

SECTION VIII OTHER ACTIONS *continued***ELIMINATION OF BARRIERS TO AFFORDABLE HOUSING**

The City of Los Angeles Housing Department (LAHD) and the Housing Authority of the City of Los Angeles (HACLA) share responsibility for development and implementation of affordable housing policy and identification of barriers to affordable housing. LAHD and HACLA are helped by organizations active in affordable housing advocacy, including the Southern California Association of Nonprofit Housing (SCANPH) and those actively identifying sites and undertaking affordable housing projects.

There are over 100 advocacy groups working in the City, including: A Community of Friends (mentally/physically disabled); Beyond Shelter and Skid Row Housing Trust (homeless); New Economics for Women (single parents); New Directions (substance abuse treatment); Project New Hope (HIV/AIDS); and Sober Living Network (sober congregate housing). These non-profit developers provide special needs housing services.

LAHD works with a number of city, county, state and federal governments and departments, including City Planning, Building and Safety, the Industrial and Commercial Development division of CDD (ICD), the Community Redevelopment Agency, the State of California and HUD to break down legal and regulatory barriers to affordable housing. Use of zoning density bonuses, tax incentives, encouraging location of rental and sale housing in Empowerment Zones and Enterprise Communities, use of "soft" second mortgages, and provisions of the city rent stabilization ordinance are useful tools.

LAHD, in conjunction with the private sector, uses mortgage credit certificates extensively. The Mayor has proposed that the city's Housing Trust Fund be expanded from \$10 million to \$100 million annually. Recycling of abandoned or dilapidated units, demolition and clearance of substandard units, and subsequent land assembly are also techniques used to encourage the development and construction of affordable housing, and the maintenance of affordability in existing units. Many rental property owners are deciding to drop out of the Section 8 program, which limits rents to 30% of a tenant's income. This is a major barrier to maintaining affordable rental units.

Another example of actions to eliminate barriers to access to affordable housing is the City's Fair Housing Program, which includes training to property owners, managers, realtors and lenders, as well as public education campaigns and strong enforcement. All of these techniques contribute to breaking down the barriers erected by illegal housing discrimination. In California, source of income is a protected category under the Fair Employment and Housing Act (FEHA), which means, for example, that a landlord may not deny a rental unit solely on the basis that a person receives Temporary Assistance to Needy Families (TANF). However, at this time, the Department of Fair Employment and Housing (DFEH) does not include Section 8 rental assistance as a source of income for the purpose of investigating housing discrimination complaints under FEHA.

HACLA has designed and implemented an innovative home ownership program that is effective in breaking down barriers to affordable housing. The program complements and parallels the home ownership program administered by LAHD.

The Family Self-Sufficiency Program (FSS) is designed to help Section 8 families gain and maintain independence from all social welfare. FSS uses housing as the stabilizing base so that families are able to invest energies in efforts necessary to achieve self-sufficiency. FSS goal is to have families become independent within a five to seven-year period through educational development, and technical, trade and vocational skill training. FSS coordinates public-private partnerships and resources to involve local business, elected officials, and agencies into an integrated personal development program. FSS families have access to childcare assistance, transportation, job counseling and readiness training, money management courses, and other needed supportive services that promote independence and choice.

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Excerpt from the City's Housing Element regarding Problem Sober Livings:

The Task Force focused on identifying the number, location, and legal status of a variety of facility types, and found that there were no documented negative impacts of these facilities on their surrounding communities. Consequently, there was no legal basis for a moratorium on this type of transitional housing.

Drug or Alcohol-Dependent Persons

Individuals currently in recovery from drug or alcohol abuse are protected by fair housing laws. Those persons currently using illegal substances are not disabled under the law, unless they have an independent disability.

There is an extreme shortage of low-income housing and residential recovery programs for single recovery alcoholics, addicts and family members in the City of Los Angeles. There are over 300 sober living homes operating in the City, and they only accommodate stable and employed recovering persons. Further, they provide the environment, motivation and tools for recovering medically indigent alcoholics, addicts and family members to maintain their sobriety and to become productive citizens in low income communities. Most of the above-mentioned sober living homes need renovation and upgrade assistance.

At its meeting on January 23, 1998, the Los Angeles City Council's Housing and Community Redevelopment Committee initiated a request for the draft of an Interim Control Ordinance (ICO) on the establishment or expansion of licensed community care facilities serving six or more persons with drug or alcohol-related problems for the geographic area of San Pedro identified as having a concentration of such facilities.

