

## NEWS

# Another win for Worcester Anti-Foreclosure Team: Blockade formed around Worcester home halts eviction Thursday



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WORCESTER — Exactly one week after members of their family had been evicted by the sheriff's office from the second floor of 10 Diamond St., the Farrar family gathered in front of the property, ready to form a blockade to prevent another eviction from taking place, this time on the first floor.

The family, along with volunteers from the Worcester Anti-Foreclosure Team, a mutual aid fund, received word that, instead, they would be able to stay, as the sheriff's office would not be removing anyone from the home Thursday morning.

"I feel relieved and ready to continue on," said Sam Farrar, a member of the family who lives in the building on the third floor.

The news was met with cheers, chanting and even a rendition of 'Happy Birthday' for one of the members present.

Three officers arriving at the scene agreed to give the family more time after learning that a tenant was filing paperwork in court, said David Tuttle, superintendent and spokesperson at the Sheriff's Office.

"One of the tenants went to court and filed bankruptcy, which automatically puts a stop to the eviction while they go through the bankruptcy court," Tuttle said.

He said that the family now has up to a month or more to stay at the property while the landlord will have to return to court to try and get the eviction notice reissued.

The home, recognizable by the statue of the Virgin Mary standing inside of a bathtub that had been cut in half, has been occupied by the Farrar family since the early 1970s.

Matriarch Beverly Farrar — who inherited the home as well as an undeveloped lot of land directly behind the property from her parents after their passing — defaulted on her mortgage, which led the bank foreclosing and selling the house at auction to Kensington Management.

## Long battle

The family has been in and out of court fighting the foreclosure, Sam said.

After becoming the owner of the property, Beverly took out a second mortgage on the home, but not on the undeveloped lot of land, Sam said.

After applying for and being denied several loan modifications, Beverly finally received approval but also learned that her payments had gone up because the undeveloped land had been included in the mortgage, which she did not want, Sam said.

Wells Fargo, who provided the loan, sold it to US Bank, which proceeded with the foreclosure and selling the home and undeveloped lot of land at auction despite being given a jury trial by a judge, Sam said.

According to property records, the home was purchased by trustee Steve Nader Gaval on May 1, 2018 for \$151,000, and is co-owned by Ten Diamond Street Worcester Realty c/o Kensington Management.

"10 Diamond Street Worcester Realty Trust signed the deed April 14, but then they came into existence by their trustees April 30 of that year," Sam said.

Under Massachusetts General Law, she said, the trust should not have been able to purchase the property, since it did not exist at the time of signing the deed.

Kensington Management declined to comment on the story.

Before leaving to volunteer at a food pantry at her church Thursday, Beverly said that she tried to make payments including partial payments when having problems with tenants paying rent, but her payments were not accepted.

"I've been in and out of court so many times and nothing seems to be resolved," Beverly said. "I just feel angry at times."

## **Restraining order sought**

She said she has since stopped making payments.

Grace Ross, the chair of the board at WAFT said that the family is now in the process of filing for a temporary restraining order against Kensington Management and the trust, "asking for an order that they can't use the sheriff to evict given what happened last week."

Ross said that if the temporary restraining order is approved, the evictions will be stopped for a longer period of time than the bankruptcy filing but that if the family has to continue through with the bankruptcy filing, it can last "a number of weeks," Ross said.

"We've had some people where the bankruptcy judges have seen the injustice and have held the bankruptcy for even up to three years," she said.

Darlene Farrar, who was evicted from the second floor along with her children and fiancée, Rick Turner, was not happy with the manner in which the sheriff's office handled the incident the week prior and said her son had a panic attack after witnessing the incident.

Tuttle said that while two family members were detained, the officers handled the situation appropriately.

Since the eviction, she and Turner, as well as her children, have moved into the first floor of the building. If evicted again, they will have no place to live.

She said they are currently in the process of working with RCAP Solutions to get the money needed to put down a housing deposit, but the process has been difficult as landlords do not return her calls and Turner has lost income from having to miss work to view apartments.

Courtney Farrar, Beverly's granddaughter who has been living with her on the first floor along with her kids and fiancée, said she would also have nowhere to go if evicted.

"I'm stressed, overwhelmed." Courtney said. "I really have nowhere to go with my kids unless I try to get into a shelter."

Parked down the street were Kensington Management moving trucks, prepared to load the family's belongings to be taken to a storage unit.

"We already had a lot of stuff over in storage over here, just in case," she said. "We hurried up and got another storage unit because we wanted our last stuff to be together, but we still have possessions up there."

Not long after the family had learned they would not be evicted, the Kensington Management moving trucks pulled away and left the scene.