

Subdivision

2800 words

Judd was coming up on the one year mark in his new life in Anthem, Arizona, which was thirty miles north of Phoenix. He'd been inspired to move there by a reality TV show he liked. The show followed a once-affluent family that ran into hard times and had to rein things in. The teenage sons couldn't play organized summer baseball, for example, because of the fees. The dad, who had built high-end homes, was reduced to pitching handyman services in the neighborhood.

The TV family involved a second marriage for both the husband and wife, and Judd thought those never worked, but he admired these people. There was a scene where one of the girls wants to call the step-dad "Dad" because he has been there more than her real dad, and Judd cried during it. He also liked that everyone in the neighborhood was tan and that in the exterior shots you frequently saw red rock.

Judd had lived his adult life in San Francisco but it became unpleasant. You couldn't park anywhere, you were cold, the old neighborhoods had turned over. There was energy, he gave it that. But the final straw was his brother Gene coming out from Philadelphia and connecting with his girlfriend Patty the night they went to the Peruvian place on Fillmore Street. At the end of the week Patty announced she was going back east with Gene to look around. Judd said fine, fuck you both, but when the airport shuttle pulled up he told them don't worry about it, maybe it's meant to be, even though it killed him to suggest it. The next day he was house shopping on Phoenix Craigslist.

He found a 1200-square-foot house in a planned community in Anthem for \$235,000, paid cash, and the owner threw in the Toyota pickup that was sitting in the driveway and ran fine.

Judd developed a simple routine and stuck to it most days. First thing out of bed he'd ride his bike to the rec center, hit the machines, do a few laps in the pool and sit in the hot tub for as long as he could take it. Then he'd shoot the breeze with a couple regulars at

Starbucks before heading to the Anthem library, which was brand new and luxurious and perfectly climate controlled. There he'd work on his novel for most of the day, though he normally ended up with only a page or less because he was happy taking breaks and reading magazines. He was new at fiction writing, but he'd come up something he was into. You had a guy with a terminal diagnosis who decides he might as well kill off people who deserve it, since he's going down the tubes anyway. The guy makes a list and it goes from there.

After dinner Judd would take a walk in the neighborhood and then watch TV, usually falling asleep in the recliner. He liked reality shows and documentaries, though none of them quite matched the one about the Anthem family. Judd was hoping he might run into the real-life people now that he was down there, but someone in the hot tub told him the family moved to Mesa a couple years ago, after the show got canceled.

He normally got home from the library around four, and this time there was a U-Haul truck parked across the street. He watched a minute, and his neighbor Frank

Maribelli came out of the back of the truck and down the ramp and turned back toward the house.

Judd had his dinner and watched the news, and when he came out for his walk both Frank and his wife Joelle were carrying boxes down the driveway. Judd said, "Everything okay?"

Frank said, "Not great, actually. We have to move."

Judd didn't really know the Maribellis, had been over there once for a block barbeque not long after he moved in. He never pinned it down that they owned the thing and weren't renters, but the place had that cozy, lived-in feel, meaning this probably wasn't good.

He said, "Is there . . . I don't know . . . anything I can do to help?"

Frank shifted the latest boxes around in the back of the truck. Both he and Joelle were sweating quite a bit. Joelle looked real worn out period. "Not really," Frank said. "Nice of you to ask though . . . Can we get you some coffee, something?"

"Jeez," Judd said. "That should be me offering, you got your hands full, it's pretty obvious."

Frank asked Joelle to put the coffee on and they went in the living room. "The good thing," Frank said, "we've still got somewhere to sit down. The big stuff's not going anywhere until next week."

Judd said, "Frank, cut me off if I'm out of line, but you're having financial problems? Or something different?"

Frank nodded they were.

Joelle spoke up for the first time. "We're the original owners," she said. "In the beginning you heard nails being pounded all day as they finished off the neighborhood . . . Mike was eleven, Jeannie was eight. Good times, is what it was." Her voice got thin and Frank patted her hand.

"Then I was an idiot and we got fancy," Frank said.

"You weren't an idiot," Joelle said. "It made sense."

"The kids were out of the house and I love to fish, so we bought this lot on a lake in Montana, thinking we'd build a cabin and spend three, four months a year up there," Frank said.