A number of complaints from property owners were registered in the 15th Council District Office concerning excessive loitering, panhandling, and aggressive behavior of some individuals in and around the Main Post Office area of San Pedro. The Area is generally bounded by Beacon, Center, and Ninth and Tenth Streets, and contains a number of community care and residential facilities which provide 24- hour non-medical care and supervision to adults. These facilities provide services to persons with physical, mental or developmental disabilities, and to individuals recovering from chemical dependency.

As a result of these complaints, a "Special Needs Housing Task Force" was appointed by Councilman Rudy Svorinich and comprised of 28 persons representing homeowner associations, the business community, providers of community care services, and the Los Angeles City Planning and Community Development Departments.

The Task Force focused on identifying the number, location, and legal status of a variety of facility types, and found that there were no documented negative impacts of these facilities on their surrounding communities. Consequently, there was no legal basis for a moratorium on this type of transitional housing.

The City of Los Angeles has over 1,300 licensed community care facilities with a total citywide capacity of almost 22,500 beds.

Further, the City Planning Department recommended that the City should consider its nuisance abatement authority pursuant to Section 12.27.1 of the Zoning Code to address this particular issue. Nuisance abatement authority has been used to enforce existing conditions or impose new conditions, or revoke permits on uses that have become a nuisance to the public.

The issue of community care facilities must be considered with the regulatory context provided by the California Community Care Facilities Act and the Federal Fair Housing and Americans with Disabilities Acts. These laws prohibit discrimination in housing. In addition, the California supreme Court's decision in Adamson v. The City of Santa Barbara (wherein the court ruled that unrelated persons who constitute themselves as a household may be considered a family) complicates and possibly constrains the City's ability to regulate in this area.

Residential Status	Number of Participants: Status at Admission	Number of Participants: Status as of 1/31/06	Percent Change
<i>Homeless / Shelter/Temp Housing</i>	2,572	545	-78.81%
<i>Jail / Prison</i>	310	77	-75.16%
<i>State Hospital</i>	73	5	-93.15%
<i>SNF / IMD</i>	66	56	-15.15%
<i>Residential Program</i>	221	162	-26.70%
<i>Foster Care</i>	1	0	-100.00%
<i>Board and Care</i>	98	235	139.80%
<i>Alcohol/ Substance Abuse Facility</i>	35	84	140.00%
<i>Group Living</i>	18	95	427.78%
<i>Family of Origin</i>	316	312	-1.27%
<i>Seber Living Home</i>	192	168	-12.50%
<i>Independent Living</i>	643	2,827	339.66%
<i>Other</i>	77	56	-27.27%
<i>No Data</i>	0	0	
Totals	4,622	4,622	

Table 8. Admission Vs. Current Residential Status of AB 2034 Participants

The “Status at Admission” column shows the number of individuals in each residential status on the day before their date of enrollment. The “Status as of 1/31/06” column shows the number of participants in each residential category as of January 31, 2006. The “Percent Change” column indicates the percentage increase or decrease in the number of persons in each of the residential categories.

These data indicate that the AB 2034 programs were extremely successful in moving individuals out of the “Homeless/Incarceration/Institutional” categories at the top of the table to the more independent residential settings at the bottom of the table. Particularly impressive is the fact that 55.6% of the persons served were homeless, in an emergency shelter, or in temporary housing at the time they entered the program. The number currently homeless or in an emergency shelter or temporary

More Severe Overcrowding

Overcrowding = 1.01 to 1.50
occupants per room

Severe Overcrowding = 1.51 or
more occupants per room

Example:

