

January 29, 2013

Honorable Council President Wesson
Los Angeles City Hall
200 North Spring Street
Los Angeles, CA 90012
Councilmember.Wesson@lacity.org

RE: COUNCIL FILE 11-0262, PROPOSED COMMUNITY-CARE LICENSING ORDINANCE

Dear President Wesson:

I am writing on behalf of New Directions with deep concerns about the proposed Community Care Facilities Ordinance (CCFO). New Directions offers a wide array of services to Veterans including substance abuse treatment, counseling, remedial education, job training and placement, as well as parenting and money management classes. We believe the CCFO will have severe consequences without achieving its stated objectives.

First and foremost, the CCFO would severely decrease housing opportunities for families, for people with children, for young adults, for people living in poverty, and for people with disabilities. While the ordinance allows for some licensed facilities to exist by right, licensed facilities are institutions, not housing, as they are intended to offer care and supervision to people with severe disabilities when those individuals cannot live independently. The CCFO would close programs intended to give people with disabilities access to housing that, under state law, cannot be and should not be, subject to licensure.

The CCFO puts projects the City has supported in jeopardy, including projects that increase housing opportunities for people with disabilities or experiencing homelessness. These “good actor” programs must abide by state and federal habitability standards, yet would be required to close to comply with the CCFO. The almost 50,000 families, seniors, students, people with disabilities, and others in poverty who now share housing for economic reasons would most likely suffer the greatest impact, as the CCFO would drive many already in extreme poverty into homelessness.

For the over 40,000 parolees and probationers living in the City, the amended “parolee-probationer home” provisions would disallow units with more than two unrelated probationers or parolees in single family zones, and would require a conditional use permit as a “parolee-probationer home” in all other zones. Given that homeless probationers and parolees are seven times more likely to recidivate than people who are housed, this ordinance reinforces a vicious cycle of incarceration and homelessness and threatens public safety.

Proponents argue that the CCFO would reduce crime by making illegal, in almost 90% of the residential areas of the City, all but “single housekeeping units.” Unlike a previous draft of the CCFO, which defined single housekeeping units as households living under a single oral or written lease, the latest draft of the ordinance defines single housekeeping units, in part, as homes or duplexes with fewer than four renters. Use of public spaces has a far greater impact on crime than density or income levels; a neighborhood’s inclusion of homes with four or more renters, renters sharing housing, publicly-funded housing, or housing for people with disabilities does not, in any way, impact a neighborhood’s crime rate.

Further, the CCFO would do nothing to regulate or close problematic homes. Under the new draft, the

City would be prohibiting all rentals with four or more tenants in large swaths of the City, and would disallow landlords from deciding who lives in any home rented in these zones. The new draft fails to address bad actors from continuing to operate illegally, as the CCFO does not provide City staff with additional resources to enforce existing laws. At the same time, the newest draft would sweep all law-abiding homes with four or more renters into its net, even mandating parking spaces that could potentially exceed the number of residents. Even if enforced, the CCFO would not close any home more rapidly than under the broken nuisance abatement process, as a home owner would still be entitled to due process rights and a lengthy litigation process.

Finally, the CCFO would put in jeopardy federal housing funds. The U.S. Department of Justice (DOJ) is suing the City of San Jacinto for an ordinance that mirrors the previous version of the CCFO, signaling that the CCFO's stated intent fails to further fair housing rights. The current version of the CCFO is even more problematic than the previous, as it would affect a far greater number of renters and would disproportionately affect people of color, people with lower incomes, and people with disabilities.

We need a workable solution to the problems of substandard and overcrowded housing, rather than the CCFO, which is not a solution at all. We hope that you will support workable solutions, such as creating a system for enforcement of existing laws that address nuisances in housing throughout the City.

Sincerely,

A handwritten signature in black ink, appearing to read "Phalen G. Hurewitz". The signature is fluid and cursive, with a long, sweeping tail on the final letter.

Phalen G. Hurewitz

cc: Council File

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