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March 28, 2011

Councilmember Ed Reyes, Chair
Councilmember Jose Huizar
Councilmember Paul Krekorian
Planning & Land Use Management Committee
200 North Spring Street
Los Angeles, CA 90012

Date: 3-29-11
Submitted in PLUM Committee
Council File No: 11-0262
Item No.: 4
Deputy: PUBLIC

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

Dear Councilmembers of the Planning and Land Use Management Committee:

On behalf of the Corporation for Supportive Housing (CSH), I am writing in opposition to the proposed ordinance regarding community care licensing to be considered by the Planning Land Use Management Committee tomorrow. CSH is a national non-profit that partners with developers, service providers, and property managers to create and sustain supportive housing (permanent housing affordable to people experiencing homelessness with housing-based case management, health, and vocational services). CSH in California has helped our non-profit partners develop over 11,000 supportive homes, at least half of which have been developed in Los Angeles County.

This proposed Community Care Licensing ordinance would restrict housing opportunities for homeless and formerly homeless people with disabilities within the City of Los Angeles. Under this proposal, to be located in a low-density residential zone (R1 or R2), a home must be occupied by a "family," redefined as a "single housekeeping unit." "Single housekeeping unit" would be defined, in part, as household members all living under a single lease. The ordinance would further redefine "boarding or rooming home" as a home with more than one lease. The latter would effectively limit any home with more than one lease to restricted density (RD) zones.

The City and County have dedicated resources to create shared permanent supportive housing for homeless residents. Residents of these units share common areas, bathrooms, and kitchens, but each occupies his/her own room and signs his/her own lease. The proposed ordinance would effectively prohibit shared permanent supportive housing in any zone other than RD zones, even though shared housing does not resemble a boarding, rooming, group, or sober living home, but is permanent housing for people to live independently. Shared permanent supportive housing tenants receive an array of services that allow them to remain stably housed and are *not transient*: the average length of residency of a permanent supportive housing tenant is the same as any other tenant. Studies prove supportive housing is a cost-effective approach to addressing homelessness that is linked to improved neighborhood property values and reductions in crime.

This ordinance would add barriers to the siting and availability of permanent supportive housing. Under the Mental Health Services Act (MHSA) Housing Program and the Los Angeles Housing Department's Notice of Funding Availability, every tenant of shared permanent supportive housing must have own his/her lease, a core component of permanent supportive housing. The County

Department of Mental Health (DMH) has three MESA Housing Program shared permanent supportive housing projects in development in the City of Los Angeles, totaling 39 units that will house as many as 78 residents. DMH also funds other mental health agencies, like SHARE!, which estimates overseeing approximately 30 shared permanent supportive housing homes for as many as 180 formerly homeless people with mental illness in City single family residential zones.

The proposed ordinance would cause homelessness or extend homelessness for hundreds of people who would otherwise live independently in permanent supportive housing, not to mention the thousands of City residents living in overcrowded housing who would be affected by the breadth of this ordinance. Though planning staff indicated homeless people could live in licensed community care facilities, permanent supportive housing is exempt from licensing requirements. In fact, federal courts have recognized permanent supportive housing as a less restrictive setting than licensed facilities. The ordinance would force existing and prospective tenants of shared permanent supportive housing into less independent licensed settings, contrary to City policy and federal and state law. Additionally, the proposed ordinance would discriminate against shared permanent supportive housing, in conflict with state law, which requires zoning laws to treat supportive housing in the same manner as any other dwelling of the same type.

The proposed ordinance was drafted without formal input of the State, the County, disability rights advocates, permanent supportive housing developers, legal and advocacy organizations acting on behalf of people with mental illness or addiction, or consumers. It does not include any mechanism for enforcing single lease requirements. City Building and Safety inspectors would be required to inspect lease agreements, violating tenants' privacy rights and promoting inequitable enforcement. City Planning staff did not indicate whether requirements included in the proposed ordinance will do anything to address City residents' specific concerns about sober living homes.

While some provisions of the ordinance are positive because they will increase opportunities to site licensed community care and alcohol and drug abuse programs, the ordinance's provisions are overbroad and therefore affect a much greater number of residents and tenants than intended. The Planning and Land Use Management Committee (PLUM) could dramatically strengthen the ordinance by eliminating the impact on supportive housing by—

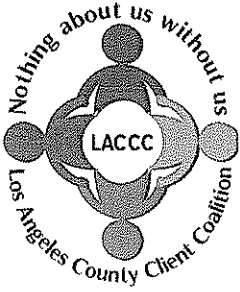
- Removing proposed redefinitions of “family” and “boarding or rooming homes” from the ordinance;
- Excepting supportive housing from the single lease requirements; or
- Delaying enactment of this proposed ordinance unless and until consulting with impacted stakeholder groups and addressing the needs of all affected.

We appreciate your dedication to addressing homelessness in the City. Feel free to contact Sharon Rapport, Associate Director, California Policy, with questions about this ordinance's impact on homelessness (sharon.rapport@csh.org or (213) 623-4342, ext. 110).

Sincerely,



Jonathan Hunter
Managing Director, Western Region



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Los Angeles County Client Coalition
695 S. Vermont Ave., 8th Floor
Los Angeles, CA 90005
Tel: (310) 701-0292

Date: 3/20/11
Submitted in PERM Committee
Council File No: 11-0262
Item No: 4
~~Deputy~~ public

Pam Inaba
Chair

March 25, 2011

Dr. Dennis O'Brien
Vice-Chair

TO: Ed Reyes, Chair
Planning and Land Use Management Committee

William Legere
Acting Treasurer

FM: Pam Inaba, Chair *PI*
Los Angeles County Client Coalition

Ursula Sims
Information Specialist

RE: Proposed Community Care Licensing Ordinance

Darla Baker
Recording Secretary

The members of the Steering Committee of the Los Angeles County Client Coalition wish to oppose the City Planning Department's proposed ordinance that would restrict housing opportunities for homeless and formerly homeless people with disabilities within the City of Los Angeles. The definitions and redefinitions would effectively limit any home with more than one lease to restricted density (RD) zones.

Rose Hugh
Corresponding
Secretary

Many of our members have in the past or are in the present living in permanent supportive housing. This type of shared housing has allowed people like ourselves to live independently. People like us, who live in shared housing, have an average length of residency that is the same as any other tenant.

William Legere
Historian

Under the Mental Health Services Act Housing Program, every tenant of shared supportive housing must have his/her own lease, a core component of permanent supportive housing.

Dennis Miller
Timekeeper

Sawako Nitao
Sergeant at Arms

The proposed ordinance would cause more homelessness, which would not only be a terrible hardship for people with disabilities, including people with mental disabilities, but would incur increased costs to the city in hospital, ambulance, jail, police and other services.

Donna Graham
Steering Committee
Chair

The proposed ordinance was drafted without formal input from the State, the County, disability rights advocates, supportive housing developers, legal and advocacy organizations acting on behalf of people with mental illness, or consumers.

As a consumer organization dedicated to advocating for the rights of people with mental illness, we add our voice to others in opposing this proposed ordinance.
"Nothing About Us Without Us!"