

# 'Deficiency' by Ted Gross

3100 words

“What was your *other* thing?” Chandler said. “Come on, I’m getting stiff here.”

They were on the tennis court bench at Polliwog Park, in between sets.

“Ah stupid,” Pete said. “But I’ve been subletting my place up north, my one-bedroom in the Marina. 4 grand a month.”

“Ho-ly Mackerel.”

“Yeah, the market’s gone insane, and that’s cheap. Anyhow, the mope stopped paying, it seems like.”

“You’re screwed.”

“Jeez, you’re a lawyer. Just like *that*?”

“Yeah big time. Especially Frisco. Liberal landlord-tenant courts, takes you forever to evict someone, and they can put in a simple, bogus defense, which *really* hamstring the process.”

“Now I’m in a very bad mood,” Pete said. “So let’s play. Though again . . . thank you on the *first* thing.”

This was getting uncomfortable, having to keep appreciating the guy, but the fact was you were getting free legal advice right and left just by letting him kick your ass on the court . . . and unfortunately the tenant assessment was right on target, wasn't it.

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Pete headed down to the *Crowe's Nest* for a little cocktail hour, and it only took a second before Ned Mancuso spotted him and was up and coming over, big strides, like they were long lost friends.

Pete's relationship with Ned was a work in progress. He enjoyed the guy, probably actually *liked* him, but he didn't trust him.

Then again Ned had helped him out, couple of jams, and hadn't asked for anything in return, at least yet.

"What's shaking my *man*," Ned said. "You hanging in there?"

Before Pete could answer Ned signalled for a couple of drinks.

"What," Ned said, "you seem uncertain."

“Nah, it’s all good, I just don’t want to *overdo* it yet.” Which is typically what happened when Ned took charge, it turned into a long night.

“Come on. Relax, take a *load* off. You need me to later, I’ll give you a lift.”

“Well that’s one good thing,” Pete said, “I can always walk home.”

“Oh yeah,” Ned said, “you got a sweet set-up there. That’s smart. You’re not automobile-dependent.”

“I won’t argue with you, though it’s a *little* far. Even two, three blocks closer, that changes everything.”

“So get a bike.”

“Yeah I *thought* of that. What holds me back, is not wanting to fly *off* the thing, negotiating the odd hill on the way *into* town.”

“So you get a helmet.”

“Nah, you can’t. I haven’t seen *anybody* with one since I’ve lived here.”

“Gee you’re right. Never thought of that . . . How about that *one* guy, you ever run into him up in the hills, always got a white t-shirt?”

“Yeah I know who you mean, and *that* guy’s something else. He’s doing *interval* uphill work on his one-speed cruiser. He’s got to be in his 70’s.”

“Cindy’s grandfather,” Ned said, leaving it at that, and Cindy was the waitress who’d just set down their Sunset Punches . . . and it was a reminder that when you stripped it all away, Manhattan Beach was a small town.

Pete asked Ned what *he* had going, and Ned said something about getting a little lucky this week . . . and you *sort* of wanted to know what that meant, but you probably didn’t.

“Not your fault,” Pete said, “you didn’t *remind* me of this--intentionally--but I got a guy not paying rent.”

“You own *rental* shit, you mean?”

“No, no, I learned my lesson with that. This *here*, is I sublet my place in the Bay Area when I moved down here in October.”

“So you *didn’t* learn your lesson then.”

“Okay, you wanna nitpick it, fair enough.”

“It seems to me,” Ned said, “you make up your mind on something, you make a clean break. Don’t half-ass it.”

Ned had a point of course. The only reason Pete was doing this, hanging onto the place on Broderick Street, was if it didn't work out in southern California you'd never be able to afford an apartment in that neighborhood again, coming in cold.

“At any rate,” he said. “I have to go *up* there. I fear. Sooner rather than later.”

“I feel for you,” Ned said. “Tenants hold all the cards. Nothing worse. No easy solution.” And actually shaking his head . . . This wasn't a good sign, Pete decided, if *Ned* thought it was going to be difficult.

Pete said, “This is out of left field, but when you hear about someone jumping off a hotel balcony into a pool--like one of those college fraternity spring break deals down in Cabo--how high is too high?”

“That's a good point,” Ned said. “Where does it switch from novelty to suicidal.”

“Yeah . . . You ever read the one about the *trick* high-diver? The guy who climbs the ridiculous tower and dives into a little tank? Like they used to do in the circus?”

“That was good. It gave you a feel for it. The guy looking down at the tank, seeing it as the size of a silver dollar.”

Pete said, “Then of course, he’s up there on his perch, getting ready to do a test dive, no one around except the assistant who just finished rigging the scaffold . . . and two guys come around the corner and shoot *that* guy. Then as they’re running off, one of them takes a glance back and sees the diver up there watching.”

“Yeah, great start . . . See now, that scene was New Orleans, I’m pretty sure.”

“The rest of the story didn’t quite match the beginning. They got into some Civil War re-enactment nonsense. Just stick with the diver.”

