



Candy Rosales <candy.rosales@lacity.org>

Fwd: Proposed Community Care Ordinance - March 2011

1 message

Michael Espinosa <michael.espinosa@lacity.org>

Thu, Mar 31, 2011 at 6:21 PM

To: Candy Rosales <candy.rosales@lacity.org>

----- Forwarded message -----

From: **Nicholas Vratarić** <tpompey@clarefoundation.org>

Date: Thu, Mar 31, 2011 at 3:34 PM

Subject: RE: Proposed Community Care Ordinance - March 2011

To: michael.espinosa@lacity.org

March 31, 2011

Dear Councilmember Iname,

As executive director of the CLARE Foundation in Santa Monica, CA, I am writing in opposition to the proposed Community Care Ordinance (Council File No. 11-0262). For over 40 years, CLARE has been providing compassionate treatment and recovery services to individuals, families, and the Los Angeles community. As a provider of sober living accommodations, and a member of the Sober Living Network, I join the Network in opposing the Community Care Ordinance, for a number of reasons (detailed below), and in proposing some suggestions to the ordinance. Thank you for your consideration.

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.
 - 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 who will also be made homeless.
 - Crime is likely to increase when the thousands of addicts, alcoholics and the mentally ill persons currently residing in stable and supportive housing are cast adrift in the community.
 - This ordinance reverses the City's positive strides in its efforts 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:**

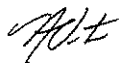
- It violates civil rights laws by seeking to ban types of households (small group homes) from low density residential zones without inclusion of reasonable accommodation protocols for disabled households.
 - It is not supported by any data that objectively states that the homes targeted by this ordinance are indeed the homes that actually cause problems for communities.
 - The ordinance puts forward a new legal theory that is 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.
 - The City has current the capability to successfully shut 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 communities over less affluent communities:**
- Although the ordinance claims to protect low density residential communities, it throws 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 shifts 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 that are even more discriminatory.
 - Many of these changes are prohibited by existing California and Federal law.
- 7. 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.

The Sober Living Network has 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.*
3. *The City should include language in the ordinance that excludes housing for persons with disabilities.*

4/1/2011

City of Los Angeles Mail - Fwd: Propose...



Nicholas Vrataric
Executive Director
CLARE Foundation, Inc.

This message was sent to michael.espinosa@lacity.org from:

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