"Meaning the summers," Joelle said. "It was on Flathead Lake, which is slightly larger than Lake Tahoe, if you can believe it."

"Right, and without the people," Frank said. "Spectacular country, surreal when the weather moves in . . . What fucked us up was the adjustable rate mortgage. To save the piece of property, we refinanced this place. We should have let it go, cut our losses. Then business fell off, we lost the lot anyhow, and we've been up against it ever since. What it is now, they got a Trustee's Sale scheduled."

Judd took it all in and no one spoke for a minute. "Who's the lender?" he said.

"Originally Fountain Hills Savings, right in town," Frank said. "Now it seems to be some finance company out of Atlanta."

"They do that, they farm out the loans," Judd said. "Let me at least take a look at it. Do you have the paperwork?"

Frank said, "We have a whole file. Joelle's very organized. I gotta say, I appreciate your interest, but we haven't made a payment in eight months."

Judd said, "You never know. There's nothing to lose by reviewing a file."

"Except several hours of your time," Frank said. "You must have more important things to do."

"I don't have anything to do," Judd said.

First thing he did at the library the next morning was educate himself on how foreclosures worked in Arizona. It was a pretty simple process, unfortunately, and quick.

In the fine print, Judd saw that the lender was required to advertise the Notice of Sale for four consecutive weeks in a local newspaper. He combed through the Maribellis' file and found where the bank named *The Deer Valley Weekly* as its publication. He googled it, called them up, and got a recording. He asked one of the librarians if she'd heard of it, and she said she thought it was one of those freebie supermarket newspapers, and she might have seen it at G & G.

Judd gave the file another run through and couldn't think of much else. Including all the accelerated interest and penalties and fees, Frank and Joelle owed \$256,000

and change on a house that was almost identical to his. There was nothing you could do equity-wise, even with hard money. The foreclosure sale was set for March 27th, a week from Thursday.

On the way home Judd stopped by G & G. There was a wire rack in the corner near the self-service soup bar that had jumbled-up papers and coupon flyers, and he found a copy of *The Deer Valley Weekly*. It had a legal notice section toward the back and the print was tiny, but he didn't see any sign of Frank and Joelle's situation.

When he got home the U-Haul was gone and there was Frank sitting in a folding chair in the driveway smoking. Frank smiled and waved him over. Judd said, "I admire your approach. It were me, you wouldn't find much goodwill."

Frank said, "Well it's only life, right? Nobody died, I guess is how you want to look at it."

"Well, what are you going to do?" Judd said.

"I was thinking maybe Vegas. The casinos are hurting some, rentals are cheap. I'm coming up on 62 so

we can't exactly start all over, but a change of scenery might help."

"That's Joelle's thinking too?"

"Nah. She loves it here. The friends, her activities and shit. Which means we'll probably stick around, find an apartment, is your real answer."

"So that's good then."

"She's eighteen years younger than me. I'm sure you can tell. I can't reward her the way I used to. Especially now."

"Okay, that's enough," Judd said. "You're not thinking straight, which I get . . . Speaking of which, I did check the file, searched around for possible loopholes."

"No way out, right?" Frank said.

"Nothing jumping out at the moment, no."

Judd tried the newspaper number again for the heck of it, before he went to the gym for his morning workout. An irritated guy answered hello, sounding like he got woken up. Judd asked if this was the *Deer Valley Weekly* and the guy said yeah, what did he want.

Judd scrambled and opened the file and explained he was with Greater Metro Finance and was confirming their notice on the 428 Birchwood sale. The guy dropped the receiver and Judd could hear stuff rustling and the guy came back and said he had nothing on it. Judd said you mean this week's paper, right? And the guy said buddy what part of it don't you understand, we don't have any 428 Birchwood.

Judd went over to the Maribellis' and Joelle opened the door, looking pretty fit actually in her shorts and sleeveless top. Frank was in his robe and slippers watching "Good Morning America" at the kitchen table. "Please join us," Joelle said.

Judd said he'd only bother them a minute, and he explained the possible glitch with the advertising. "What we can do," he said, "we can file for a dismissal. We won't get that of course, but there's a reasonable chance they'd have to start all over again. That'd buy you three months, at least."

"You believe this guy?" Frank said to Joelle. "What do we owe you?"

"Don't be silly," Judd said. "And it's not a done deal. But it does look like they screwed it up."

