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FEATURED

## Mulcahy claims politicians' support should be 'wake-up call' to court

Matthew Bennett, Aspen Daily News Staff Writer

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Lee Mulcahy

Defiant Burlingame Ranch resident Lee Mulcahy said during a status conference Tuesday that Pitkin County Commissioner Steve Child's recent reelection and congresswoman-elect Lauren Boebert's victory "should be a huge wake-up call" to the court.

Mulcahy, a local artist, has repeatedly refused to sell a single-family residence where he resides and which he built, to the Aspen-Pitkin County Housing Authority (APCHA) in a legal dispute that dates back to 2015.

When the case first arose years ago, APCHA alleged Mulcahy violated its deed-restricted housing rules by not working 1,500 hours annually in Pitkin County. Since then, however, Mulcahy has unsuccessfully challenged rulings against him at several legal levels including the Colorado Court of Appeals.

“With all due respect your honor, we’re not going to get into that house without the assistance of the sheriff’s office,” Tom Smith, APCHA attorney, said Tuesday.

That same day, 9th Judicial District Court Judge Christopher Seldin ordered the Pitkin County Sheriff’s Office to assist APCHA in obtaining access to the premises for a pre-closing inspection.

“I don’t have any hesitation about my authority to order the sheriff to do things,” Seldin said during Tuesday’s status conference.

“I would note that the sheriff gave me a hug” in front of the library, Mulcahy said of Pitkin County Sheriff Joe DiSalvo. “This is the West, he is the highest law enforcement official ... and he told me this is a witch hunt.”

DiSalvo did not return a call seeking comment or verification of the statement Wednesday. Undersheriff Alex Burchetta declined to comment.

Mulcahy went on to tell Seldin, “Judge, I will defend my home with my life. You broke the law.”

At Tuesday’s status conference, Mulcahy also read a recent letter to the editor, in its entirety, which was written by Child and published in the Aspen Daily News on Oct. 28.

In his letter, Child defended Mulcahy and stated that unanswered questions remained in the case such as “the apparent favoritism for some and unequal treatment for others who were violating guidelines,” when the case first arose and what occupations should be counted as employment for APCHA eligibility.

Child said in an interview Wednesday that APCHA had “cleaned house quite a bit” since the early days of the Mulcahy case and was doing a better job of enforcing its rules. However, Child stood by his comments of “unequal treatment” within APCHA housing years ago.

“You could talk to anybody in APCHA housing and they would all know of somebody who was... breaking the rules,” Child said. “There was a lot of dissatisfaction amongst people that the rules weren’t being enforced equally because they were being enforced on some people and not on others. So, that’s why I made that statement ... I’ll stand by that.”

While Child questioned APCHA’s handling of the Mulcahy case, particularly in its early days, he also believed the local-housing authority had made progress with respect to fairness.

“Given the situation they should’ve cut him some slack and given him some more time to, you know, cure the situation or resolve it with (APCHA),” Child said. “I don’t think they were fair to him at that time and that’s why I said, you know, the fair thing to do is go ahead and hold the hearing now. They might end up with the same result at a hearing now, but at least they’d give him his day.”

Mulcahy did not return a call seeking comment Wednesday. It’s not known if Boebert supports Mulcahy’s cause, though he was an ardent supporter of her candidacy.

Child said several community members had “chewed him out” and said he wished he hadn’t sent his letter to the editor.

“If I had a choice again I would just work privately with [Mulcahy] to try to help resolve it and not air it out in public is what I should have done,” Child said. “I hope it gets resolved pretty soon and hope nobody gets hurt in the deal.”

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