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March 23, 2011

Planning Land Use and Management Committee (PLUM)

Hon. Ed P. Reyes, Chair
 Los Angeles City Hall
 200 North Spring Street, Room 410
 Los Angeles, California 90012

Date: 3-29-11
 Submitted in PLUM Committee
 Council File No: 11-0262
 Deputy: PUBLIC

Re: *Community Care Facility, Licensed; Residential Care Facility for the Elderly, Licensed; and Alcoholism or Drug Abuse Treatment Facility, Licensed.*

Dear Members of the PLUM Committee:

Public Counsel would like to comment on the proposed ordinance, *Community Care Facility, Licensed; Residential Care Facility for the Elderly, Licensed; and Alcoholism or Drug Abuse Treatment Facility, Licensed*. Public Counsel is dedicated to advancing equal justice under the law by delivering free legal services to indigent and under-represented children and adults throughout Los Angeles County, ensuring that other community-based organizations serving this population have legal support, and mobilizing the pro bono resources of the community's attorneys and law students. Providing these critical legal services has allowed us to see firsthand the dire impacts of the County's affordable housing crisis.

The above referenced ordinance will be heard in the Planning Land Use Management Committee in the coming weeks. While we support the provisions of the ordinance that increase opportunities to site licensed community care and alcohol and drug abuse programs by categorizing them as "public benefits," the proposed definitions of "family" and "single housekeeping unit" are troubling as they are too broad, and will undermine the City's comprehensive efforts to reduce homelessness.

Under the proposed ordinance, in order to be located in a low-density residential zone (R1 or R2), a home must be occupied by a "family," which has been redefined, in part, to require that the occupants live together as a "single housekeeping unit." A "single housekeeping unit" would require all household members to share a single lease. In contrast, as explained below, shared supportive housing anticipates multiple leases - one for each resident. The proposed definition is in conflict with a major tenet of supportive housing, the proven strategy to end homelessness for people with the greatest barriers to housing stability. As such, if the City adopts this ordinance, it would be posing unnecessary barriers to the development of permanent supportive housing in low-density residential zones. Further, the restrictions on shared living arrangements prohibit the ability of owners to take in renters, thereby further reducing the supply of affordable housing for people in need.

1. The Proposed Ordinance Poses Barriers to Permanent Supportive Housing in Low Density Zones

In recent years, Los Angeles has begun to focus on permanent supportive housing as a strategy to end chronic homelessness. Permanent supportive housing is permanent housing with onsite services tailored to the needs of people who have been homeless. These services include services such as case management, primary health care, mental health and drug treatment services. Studies show that over 80% of formerly chronically homeless residents remain stably housed after a year in supportive housing.¹ In addition, permanent supportive housing reduces demand on public services: A recent study by the Economic Roundtable shows that when people who are homeless are housed in permanent supportive housing, their use of public services decrease by 79%.²

Current County and City programs provide shared supportive housing, where a number of tenants occupy a single unit of housing and share common areas. Each tenant has his/her lease. That each tenant has his/her own lease is crucial to permanent supportive housing – tenants are responsible for their own rent, live independently, and remain housed for long periods with the help of an array of supportive services. Under the proposed ordinance, it would be impossible to place permanent supportive housing in low-density zones. Instead, tenants would be forced to live in a more dependent and restrictive living arrangement or live only in certain areas. The County Department of Mental Health estimates as many as 180 formerly homeless people with mental illness currently live in shared housing in City single-family residential zones, with plans for developing an additional 39 units that would house as many as 78 residents.

Although the proposed ordinance would allow licensed facilities to still be sited in low-density residential zones, licensed facilities are not a substitute for permanent supportive housing – not all homeless individuals require, or would even benefit, from the supervision of a licensed program. The State Legislature recognizes this and specifically exempts permanent supportive housing from community care licensing requirements. See California Health and Safety Code § 1504.5 (noting that that “there is an urgent need to increase the access to supportive housing,” and that “it is the intent of the Legislature that persons with disabilities be permitted to . . . receive one or more community living support services in the least restrictive setting possible, such as in a . . . supportive housing residence.”).

In November 2010, the Mayor and nine Council Members endorsed United Way’s and Los Angeles Chamber of Commerce’s *Home for Good* plan to end chronic homelessness in Los Angeles by 2016, with permanent supportive housing as a centerpiece of this plan. Given the depth of chronic homelessness in Los Angeles, and the growing local, state, and national recognition of the effectiveness of permanent supportive housing in addressing chronic homelessness, it simply does not make sense to impose such a significant barrier to its development in any zone.

Further, the proposed ordinance would classify any shared supportive housing anywhere in the City as a “boarding or rooming house,” subject to regulation under this classification. Imposing this classification would make siting this housing more difficult and, in fact, impossible in some areas of the City.

2. The Restrictions on Shared Living Arrangements May Increase the Risk of Homelessness

By limiting shared living arrangements, the proposed ordinance may have the unintended consequence of putting more individuals at risk of losing their homes. Especially in this economic climate, and

¹ Dennis P. Culhane and Stephen Metraux, *Rearranging the Deck Chairs or Reallocating the Life Boats*, 74 J. OF AMERICAN PLANNING ASSOC. 111, 115 (2008).