"Which would certainly be surprising," Joelle said. "A big financial institution and all?"

Judd said, "That's what I used to think too. Turns out half the time with those places, one hand doesn't know what the other's doing."

"I have to ask you," Joelle said, "How did you learn all this?"

"I was on the other end of it for a while. I was working with an investor, I'd buy distressed properties and we'd flip them. Mostly in the East Bay, across from San Francisco."

Frank said, "So when you bought a place and the people were still there, what then?"

"Well it was kind of interesting . . . In the beginning I was polite and gave them time. That never worked. I tried evictions, but those were messy and took forever. I learned the best way was to offer them money to move in 24 hours."

"And they did?" Joelle said.

"Every time. Though they'd always tell me to go to hell first, but then I'd get the call with about twenty minutes left."

"And you're still hooked up with that investor?" Frank said.

"He got murdered, actually," Judd said.

"My God, are you serious?" Joelle said.

"Wow, was it related to real estate dealings?" Frank said.

"I have no idea," Judd said. "One day I get a call, the guy got his head bashed in on a Sunday morning in his office in Hermosa Beach."

Judd thought about it overnight and figured the better way might be to call the bank direct. He got bounced around but finally was speaking to the correct person, and he told them he was the Maribellis' lawyer and he was getting ready to alert the State Attorney General to their shoddy foreclosure practice unless they could work something out.

The bank person called back the next day, acknowledged there'd been a problem with the

advertising but that this was an accident, not the norm. Judd said fine, and bank person asked did he want to make a deal.

Judd said they'd pay \$210,000 cash, end of the line. The bank person came back with \$225 firm, and Judd said send the papers.

He went across the street and Frank said Joelle was playing tennis. "Here's what I've got," Judd told him. "You can stay in the house, it is going to cost you more interest than you've been paying. But you're starting fresh."

"I think I understand it," Frank said, after Judd went through the bank conversation a couple times. "Except for two questions: Why would they discount it like that, and where are we supposed to get the money, exactly?"

"They discount it because they're not in the business of owning property. They write it off . . . The money, you're going to be paying me seven percent. A little high like I said, but all in all . . ."

Frank took off his glasses and put his face in his hands. "You're a good man," he said, his voice breaking up. "I won't forget this."

"Cut it out," Judd said. "If you can't help a neighbor, then what are you?"

Two weeks later Judd was lounging around on a Saturday afternoon when Joelle rang the bell. "Hey there," he said. "Everything okay?"

"Oh yes, everything's fine," Joelle said. She was looking nice and fit once again, this time with fresh lipstick and a slight coconut fragrance trailing her. She was fidgeting a bit.

"What?" Judd said.

"This is somewhat awkward," she said, "but Frank wants me to take you out."

"Do *what* now?" he said.

"I'm serious . . . As a token of his appreciation. Plus he says you've been here over a year now and there's been no sign of any woman."

"You've got to be kidding. You're both nuts . . . And all that part is, I have a routine. It's been working for me."

"Frank's in Las Vegas for a few days," Joelle said, nodding her head slightly.

They went to a night baseball game, a Spring Training one between the White Sox and the Angels in Tempe. When Joelle asked how he was enjoying himself Judd said he wasn't sure.

"Because of me?" she said. "This funny circumstance?"

"No, I'm okay with that now," he said. "I played a little baseball in college, and I haven't watched much live ball since. It's weird."

"It is?"

"Yeah. It reminds me that I could have been better than I was."

Joelle took his arm.

"Whoa, now that is a mistake," Judd said.

"You saved the day," she said. "The money part though, you just had that laying around?"

"No, I borrowed it from my brother. He can afford it, plus he stole my girlfriend."

"That's terrible, I can't believe that," she said.

"Yeah, well, what can you do."

"But if we don't pay . . . hypothetically . . . what happens then?" She'd moved her hand onto his leg.

"Then I foreclose on you for real," Judd said.

"Frank's not in Vegas though, is he?"

"He likes to play golf on Saturday afternoons. Today he was going back to his friend Danny's, they had a poker thing set up. Those tend to run a while."

"Is that right."

"What I'm learning about you though? You are more of a mystery than I would have expected. I feel like you're leaving things out."

"You do?"

"Yep."

"Well, you can add them back in then."

"I'm going to," she said.

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