Document in Opposition to
Proposed Boarding House Ordinance:
Case Number CPC-2009-800-CA and
City Council File Number 07-34-27
and In Support of
***QUALITY* SOBER LIVING HOMES**

Formatted: Left: 0.44", Right: 0.5", Top: 0.75", Bottom: 0.56", Header distance from edge: 0.25"

We the undersigned oppose Ordinance CPC-2009-800-CA – Council File 07-34-27 as currently constituted, and find it to be discriminatory against Sober Living Homes and all group homes for persons with disabilities and to the families that such home help to create and maintain. We wish to bring to the attention of the members of the City Council the following:

Sober living homes and other group homes provide housing and supportive family environments and resources to people in recovery from addiction, with mental illness and other disabilities. Sober living has been an integral, clinical part of recovery for over 75 years.

As presently constituted, this ordinance will have a disparate impact on groups of disabled personsseeking to live with others like them in single family housing of "families of disabled persons living together in mutual support (Sober Living).".As residents of this City we are concerned that this ordinance puts the City at legal risk and, therefore, great financial risk.

This City cannot legally justify through state and federal case law the proposed redefinition of family, single housekeeping unit, and boarding house which this ordinance proposes that will severely restrict not only how persons with disabilities may live but how any group of unrelated people who wish to live together as a family can live together in low density residential areas, (zones R1, R2, RD).Furthermore, it should not be in the purview of this city to dictate how shared housing can be paid for, such as through multiple leases or other individual financial arrangements.

We ask you to recognize and value the many benefits sober living homes can and already have provided to the City including; reduced crime, reduced homelessness, reduced dependency on City and other public services, reduced family and neighborhood violence and other benefits. We also recognize that these benefits, unlike other social service programs, are provided at virtually no cost to the City and its residents.

We continue to challenge the City to provide any objective jurisdiction-wide objective evidence that such homes are a threat to public health and safety and more than other types of residences. NIMBY complaints of neighbors are politically compelling for elected officials but in no way constitute legitimate data.

By affixing our names to this document, we implore the City of Los Angeles to reject the proposed ordinance as presently constituted and to provide reasonable access to treatment and recovery for all families.

We the undersigned petitioners:

Your Name (Please Print or Write Legibly)	**City/ZIP Code**	**Your Signature**
1 Meghann Flynn	90025	Meghann Flynn
2		
3		
4		
5		
6		
7		
8		
9		

10		
11		
12		
13		
14		
15		
16		
17		
18		
19		
20		
21		
22		
23		
24		
25		
26		
27		
28		
29		
30		
31		
32		

33		
34		
35		
36		
37		
38		
39		
40		
41		
42		
43		
44		
45		
46		
47		
48		
49		
50		
51		
52		
53		
54		
55		

56		

Candy Rosales <candy.rosales@lacity.org>

Fwd: Opposed to Community Care Ordinance

1 message

Michael Espinosa <michael.espinosa@lacity.org> **Fri, Mar 25, 2011 at 10:26 AM**
To: Candy Rosales <candy.rosales@lacity.org>

---------- Forwarded message ----------
From: **Lester Cole** <lcole@tarzanatc.org>
Date: Fri, Mar 25, 2011 at 10:19 AM
Subject: Opposed to Community Care Ordinance
To: "michael.espinosa@lacity.org" <michael.espinosa@lacity.org>

Lester Cole lcole@tsrzanatc.org

Candy Rosales <candy.rosales@lacity.org>

Fwd: Opposition to Community Care Ordinance

1 message

Michael Espinosa <michael.espinosa@lacity.org> **Fri, Mar 25, 2011 at 11:04 AM**
To: Candy Rosales <candy.rosales@lacity.org>

---------- Forwarded message ----------
From: **Sam Coleman** <scoleman@tarzanatc.org>
Date: Fri, Mar 25, 2011 at 10:52 AM
Subject: Opposition to Community Care Ordinance
To: "michael.espinosa@lacity.org" <michael.espinosa@lacity.org>

Subject: Community Care Ordinance - Council File No. 11-0262 – OPPOSED to Community Care Ordinance

From: Concerned residents of the City of Los Angeles and supporters of Quality Sober Living Homes

We, along with The Sober Living Network oppose the Community Care Ordinance, for a number of reasons. Detailed here below are the highlights of our objections and requests.

