

High school golf

Seeley-Swan, Bigfork golfers combine to win three individual state championships **SPORTS, B1**

Canoeing cousins

2 men paddling from Butte to Pacific Ocean to raise awareness **MONTANA, A9**



Public access

Big Snowy Mountains WMA opens **OUTDOORS, B4**

Thursday, May 18, 2023

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Governor vetoes mobile home bill

Measure had passed with bipartisan support

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Despite broad support from both sides of the aisle, a proposal by a Missoula-area lawmaker to increase the rights of mobile home park tenants was vetoed by Gov. Greg Gianforte on Tuesday.

House Bill 889, from Rep. Jonathan Karlen (D-Frenchtown/Huson), was labeled as a “mobile home tenant bill of rights.”

The bill passed the GOP-controlled Legislature with a 30-20 vote in the Senate and a 68-31 vote in the House.

“The governor’s veto made it clear that, when it’s time to act rather than talk, he stands with a minority of bad landlords and out-of-state corporations rather than with the tens of thousands of hardworking Montanans and senior citizens suffering from unfair and predatory practices,” Karlen said in a statement. “HB 889 was a compromise that I crafted with legislators of both parties and with stakeholders, who all recognize that Montanans living in mobile home parks are on the frontline of our housing crisis and deserve the same rights as other homeowners.”

In his veto letter, Gianforte said he’s committed to increasing Montanans’ access to affordable, attainable housing, including measures that ensure the availability of rental lots for owners of mobile homes.

“House Bill 889, however, unduly increases regulation of mobile home parks, disincentivizes landlords from maintaining or increasing the inventory of mobile home rental lots, and, in general, compromises the property rights of mobile home park owners.”

The bill had been opposed by the Montana Landlords Association.

Officially titled Revise the Residential Mobile Home Lot Rental Act, the bill would have banned mobile home park owners from instituting month-to-month lease agreements and instead would require year-long leases

Please see **MOBILE HOMES**, Page A4

■ **INSIDE:** Gianforte signs Missoula lawmaker’s zoning bill, slew of other housing bills, **PAGE A9.**

NOWHERE TO GO



BEN ALLAN SMITH, MISSOULIAN

Linda Monteiro, Chippewa Cree, who grew up on the Rocky Boy’s Reservation in Montana, currently resides in the Nesika Illahee building in Portland’s Cully neighborhood. Monteiro, a U.S. Army veteran, lived in Missoula and attended the University of Montana before moving to Portland. She said she’d jump at the chance to move back if anything like her current housing existed in Missoula or elsewhere in Montana.

How one city built housing for Natives

Missoula doesn’t have enough options for Indigenous homeless

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PORTLAND — Linda Monteiro, who grew up on the Rocky Boy’s Reservation in north-central Montana, would like to return home soon. She’s fond of Missoula, where she lived for a long time and took classes at the University of Montana. She said it would be a place where she’d be closer to friends and family.

“I miss it,” she said. “Missoula’s where I’m trying to move.”

But Missoula doesn’t have what Portland, Oregon, has to

offer her.

Monteiro, Chippewa Cree, is also a military veteran. She currently lives in an affordable housing apartment building for tribal members and other Native families in Portland. Almost all of the residents were formerly homeless or had unstable housing.

Monteiro was living in a Super 8 motel before she found her current home.

She said she’d jump at the chance to move back if anything like her current housing existed

in Missoula or elsewhere in Montana, but no such luck.

“When I was in Missoula, I was at the Poverello Center,” she said. “I was in the veteran’s section, which I’m glad for because the other part, the dormitory, was pretty bad. I’m glad I had my own room.”

She left Missoula because there were people hanging around her doing drugs and drinking alcohol, and she was trying to get clean.

Please see **HOMELESS**, Page A4

City Council issues OKs

After outburst by public commenters, approvals given on housing, others

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After a heated disruption of city proceedings, the Missoula City Council on Monday issued a hodgepodge of approvals.