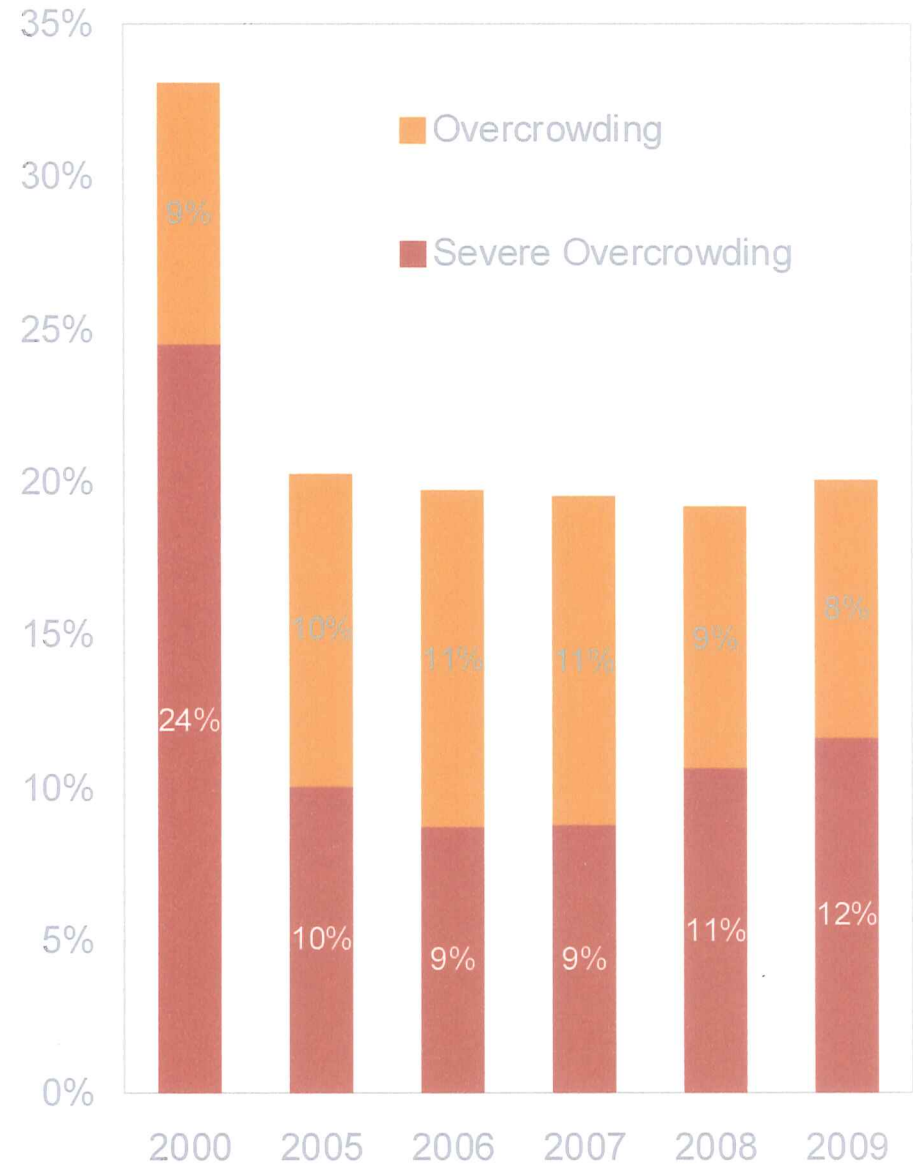
1 bedroom unit = 3 rooms (bedroom, living room
and kitchen)

4 people / 3 rms = **Overcrowding** (1.33)

5 people / 3 rms = **Severe Overcrowding** (1.66)

In 2009, 20 percent of renter-occupied
units were overcrowded.

Share of Renter-occupied Units that are Overcrowded
City of Los Angeles



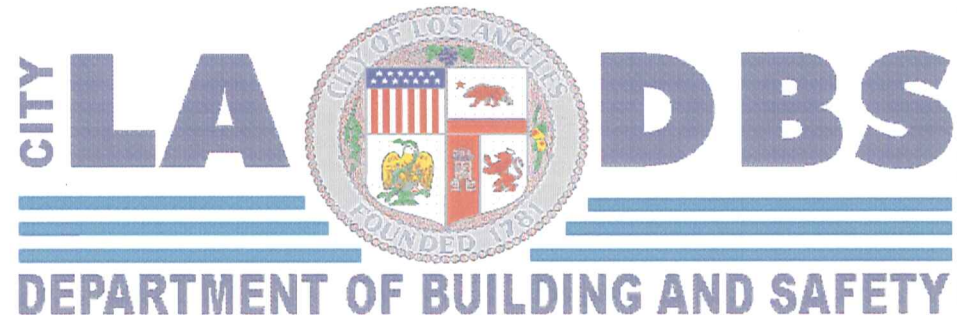
Source: Census 2000 Summary File 3 Detailed Tables; 2005, 2006, 2007, 2008 and 2009
American Community Survey 1-Year Estimates Detailed Tables

