

Brain Smith
PO Box 17280
San Diego, CA 92177
858.483.5866

August 3, 2011

Michael Espinosa
RE: Council File No. 11-0262 – Community Care Ordinance

Dear Ed Reyes:

My name is Brian Smith and I am an advocate of the California Association of Addiction and Recovery Resources better known as CAARR. CAARR was established in 1972. CAARR offers many services; however, my focus will be primarily Sober Living.

It is EASY for a Sober Living to become a CAARR member. In actuality, all a Sober Living home needs to produce is reasonable accommodation. I find it amazing how many Sober Livings fail such a fundamental requirement. It is for this reason that I need to bring to your attention a common sense point of view regarding the proliferation of Sober Livings in San Diego particularly in the last 2 ½ years.

The Housing Commission does not want to get sued and neither do I. Therefore, I can only refer to an entity that has already offered you presentation and will again as “The Money Train Organization” (hereinafter referred to as the MTO). The MTO has displayed to you statistics, and a play on semantics in hopes to convince you they are fact. The MTO boasts its success as they advertised their successful strategy throughout the LA, Riverside, San Fernando, Orange and now San Diego Counties. The MTO believes you will also be impressed by their conquests and banks on the fact that our busy city does not want to be sued for discrimination. The two underlying factors that the MTO will impress on you is their *description* of a “*person with a disability*” and their *definition* of a “*large family*.”

- First, the MTO’s definition of a resident of Sober Living as “*disabled throughout their lifetime*” is technically true and protected via the Americans for Disability Act (ADA). However, if ANYONE would simply visit a Sober Living anywhere, whether they are CAARR approved, certified by the MTO, or simply running independently, and ASK the existing residents if they consider themselves disabled, (unless they have an obvious physical limitation and are in possession of a disability card) they will always answer NO. The MTO offers you the assumption that just because Sober Living residents obtained disability status while in rigorous treatment programs PRIOR to Sober Living then they are allowed to maintain that status throughout their lifetime.

A simple common sense analogy is this;

Somebody breaks their leg. The doctor offers temporary disability status to help function throughout the community. Eventually, the leg heals and their disability status is removed.

- Second is the MTO's definition of a "*large family*." I am baffled by the use and success of their obvious twist of the definition. The MTO states the city can not discriminate against a large family. However, with the use of simple common sense, do you really believe if your last name is Rodriguez and my last name is Smith, (you are Hispanic and I am Caucasian), and we never knew each other until we were impacted into this Sober Living environment that we are or ever will be a family?

I do not believe RESIDENTS of Sober Livings were EVER consulted by the MTO's Attorneys, Landlords, or representatives to be THEIR VOICE in this forum. Never in all the post success of the use of these semantics, statistics, and twists of original meaning, throughout Southern California, will you have found ONE resident of a Sober Living in a forum defending their overpriced rent and overcrowded living circumstances

The MTO implies they are helping people in recovery. However, only the MTO truly benefits by their bullying success. Former Councilmember Jim Madaffer created high occupancy ordinances that are in place today. The MTO again attempted to sue as they successfully attempted to create Sober Living environments exclusive to these laws. In a desperate attempt, Councilmember Marti Emerald, with her busy itinerary, has put her foot down as to supporting parking provisions necessary for high occupancy homes. The MTO only benefits Landlords and Administration personnel allowing them to impact and overburden homes and communities in their conquests.

Ask any of the MTO certified homes:

1. How much money would your home have been able to rent for conventionally?
And now how much revenue does it create as a sober living?
2. How many people are living in their MTO home? Why are there that many people living in that home?
3. Could any operator of an MTO home live within their own establishment today?
Why would they expect anyone else to do so?

The answer is always money, greed, and power. You might ask if this is so, how is it possible so much success has been demonstrated of the MTO's proliferation throughout Southern California? I am in a very unpopular position here. Everybody wants to be on the money train. Why would anybody want to take the time to bother with nothing to gain? I stand here today with nothing to gain, and the fear of being sued. I believe I sense the feeling David had when faced with Goliath. But I am the real McCoy folks. I really do care about people and the success of everybody strong or weak.

There is a tremendous need for good quality Sober Living homes and they deserve the right to be maintained properly without exploitation. That is why I am now an advocate

of CAARR. Truly Sober Living is a small part of what all CAARR offers, however, in the spirit of Sober Living CAARR approved homes offer reasonable accommodation for those in need without attempting to change existing laws that would otherwise protect them. Please be mindful of good old common sense. In closing I would like to run a clip on how un-successful cross inspection of actual board members homes of the MTO has been.

After the clip, you decide common sense, statistics or semantics. The MTO boasts its proliferation of 500 homes. They think that is a big deal. I realize 500 homes in the big scheme of things is just a drop in the bucket. I can understand if my David and Goliath attempt falls on deaf ears and the city allows itself to be bullied rather than be sued. If so, I will accept that decision and continue being the actual voice of people in recovery as I have for the last fifteen years.

Thank you,

Brian Smith