Early in the Monday meeting, two public commenters stormed out of City Council Chambers after Mayor Jordan Hess instructed one of the men to refrain from making personal attacks in accordance with city rules.

Travis Mateer, who bills himself as an independent journalist, incited Hess to speak out by maligning the executive director of the Poverello Center. Mateer previously worked at the homeless shelter.

“... As long as you (the director) keep your mouth shut about people that were murdered inside your facility and some of the sexual assaults that are happening and some of the other violence, you might be able to ascend...” Mateer said loudly during a public comment opening Monday.

He claimed his attacks were directed at an organization, not an individual, despite directly citing the executive director position.

Following Hess’ reminder of the rules, Mateer left chambers along with frequent public commenter and former city council candidate Kevin Hunt. Hunt called the situation “outrageous” as he exited.

“Everyone should feel comfortable in this chamber,” Councilor Gwen Jones, who represents Ward 3, said in the wake of the outbursts. “Shouting does not do that.”

A short recess led to council approving funding recommendations from the Affordable Housing Trust Fund.

Funding of \$40,000 will go to capacity building for the North

Please see **COUNCIL**, Page A4

WATCH: For video of the exchange between Travis Mateer and Mayor Jordan Hess, point your smartphone camera at the QR code, then tap the link.

NEWSU

Smoke from Canada fires crosses border

INDEPENDENT RECORD

A Canadian cold front flowing south into Montana on Tuesday brought more than cooler temperatures.

Smoke from Canadian wildfires settled into central and eastern Montana overnight and will continue through Wednesday, according to the National Weather Ser-

vice forecast office in Great Falls.

Air quality is expected to improve by Friday as wind flows across the state turns to the west.

Over the last 24 hours air quality readings in the Helena area have fluctuated between moderate and unhealthy.

Monitoring stations as of 11:30 a.m. Wednesday reported

hazardous air in Malta and Sidney; very unhealthy air in Miles City; unhealthy air in Broadus and the Flathead Valley; unhealthy air for sensitive groups in Bozeman, Dillon, Havre; Seeley Lake and Thompson Falls; and moderate air in Billings, Butte, Cut Bank, Great Falls, Helena, Lewistown, Libby and Sleeping Giant outside Helena.

The Montana Department of Environmental Quality has issued an air quality alert for Big Horn, Blaine, Broadwater, Carbon, Carter, Cascade, Chouteau, Custer, Daniels, Dawson, Fallon, Fergus, Flathead, Gallatin, Garfield, Glacier, Golden Valley, Hill, Judith Basin, Lewis and Clark, Liberty, McCone, Meagher, Musselshell,

Park, Petroleum, Phillips, Pondera, Powder River, Prairie, Richland, Roosevelt, Rosebud, Sheridan, Stillwater, Sweet Grass, Teton, Toole, Treasure, Valley, Wheatland, Wibaux and Yellowstone counties in effect until 9 a.m. Thursday.

Please see **SMOKE**, Page A4

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Weather
 Partly sunny, smoky
High 84 • Low 48
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Montana becomes 1st state to ban TikTok

AMY BETH HANSON
AND HALELUYA HADERO
Associated Press

HELENA — Montana became the first state in the U.S. to completely ban TikTok on Wednesday when the state's Republican governor signed a measure that's more sweeping than any other state's attempts to curtail the social media app.

The measure is expected to be challenged legally and will serve as a testing ground for the TikTok-free America that many national law-

makers have envisioned.

Some lawmakers, the FBI and officials at other agencies are concerned that the video-sharing app, owned by the Chinese tech company ByteDance, could be used to allow the Chinese government to access information on American citizens or push pro-Beijing misinformation that could influence the public. TikTok says none of this has ever happened.

When Montana banned the app on government-owned devices in

late December, Gov. Greg Gianforte said TikTok posed a "significant risk" to sensitive state data. More than half of U.S. states and the federal government have a similar ban.

