at . On September 3rd and September 11th, the same Micro Lite trailer was parked in a driveway of the house that appeared to be used as a living quarters because its stairs were lowered, its slide-out was extended, a vent on the roof appeared to be open, its stabilizer jacks were in place, and blocks were under its wheels to keep it from moving. An orange power cord was plugged into an outlet on the front of the house and ran behind the trailer; it appeared to be connected to the trailer, but I could not get a clear view from the

street because the trailer's power connection was blocked from view by the extended slide-out and the wooden fence on the property line. Attached to this declaration as Exhibits 15-17 are true and correct copies of photographs of the trailer taken on those dates.

54. One property was at . On September 3rd and September 11th, the same Nash trailer was parked in a driveway of the house and hooked up to the house's utilities. Attached to this declaration as Exhibits 18-20 are true and correct copies of photographs of the trailer taken on those dates. In addition to being hooked up to utilities, it appeared this trailer was being used as living quarters because its stabilizer jacks were in place and its window was open.

55. One property was at . On September 3rd and September 11th, the same Nash trailer was parked in a driveway of the house and hooked up to the house's utilities. Attached to this declaration as Exhibits 21-23 are true and correct copies of photographs of the trailer taken on those dates. In addition to being hooked up to utilities, it appeared this trailer was being used as living quarters because its stabilizer jacks were in place, and blocks were under its wheels to keep it from moving. It also appeared that the thick black power cord used for the hook up was a thick 50 amp line; in my experience, 50 amp outlets are not installed at a home for a trailer/RV unless the owner plans to rely on the line heavily and often, since they are expensive to install, and an owner could instead use a simple extension cord to a regular outlet if they don't need much power or don't need to use power often.

56. One property was at . On September 3rd and September 11th, the same Reflection trailer was parked in the dirt and hooked up to the house. Attached to this declaration as Exhibits 24-26 are true and correct copies of photographs of the trailer taken on those dates. In addition to being hooked up to utilities, it appeared this trailer was being used as living quarters because its slide-out was extended. It also appeared the thick black power cord used for the

hook ups was a thick 50 amp line. In the Google Maps Street View photo, from August 2019, the trailer is visible with its slide-out extended. Attached to this declaration as Exhibit 27 is a true and correct copy of a printout of that photo.

57. One property was at . On September 3rd and September 11th, the same Cruise Lite trailer was parked in a driveway of the house and hooked up to the house's utilities. It also appeared the thick yellow power cord used for the hook ups was a thick 50 amp line. Attached to this declaration as Exhibits 28 and 29 are true and correct copies of photographs of the trailer taken on those dates. Later, I looked on Google Maps Street View, which showed what looks like this same trailer was also hooked up to the house's utilities in August 2019. Attached to this declaration as Exhibit 30 is a true and correct copy of a printout of that Google Maps Street View photo. An undated Google Map Photo on Zillow.com also showed the trailer hooked up to the house's utilities. Attached to this declaration as Exhibit 31 is a true and correct copy of a printout of that Google Maps photo from Zillow.com. In addition to being hooked up to utilities for years, it appeared this trailer was being used as living quarters because there were blocks under the wheels to prevent it from moving.

58. One property was at . On September 3rd and September 11th, the same Shamrock trailer was parked in a driveway of the house and hooked up to the house's utilities. In addition to being hooked up to utilities, it appeared this trailer was being used as living quarters because its steps were down. It also appeared the power cord used for the hook ups was a thick 50 amp line. Attached to this declaration as Exhibits 32-34 are true and correct copies of photographs of the trailer taken on those dates.

59. One property was at . On September 3rd and September 11th, the same Wolf Pup trailer was parked in a driveway of a home and hooked up to the house's utilities. In

addition to being hooked up to utilities, it appeared this trailer was being used as living quarters because its stabilizer jacks were in place and blocks were under the trailer's wheels. It also appeared the power cord used for the hook ups was a thick 50 amp line. Attached to this declaration as Exhibits 35-37 are true and correct copies of photographs of the trailer taken on those dates.

60. One property was at _____, On September 3rd, a Cruiser Aire trailer was parked in front of the house, on the street, and hooked up to the house's utilities. In addition to being hooked up to utilities, it appeared this trailer was being used as living quarters because it was running a generator, its slide-out was out, its stabilizer jacks were in place, its stairs were lowered, and it was missing a license plate in the back. Attached to this declaration as Exhibits 38 and 39 are true and correct copies of photographs of the trailer taken on that date. It also appeared the power cord used for the hook ups was a thick 50 amp line.

61. One property was in the _____ at what I believe is _____. On July 28th, and again on both September 3rd and September 11th, the same Sundance trailer was parked on the grass and was hooked up to the house. In addition to being hooked up to utilities, it appeared this trailer was being used as living quarters because its window was open, there was debris all in front of the trailer that would prevent it from easily driving away, and its stabilizer jacks were in place. I also didn't see a license plate. It also appeared the power cord used for the hook ups was a thick 50 amp line. Attached to this declaration as Exhibits 5, 40-43 are true and correct copies of photographs of the trailer taken on those dates.

62. One property was at _____. On September 3rd and September 11th, the same Pioneer Trailblazer trailer was parked on the gravel/dirt next to the driveway and hooked up to the house's utilities. In addition to being hooked up to utilities, it appeared this trailer was being used as living quarters because its stairs were lowered, blocks were under its tires, and it

appeared its stabilizer jacks were in place. It also appeared the power cord used for the hook ups was a thick 50 amp line. Attached to this declaration as Exhibits 44-47 are true and correct copies of photographs of the trailer taken on those dates.

63. One property was _____ and I believe the address is _____. On July 28th, and again on September 3rd and September 11th, the same Coleman trailer was parked on the grass next to the house and appears to be hooked up to utilities, with its slide out, and so it appears to be being used as living quarters. Attached to this declaration as Exhibits 6, 48 and 49 are true and correct copies of photographs of the trailer taken on those dates.

64. One property was _____ On September 11, I saw that there was a Mercedes Leisure Travel Van parked on the driveway next to the house. In addition to being hooked up to utilities, it appeared that this van was being used as living quarters because its slide-out was out. Attached to this declaration as Exhibit 50 is a true and correct copy of a photograph of the RV taken on that date.

65. I also saw many other RVs and trailers outside private residences, besides the ones detailed above, parked on the grass or dirt, and not on approved surfaces and not behind fences, during my drives around the neighborhood around Leisure Lane on September 3 and September 11, but I did not keep track of the addresses because they were so numerous.

CERTIFICATION

I declare under penalty of perjury pursuant to the law of the State of Idaho that the foregoing is true and correct.

DATED: September 12, 2022

/s/ Chasidy Decker

Chasidy Decker

CERTIFICATE OF SERVICE

I hereby certify that on this September 12, 2022, a true and correct copy of the foregoing Declaration of Chasidy Decker was served using the iCourt e-File system which will send notification of such to:

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