DISTINCTIONS AMONG CALIFORNIA GROUP HOME TYPES FOR PERSONS WITH DISABILITIES

Distinctions	Drug & Alcohol Residential Treatment Facilities	Community Care Residential Facilities	Sober Living & Other Independent Living
TYPE OF SERVICE PROVIDED	Drug and alcohol rehabilitation	Various forms of care and supervision depending on nature of disability	No treatment or care is provided or required though residents may choose to receive some care elsewhere
SERVICES FOR	Recovering adult alcoholics and drug users	Mentally ill, developmentally disabled, and adolescent drug and alcohol problems	Adults who do not require care and supervision
NUMBER AND LOCATION OF RESIDENCES OR FACILITIES	State Department of Alcohol and Drug Programs listed by county: http://www.adp.state.ca.us/Licensing/pdf/Status_Report.pdf	State Department of Social Services—Community Care Licensing http://www.cclid.ca.gov/docs/ccld_search/ccld_search.aspx	No regulation requiring registration for this type of living arrangement
REQUIRED TO BE LICENSED?	Yes	Yes	No
ZONING REGULATIONS FOR 6 OR FEWER PERSONS	None	None	N/A
ZONING REGULATIONS FOR 7 OR MORE PERSONS	Conditional Use Permit usually required by local government. Reasonable accommodation may be granted per fair housing laws	Conditional Use Permit usually required by local government. Reasonable accommodation may be granted per fair housing laws	None if functioning as a family of unrelated adults in a single family dwelling unit. (See <i>City of Santa Barbara v. Adamson</i> , CA Supreme Court, 1980)
ON-SITE MANAGEMENT & STAFF	Yes	Yes	May employ house manager etc. as other families may employ staff to help but no treatment, care or supervision is provided
MANAGEMENT & STAFF RESPONSIBILITIES	Provide Treatment/Recovery services; ensure property and program compliance.	Provide Care and Supervision; ensure property and program compliance.	N/A
REVENUE	Client Fees/third party public/private funding	Client Fees/third party public/private funding	Rent & sometimes third party funding
FIND A FACILITY	State Department of Alcohol & Drug Programs (online database) http://www.adp.cahwnet.gov/licensing/pdf/Status_Report.pdf	Community Care Licensing Division (online database) http://www.cclid.ca.gov/docs/ccld_search/ccld_search.aspx	There are some local or state associations that list participating homes
REGULATORY AUTHORITY	State Department of Alcohol and Drug Programs (ADP)	Department of Social Services (Community Care)	Local residential zoning regulations that apply to all residential dwelling units
REPORT PROBLEMS TO:	1. Facility If unsatisfactory response report to : 2. Alcohol & Drug Programs	1. Facility If unsatisfactory response report to: 2. Community Care Licensing	<ul style="list-style-type: none"> • Property owner • Law enforcement • Code enforcement • Elected officials • Local association if member
CONSEQUENCES OF NUISANCE	Potential loss of license	Potential loss of license	County/municipal fines, civil suit; loss of registration in voluntary associations, shut down home

STEP ♦ July 3, 2009

2010 California Building Code & 2011 Los Angeles Building Code



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Chapter 3 (continue)

Use and Occupancy Classification

Residential Group R

- Congregate living facilities (transient) or congregate residences (transient) with 10 or fewer occupants are permitted to comply with the construction requirements for Group R-3.
- Live/work units have been expressly added to the list of typical Group R-2 Occupancies.
- Group R-2.1 occupancy has been added to the code to include buildings, structures or portions thereof, housing clients on a 24-hour basis, who because of age, mental disability or other reasons, live in a supervised residential environment that provides personal care services. (See 310.1 and 425 for special requirements and for a list of typical uses that shall be classified as R-2.1)

Chapter 3 (continue)

Use and Occupancy Classification

Group R-2.1 (Examples)

- Residential care facilities
- Residential care facilities for the elderly (RCFEs)
- Adult residential facilities
- Congregate living health facilities
- Group homes
- Residential care facilities for the chronically ill
- Halfway houses
- Community correctional centers
- Community treatment programs
- Work furlough programs
- Alcoholism or drug abuse recovery or treatment facilities