Gianforte signed the legislation after it easily passed through Montana's GOP-controlled Legislature.

Montana's new law prohibits downloads of TikTok in the state and would fine any "entity" — an app store or TikTok — \$10,000 per day for each time someone "is of-

fered the ability" to access the social media platform or download the app. The penalties would not apply to users.

Opponents argue this is government overreach and say Montana residents could easily circumvent the ban by using a virtual private network, a service that shields internet users by encrypting their data traffic, preventing others from observing their web browsing and other activities. Montana state officials say geofencing technology

is used with online sports gambling apps, which are deactivated in states where online gambling is illegal.

TikTok, which has said it has a plan to protect U.S. users, has vowed to fight back against the ban, along with small business owners who said they use the app for advertising to help grow their businesses and reach more customers. The ACLU of Montana opposed the bill, arguing it was an unconstitutional restriction of free speech.

Homeless

From A1

"I've been here three years now," she said. "I've been clean and sober and I'm ready to go back to Montana."

She lives in the Nesika Illahee building, which means "our place" in the Chinook language. The building, in Portland's Cully neighborhood, was a collaboration between the Native American Youth and Family Center, the Native American Rehabilitation Association of the Northwest, Community Development Partners (the owner of the building) and the Confederated Tribes of Siletz Indians. Together, the partners utilized Indian Housing Block Grant funds to finance the \$17 million project, which has 59 units of affordable housing (available to those with 60% and under of Area Median Income) with on-site service providers, a community garden and other amenities. Roughly 110 people of all ages live there.

On a recent day, Monteiro was sitting in her building's large community room, listening to soothing flute music while beading the moccasins she plans to sell at the Butte Folk Festival this year. At the large communal table next to her, kids who live in the building were giggling and working on coloring books. Rachel Brown, the building's resident service coordinator, sat down and started beading as well.

For Monteiro and the other residents, part of the building's appeal is that there's intergenerational interaction and bonding, rather than people isolated, just sitting inside their individual apartments all the time.

"I like what I'm doing now," she said, carefully threading a bead through the leather. "I can come sit down here and do what I'm doing now. And I've made some good friends here. It's right on the bus line, too. If I really need help, there's help available. They help me pay electricity and Wi-Fi



BEN ALLAN SMITH, MISSOULIAN

Robbi Kumalo, a current resident of the Nesika Illahee building, plays music for fellow residents.

is only \$9.99 a month. And my check covers rent."

And most of all, she has stability.

"I don't have to be scared that I'll end up on the streets again," she said.

Missoula housing

There aren't many options for people looking for a large apartment complex — connected to services and specifically built for Indigenous people — in Montana, which has a Native population of 6.7%.

And for the leader of a Missoula-based nonprofit that works to provide services to Indigenous community members, something like the Nesika Illahee is sorely needed in the state.

"As far as I'm aware of, there's nothing like that in Montana," said Skye McGinty, the executive director of the All Nations Health Center in Missoula. "There's an absolute need for that type of culturally specific care in a communal setting."

According to the Missoula Coordinated Entry System, which prioritizes homeless people for housing options, the city's population is 1.5% Native, but the city's unsheltered population is 16.7% Native.

Missoula, like other communities and tribal nations in Montana, has plenty of affordable housing options. But there isn't enough to meet demand, and there's nothing like a complex that could house 110 Indigenous residents together.

"That type of housing is something All Nations is trying to do once we build a new medical facility," McGinty said. "We want to be able to provide some type of housing with that that allows for that increased access to services, culture, community and togetherness."

She said housing is a big issue for Native American community members across Montana.

"Oh yeah, there's a huge need, all the time," she said. "That's the number one need that's coming through the door right now, is people asking for connections and help in the housing process. We all know there's a huge need for all types of housing, but also housing specifically for Native people."

That's because affordable housing by itself isn't necessarily enough.