“I don’t *remember* the rest,” Ned said, “so I get what you’re saying. . . Anyhow, didn’t mean to rain on your parade, your landlord-tenant business.”

“Okay, then do me a favor please and don’t keep bringing it up?” Pete was starting to get a little indigestion, an acid-reflux type thing, probably from skipping any actual food and going straight to the booze,

and it did turn into a long evening, and he did walk home, and he didn't solve anything, that's for sure.

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The San Francisco apartment was two flights up, and when Pete got to the top of the stairs the door was open a crack and he was going to say something but instead he tapped lightly, and a moment later there the guy was.

A little bigger than Pete remembered, and he had on baggy basketball shorts and those Adidas rubber slippers that you see soccer players wear when they take off their cleats.

“Dixson? Pete Seely.”

“I know who you are,” the guy said.

His full name was Dixson Herbel. He seemed to be what you'd want in a subletter. A friendly guy from North Carolina who got recruited by a start-up in the city, fired up about the job and pulling down plenty of salary to afford the apartment.

Pete's instinct was also that a guy from North Carolina was less likely to screw you than someone from, say, Brooklyn.

Right now the guy didn't offer to shake hands or invite him in, and Pete could see through the partially-opened door a pair of bare feet moving around in the kitchen, female ones.

Pete said, "You look like you're a workout person. That's good. You'd fit right in down south."

"Where's that?" the guy said, and for a moment it looked they might be headed toward a civilized conversation.

"West LA. Manhattan, Hermosa, Redondo. You ever been?"

The guy didn't respond, but said, "What--you *call* me? *Harass* me that way--not once but twice--and that's not *good* enough?"

"Excuse me there?" Pete said.

The guy continued. "Now you have to present yourself unannounced? During my quiet time? . . . Is that the way you were raised?"

"Huh?"

"Listen to yourself, you fat fuck. You know exactly what I'm talking about. You provide me sub-standard conditions, I go along with it based on your assurances



that you will address the 8 items we agreed upon. And on *your* end? You didn't care enough to do *crap* . . . So, you stop getting paid."

For a second Pete wondered if there really *had* been a discussion about 8 items in the apartment that needed upgrade or replacement? He couldn't recall anything like that, unless he was truly losing his brain.

All he could remember was handing him the keys, and the guy telling Pete he was the luckiest man in San Francisco today because the apartment was *killer* and the price was *right on* . . . and thank you so much for this opportunity.

Pete hated that expression 'killer', especially when there was no direct noun connected to it, which at least the guy did do, connect it to 'apartment'.

But back to this developing mother-*fucker* now . . .

Pete said, "Are you serious? I mean I'm willing to work with you, believe me . . . if you're in a jam . . . those things happen."

"You haven't been *listening*," Dixson said, "on account of you don't *want* to . . . So you'd best be

moving on, would be my advice, unless you enjoy being in more hot water than you already are.”

Pete tried to process this, and he couldn't understand how he'd be in *any* hot water . . . but before he could say anything further the guy pulled out his phone, which he'd been holding behind his back, and explained to Pete that he'd just documented the whole conversation, as part of his ongoing case, and that he'd see him in court, or the police precinct--whichever came first.

And before Pete could conjure up a comeback to *that*, Dixon closed the apartment door in his face.

Someone turned up the music in the apartment, some aggressive hip-hop . . . and Pete didn't sleep well that night, though he did come up with *one* idea around 4 in the morning, why not visit the guy at work.

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Dixon Herbel worked at *Sonic Boomers*, which occupied the top two floors of an industrial building on Howard Street between 4th and 5th. Twitter, Dropbox and a few other household names were in the neighborhood.

The guy inside the front door couldn't have been nicer, except he told Pete he wasn't allowed in without a badge, and Pete had to wait until the guy got distracted by a UPS delivery to walk in.

No idea if Dixson was actually here, since the millenials all seemed to work from home at least *some* of the time . . . but he poked around and a few minutes later spotted him in the employee cafeteria, having coffee with a co-worker.

And Gee, you didn't have to pay for anything, so Pete helped himself to a slice of pie, grabbed a fork, and sat down with them.

"I am *not* . . . believing this," Dixson said.

"What?" Pete said, shoving in a large chunk of pie. "I was in the neighborhood."

"Mona, will you excuse us?" Dixson said to the co-worker, and when she left he said to Pete, "I'm going to call security on you in a second."

"Do me a favor and let me finish this first," Pete said. "Didn't know the perks were so sweet."

"You interrupted me," Dixson said.

“I got ya . . . you’ll be throwing me *out* in a second, but first you want to teach me a lesson.”

“That too. But I want to keep you around for minute so I can try to understand how someone can have a *death* wish, and not be worrying about the consequences.”

“Dang . . . I *know* you’re exaggerating, you’re going for the dramatic effect . . . Still, those are fighting words. It’s a good thing I’m a pacifist.”