² *Where We Sleep: The Costs of Housing and Homelessness in Los Angeles*, 1 (2009). available at http://www.economicrt.org/summaries/Where_We_Sleep.html.

considering that Los Angeles has one of the highest rates of overcrowding in the nation, an increasing number of homeowners take in renters in order to afford the mortgage on their home and avoid homelessness. Often, a homeowner may rent to other families. The proposed ordinance would require a homeowner to rent to all of his tenants under a single lease – this is not practicable for many homeowners and renters who may wish to retain the flexibility to negotiate individual leases. In addition to homeowners, other residents may wish to live in shared housing arrangements in order to save costs. The proposed ordinance makes this extremely difficult in low-density zones. In fact, it is unclear from the ordinance whether individuals currently living in shared living arrangements would be forced to move.

The Los Angeles metropolitan area has a severe affordable housing crisis. In 2008, over 20% of County households earned less than \$25,000 per year³, yet a family would need to earn close to \$54,000 per year to afford the fair market rent of a two-bedroom in the metropolitan area.⁴ Limiting the ability of our residents to find suitable and affordable shared living arrangement simply flies against City policy to ensure housing that is affordable for all of its residents.

Respectfully submitted,



Annie Lainer Marquit
Staff Attorney

Cc: Hon. Jose Huizar, Vice Chair, PLUM
Hon. Eric Garcetti, Council President
Hon. Paul Kerkorian, Member, PLUM
Hon. Antonio Villaraigosa, Mayor

³ Los Angeles Alliance for a New Economy, Los Angeles On the Edge Part 2: An Analysis of Poverty Data from the U.S. Census Bureau (Sept. 29, 2009), available at <http://www.laane.org/downloads/LosAngelesontheEdgeII.pdf>

⁴ National Housing Conference & Center for Housing Policy, Paycheck To Paycheck, at <http://www.nhc.org/chp/p2p/>

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March 22, 2010

Councilmember Ed P. Reyes, Chair
Planning and Land Use Management Committee
Los Angeles City Hall
200 N. Spring Street, Room 410
Los Angeles, California 90012

Case No: CPC-2009-800-CA
CEQA: ENV-2009-801-ND
Council File: 07-3427

Date: 3-29-11
Submitted in PLUM Committee
Council File No: 11-0762
Item No.: 4

Dear Ed P. Reyes:

Over the past several years the communities of Old Granada Hills and North Hills have been seriously impacted by several group houses within their residential districts. Surrounding neighbors have endured a steady stream of criminal activity and nuisances associated with the houses. For starters, you are being provided with a summary of incidents related to 4 group houses (2 boarding/lodging and 2 Sober Living). The information below was obtained from:

1. A community website thread & photos forwarded from nearby neighbors
2. LADBS and other official websites
3. Written reports and statements from LAPD Senior Lead Officers, LAPD Captain, LAFD Department Captain, Paramedics and City Attorney

2 group houses (17420 Lahey St, 17801 Donmetz St) and 1 sober living house (17535 Horace St) in Old Granada Hills. Summary of information and incidents for all three:

- 21 calls to LADBS for code violations in approx 2 yrs
- 85 calls to LAFD/Paramedics x 3 yrs
- 3 arrests (1 felony) another felony investigation pending
- 48 calls to LAPD x 2 yrs
- Bomb squad deployment
- 2 large parties (100-300 individuals) resulting in one arrest
- multiple ads on craigslist & myprisonspace. Rents were advertised for \$600.00/mo. "Room" was a bunk-bed space.
- 13-30 tenants (some with criminal backgrounds - police investigations for parole violations)
- On going nuisance abatement proceedings that ultimately proved to be ineffective
- Foreclosure proceedings initiated on one house. Owner is incarcerated and running business from prison.
- 1 home shut down & residents evicted (squatters). Drug paraphernalia & marijuana plants found inside house.

Sober Living Network house (15649 Chase St) North Hills :

- 3 calls to LADBS for code violations x 4 yrs
- >80 calls to LAPD for service in over 2 yrs
- 30-47 residents, including upwards of 15-19 parolees or probationers (contracts with Dept. of Corrections)
- Ads on website. "Rooms" advertised for \$900/mo.
- On going nuisance abatement proceedings that ultimately proved to be ineffective
- Facility was recently closed after years of community and safety official pressures

Even though operators of these houses profess that they are transitioning individuals with disabilities into mainstream society, there are no studies/data to support their claims. Common sense would dictate "how effective is any type of support or supervision with upwards of 30 individuals living together in one house?" While operators of group houses are profiting (\$18,000-42,000/month), others are paying a steep price. Surrounding neighbors are now much less safe and secure. Residents who are housed in these facilities are subjected to crime, violence and abuse. Their government subsidies are being wasted and misspent. Also, tens of thousands of tax dollars are spent on deploying a steady stream of fire, police, code enforcement,

health department, and other city officials to investigate violations and criminal activities. These types of facilities, operating as Boarding/Rooming houses have always been considered an incompatible use within areas zoned one family. Although our current zoning codes are somewhat vague, the proposed ordinance clarifies the ambiguities. Other cities (Murrieta, San Diego, Pasadena, Orange, etc.) have recently enacted effective similar ordinances and it is my sincere hope that Los Angeles will do the same.

Therefore, I strongly urge you to support the proposed Community Care Facility Ordinance!

Sincerely,

Maria Fisk

For information Purposes:

Old Granada Hills Residents' Group, Board of Directors, member
OGHRG Zoning and Density Committee, chair
Granada Hills South Neighborhood Council, Land Use Committee, member
Granada Hills Specific Plan, Design Review Board, member
Neighborhood Watch

Cc: Greig Smith, Councilmember; Paul Krekorian, Councilmember; Paul Koretz, Councilmember