"The way Native people live inter-generationally is important," McGinty said. "There's not a lot of affordable housing projects (that

About this series

This series aims to examine Montana's affordable housing crisis and what possible solutions have been explored in another city facing similar issues.

Monday—An overview of Montana's housing crisis.

Tuesday—A look at how private equity firms are raising rents in mobile home parks in Montana.

Wednesday—How a "wealth tax" in Portland, Oregon pays the wages of a street beautification team of homeless or formerly homeless individuals.

Thursday—How Portland was able to build housing with services for

Native Americans and whether there's a need for that in Missoula.

Friday—How two housing bonds passed by voters in Portland have helped formerly homeless people find stable housing.

Sunday—What Missoula officials say about the housing crisis, urban camping and what their plans are for the future.

Support for this story was provided by The Neal Peirce Foundation (nealpeircefoundation.org/), a nonprofit organization dedicated to supporting journalism on ways to make cities and their larger regions work better for all people.

are set up that way. A lot of them are set up with one-bedroom or two-bedroom units. But that's not ideal for a family that's having a cousin come in for a graduation party or an auntie or a grandma come stay with you. There's not that availability to house them in one place."

Lessons learned

Eric Paine is the chief executive officer of Community Development Partners in Portland, which owns the Nesika Illahee building. He said it was crucial to integrate Indian Housing Block Grant funds, which allows the owners to be able to give priority and preference to Tribal members to apply to live in the building first.

"The problem is you can always do affirmative marketing, right?" he said. "You know, 'we're gonna open the building up, let's put word out in the community,' but from a Fair Housing Act perspective and long-term, it's really tough to ensure that you're gonna get Natives to be able to move in if they can't jump to the front of the waiting list. And the whole concept of the project was around serving Native families."

Angelique Saxton, the community director at Nesika Illahee, said the fact that the building

serves Natives is crucial to keeping them from ending up back out in the streets because all the residents have support services.

"It gives them opportunity," she said. "There's lots of families here that are relatives and not just from one tribe, but from many Tribes. It's nice to be able to have people come together as families. And then the community also develops like a family as well. So we're able to develop our own values and our own cultural stuff here for the kids and have parents come in and do little events for them and be active in the community."

Paine and Saxton both said it's important to have a larger building, with around 60 units, because it's easier to finance and it means that there are more community members interacting together.

"That's what they were looking for, that intergenerational family setting to promote cultural ties to the young children and young adults with elders," Saxton said. "You know, back and forth. And (Nesika Illahee) really ties it in really, really well."

Coming next in this series: A look at two affordable housing bonds passed by Portland voters.

David Erickson is the business reporter for the Missoulian.

Mobile homes

From A1

unless a month-to-month lease agreement is mutually agreed upon.

The bill would have codified that if a landlord terminates a rental agreement due to nonpayment, the tenant has 45 days to correct the issue instead of the current seven-day period. It also would have meant a landlord cannot require a resident or a resident association to obtain liability insurance in order to use common areas or facilities unless alcohol is being served. And it stipulates that a landlord may not retaliate by altering or refusing to renew an existing rental agreement, by imposing any fee, by changing park rules, by enforcing park rules in an unreasonable or

non-uniform manner or by bringing or threatening to bring an action for eviction.

Cindy Newman, a resident of a trailer park in Great Falls, had testified in support of the bill. She's concerned because an out-of-state private equity firm bought her trailer court, something that's happening across Montana.

She said she was disappointed on Tuesday.

"HB 889 had been revised to the point that any fair landlord would not have a problem with it," she said. "Of the 150 legislators who debated, considered and revised this bill, 98 voted yes and 51 voted no. I did not think the governor would veto his/our Legislature's efforts. In spite of this meager attempt at fair treatment Gov. Gianforte vetoed HB 889 today. Another win for the largest,

wealthiest, and most powerful economic actors, be they billionaires, corporations or both."