“I see. Meaning *what* now? Otherwise *I’d* have to watch out? You’d be kicking *my* ass?” The guy applying an ugly sneer to the delivery.

“No, the opposite. If I weren’t a pacifist I’d be getting *my* ass kicked.”

“Okay, good to hear we’ve got that straight.”

“What about the rent?” Pete said. “Not sure if this is the definition of *business booming*, but something tells me the joint isn’t teetering on bankruptcy either.”

“You would have gotten it, if you’d addressed the issues I’ve outlined multiple times . . . But keep your shirt on. Once the lawsuit resolves itself, there will no doubt be an arrangement.”

Pete said, “You remind me of my dad. I miss him pretty bad. Not you personally, but the expression *keep your shirt on*. He loved that one, could apply it almost at will . . . but he especially loved using it on entitled scumbag momma’s boys.”

“Fuck YOU there, friend. I’ll give you 5 seconds to be on your way.”

Pete got up, and of course the guy tells him calmly and quietly that he better watch his back.

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Pete had picked up some mace last year from a guy on Douglas Street, in the Castro district.

The guy was a computer hacker, that’s what Pete was seeing him about, but on the way out the guy handed him the can of mace *for good measure*, was how he put it, explaining that someone laid a case on him . . . and Pete threw it in the trunk and had pretty much forgotten about it until now.

He still had the keys to his old building, but that might be messy, so he sat across the street in the car and waited for the guy to hopefully come home at a reasonable hour.

It took a while, but there was Dixson now, opening the bottom door, and Pete knew he was a little lucky, considering all the options these guys have after work.

Dixson hesitated inside the door, which was normal, that's where the mailboxes were . . . and when the guy got to the top of the staircase Pete was halfway up it behind him . . . and the guy turned around and said, "Well what a surprise."

"I was back in the neighborhood," Pete said, climbing another step.

The guy said, "I was right then. You *do* have a death wish."

Dixson had a bag slung over his shoulder and he pulled it off and dropped it, and stood at the top of the stairs, pretty formidable arms slightly spread like a gorilla, getting ready to attack as Pete approached, two steps away now.

"Hi," Pete said, and he shot off the mace in the guy's face.

It only then occurred to him that he'd neglected to wear a mask, and he could feel the stuff right away, his eyes starting to tear, his throat having some trouble.

But nothing like what the *guy* was going through.

Pete said, “How about some fresh air, would that help?” and Dixon moaned, high-pitched like a baby pig squeal, and Pete marched the guy into the emergency stairwell and up to the roof.

He couldn't help thinking that up here you did have a view of the bridge, the Golden Gate . . . and he should have spent more time on the roof when he lived here.

Though you had to be careful, there was no rail. If you were drunk, stupid, or otherwise stumbling around in the dark--like now--you could step right off.

Dixon was in a weird squat at the moment, seriously addressing his respiration, and Pete reached down and grabbed him by the ankles, surprising him, and Dixon was straining to resist but Pete had the angle and the momentum . . . the only problem being, as they got close to the edge, how do you swing him around . . . so Pete maced him again and Dixon wasn't showing a whole lot of fight and Pete had him by the shoulder and dangled half of him off the side of the roof.

Pete intended to ask him a few *Are we good* type questions, but when he adjusted his grip he lost his

leverage, and the guy's body was too far over the dang edge.

Pete started to panic and decided the easiest way to bring him back was grab one foot, with both hands, and really *pull* . . . and there you go, that started to work . . . except then HOLY SHIT . . . the guy's shoe came off in Pete's hand.

Pete grabbed at his calf, and there was a brief instant where he thought he had it . . . and then he didn't.

And Dixson disappeared over the side.

Pete let a beat go by, and then approached, and looked down.

The guy had landed on the fire escape railing for the apartment below, and thankfully he toppled to the *left*, and onto the landing. If he'd toppled to the *right*, he would have met the sidewalk.

Dixson did get to his feet, and this was a big relief, because for a moment Pete wondered if the guy might have broken his *neck* . . . and he hightailed it down the steel ladder of the fire escape, making that little jump at the end, the last six feet or so . . . and the son of a gun hit



the ground and was flying toward Marina Boulevard . . . the guy looking back and up at the roof one more time, like he was truly *spooked*, and that Pete was going to be chasing after him.

Which was ridiculous of course.

You never knew if you'd *completely* made your point, but Pete had a decent feeling about this one.

Home Depot was still open and Pete picked up a new lock for the apartment door, but unfortunately he got to a point of no return, where he had the old one out but couldn't get the dang *new* one to sit right.

Nothing more frustrating than battling a job and not getting it, but what could you do.

So he walked over to Weatherby's, and his favorite bartender Mitch was happy to see him, and after awhile Pete mentioned the unfinished business with the lock, and Mitch said no problem, he could take care of it for him right now if he liked.

Pete said, "Really?", and Mitch said it was a slow night and they had it under control, plus he enjoyed doing stuff like this, it got him out of the bar.