1. **This ordinance will destabilize communities, increase homelessness and increase overall crime in the City of Los Angeles:**

- Homelessness will increase significantly
  - Sober living homes are life-saving resources for thousands of newly sober people who rely on supportive sober environments to become productive citizens.
  - Approximately 95% of our sober living homes are in low density residential zones supporting thousands of people each year. This ordinance will deny needed supportive housing to an estimated 7,000 people annually, just in Network-affiliated homes..
    - This number does not include those from quality sober living homes accredited by other certifying organizations.
    - Does not include the thousands of persons with mental health conditions also made homeless.
- Crime increases when thousands of addicts, alcoholics and the mentally ill persons now currently in stable and supportive housing are cast adrift in the community.
- This ordinance reverses the City's positive directions in its partnerships to deal with housing for the homeless in endeavors such as Home for Good.

2. This is not a legally sustainable ordinance—discriminatory intent is transparent and on the record.

- It violates civil rights laws by seeking to ban types of households (small group homes) from low density residential zones without inclusion of reasonable accommodation protocols for disabled households.
- It is not supported by any data that objectively measured that these homes targeted by the ordinance are indeed the homes that actually cause problems for communities.
- This is a new legal theory creating a conflict with California Supreme Court precedents.
- The City Attorney is defending this ordinance using incomplete and inappropriate case law:
  - One case is currently on appeal to the 9th Circuit Court of Appeals
  - Precedents cited on the record are not applicable to disabled households.
  - California Supreme Court case law was not addressed.

3. The potential financial risk to the City from litigation costs and penalties is significant.

- The Obama administration is taking an active role in pursuing housing civil rights violations that the previous administration largely overlooked.
- Many member homes are already preparing legal remedies available to them:
- HUD is actively encouraging providers to file complaints, at no cost to filers.
- The DOJ is actively monitoring several similar cases in Southern California..

4. This ordinance is unnecessary

- Focus of the Council should be on strengthening nuisance abatement protocols
- City has current capability of successfully shutting down problem homes without this ordinance
- Even City code enforcement personnel state that group homes for persons with disabilities are not the source of nuisance problems.

5. This ordinance is classist, favoring affluent over less affluent communities.

- While claiming to protect low density residential communities it throw higher density residential communities under the bus by shifting this perceived problem to those areas already taxed with a lack of housing. Pushing perceived problems "downhill and east" is not good policy.
- Claiming to preserve the "residential character" of low-density residential areas, the ordinance does so by shifting a perceived problem to less affluent, denser neighborhoods already taxed with a lack of housing. "Residential character" is often a code phrase for discrimination against people "not like us."

6. Neighborhood groups will not be satisfied with the ordinance in its current form.

- Many endorsements demand changes which are even more discriminatory.
- Many of these changes are prohibited by existing California and Federal law.

Current and potential role of the Sober Living Network

Legal, ethical and cost-effective means exist to address legitimate neighborhood problems. We ask that the City formally engage the Sober Living Network in seeking solutions. The Network performs several functions which are of value to communities with respect to sober living homes, including addressing and mitigating problems. Our activities include:

- Defined standards for homes in areas of health, safety, recovery support, management, ethics and good neighbor policies,
- Enforcement of standards through annual inspections and complaint-driven grievance processes,
- Monthly meetings of member homes to share information and address problems,
- Listing of approved homes on our website.

We have a few specific requests for the City of Los Angeles:

1. The City needs to recognize the Sober Living Network as a legitimate accrediting agency for sober living homes,
2. The City should assist us in implementing our Problem Home Information Line, a public service which community residents may use to register complaints about problem residences.

Thank you for your consideration

Sam Coleman

Housing Manager

Tarzana Treatment Centers

(818) 342-5897 x 2165

scoleman@tarzanatc.org