Gianforte said that the Montana Residential Mobile Home Lot Rental Act, which HB 889 would have revised, provides a balance between responsibilities and duties of landlords and mobile home owners. The bill, he said, would alter that balance and impose numerous additional regulations on landlords that would deter investment in new or expanded mobile home parks.

"For example, HB 889 prohibits landlords from the long-standing and currently lawful practice of considering the age of a mobile home in determining whether to allow a transfer of a lease to a new buyer to whom and existing tenant has sold the mobile home," Gianforte wrote. "If a landlord and

tenant do not specifically agree upon a term of lease, HB 889 provides for a one-year lease instead of the current month-to-month lease and imposes extended notice periods before being able to terminate or modify longer leases without imposing similar notice requirements on tenants."

Gianforte also said the bill unreasonably limits a landlord's ability to change the use of a mobile home park by imposing a moratorium on termination of existing leases for a period of at least 12 months after receiving local government approval of a proposed change of use.

"This provision encumbers the property rights of the landlord and his or her ability to use the land as he or she sees fit within the rule of law," Gianforte said.

He also said the bill unnecessary-

ily inserts the Montana Board of Housing into mobile home parks by requiring landlords to notify the board at least one year in advance of any proposed change of use.

Hannah VanHoose, the chief of staff for the Montana House Democrats, decried the veto in a press release.

"(Gianforte's) decision lets mobile park landlords give little to no notice when they let a homeowner's lot lease expire, interfere with the homeowner's right to sell their home, change park rules without notice, and engage in retaliation against homeowners and resident associations, such as increasing rent or decreasing services in the mobile park," she wrote.

David Erickson is the business reporter for the Missoulian.

Council

From A1

Missoula Community Development Corporation, and \$330,000 will also go to NMCDC for a property acquisition in the River Road neighborhood.

Nonprofit Homeward will receive \$20,000 for educational programs, and another \$891,427 — \$348,427 from the AHTE, \$543,000 from the HOME Investment Partnerships Program — for Creekside Apartment rehabilitation. Homeward is also getting \$230,300 in Community Development Block Grant funds to rehab three affordable Missoula properties.

The Human Resource Council is getting \$100,000

in CDBG funds to rehab five owner-occupied homes of low- and moderate-income households.

An additional \$100,000 is going to the Regional Access Mobility Program to purchase 10 wheelchair ramps and other access improvements for low-to-moderate-income seniors or people with disabilities.

The final allotment of \$86,000 in HOME-American Rescue Plan Act funds is set aside for United Way of Missoula County's Housing Solutions Fund.

Next, council voted 8-1 to rezone the southeastern corner of the intersection of North Inez Street and Idaho Street from a residential to a community business designation.

Doug Hawes Davis, one of

the area residents who argued against the approval, described his efforts as an "impossible battle."

"This is our home," he said. "It's our livelihood. It's our retirement. It's everything to us."

Developer Dan Cederberg, meanwhile, urged council to green light the project, which he said would bring 15 or 16 new residential units priced at \$400,000. He noted that price range falls into the category with the lowest inventory in Missoula.

"I think you'll be sending the right message to the development community if you approve this," said Cederberg. All of the present council members except Ward 5 Representative John Contos sided with Cederberg.

The last item of the day to

receive council approval was a 12-month extension of an interim ordinance changing some conditional uses to permitted uses throughout the city.

Offices, schools, veterinary offices, group living and a series of other uses changed in all districts. In certain districts, meanwhile, a smattering of uses changed, such as animal shelters and boarding, casinos and emergency homeless shelters also changed. Those that remained conditional included bed and breakfasts, detention facilities and hospitals.

"...These measures really do help us review housing projects and other projects in a more expeditious way," said Hess as council unanimously supported the extension.

Smoke

From A1

An air quality alert means that particulates have been trending upward and that an exceedance of the 24-hour na-

tional ambient air quality standard has occurred or may occur in the near future.

To track current air quality levels visit the Montana Department of Environmental Quality's monitoring website.

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