

Opposition to community care ordinance grows amid increased scrutiny

By Gary Walker
July 5, 2012

A controversial Los Angeles city ordinance that would alter the dynamics of lease and rental agreements is facing a wealth of opposition from a variety of nonprofit organizations, neighborhood councils and business groups.

The Community Care Facilities ordinance, a municipal law that is being recommended by City Attorney Carmen Trutanich's office, has faced increased scrutiny over the last several months since the details of the proposed law became available nearly two years ago.

It seeks to redefine the definition of what constitutes a family by creating a law where all tenants living in a rental home must be on one lease and prohibits community care homes, which often include veterans, parolees and recovering addicts, in low density or residential neighborhoods.

In a May 15 letter, Councilman Mitchell Englander, who represents a portion of the San Fernando Valley, wrote about why he is sponsoring the ordinance.

"The community care ordinance is common-sense legislation that has been developed to address the proliferation of unlicensed nuisance group homes and boarding facilities, which have had a huge negative impact on single family neighborhoods in my district in the Northwest San Fernando Valley and in neighborhoods all across the city of Los Angeles," he wrote.

"There are a great number of these unlicensed, unregulated facilities, most of which are for-profit businesses

operating in residential areas."

Local nonprofit organizations like New Directions, a social service agency that provides housing and rehabilitation to homeless veterans, strongly oppose Englander's ordinance and have joined with organizations like the United Way and the Los Angeles Chamber of Commerce to rally against its passage.

"New Directions is very concerned about the impact of the proposed Community Care Facilities ordinance in its current draft form, and we oppose it, along with scores of other social service agencies," New Directions Vice President of Development and Marketing Cindy Young wrote in an email.

"The ordinance, if passed, will increase homelessness, making it illegal for unrelated individuals to share a residential home unless they are all under one comprehensive lease."

New Directions has a facility for veterans from the Iraq and Afghanistan wars in Del Rey called Chris' Place and residences in Mar Vista for female veterans called Mitchell House and Keaveney House.

"Chris' Place would become illegal under this ordinance, for example, because the men who live there are unrelated, and each has his own individual rental agreement, because each is working toward his goals of reintegration into the community at his own pace," Young explained. "These veterans won't all get jobs on the same day, nor find their own apartments on the same day, or finish college or job training on the same day.

"So a single lease would not work."

Englander believes the ordinance is necessary because of what he says are certain behaviors that have occurred in some of the neighborhoods where his Valley constituents live.

"This is not a solution looking for a problem. This ordinance is in response to families and neighborhoods in crisis who have been terrorized and unable to enjoy the peace and quiet of their own homes," he wrote. "Many of them will not even allow their children to play outside on their street because there are large groups of rowdy people loitering, drinking and smoking, using vulgar language, and harassing neighbors who dare to ask them to be respectful."

The Westside Regional Alliance of Councils, which is comprised of 12 neighborhood councils, supported the ordinance in a Feb. 7, 2011 letter.

"We feel that the issues addressed in this motion are not only of vital importance to the Westside, but also necessarily concern all of Los Angeles, which does not break down conveniently by district lines," wrote WRAC President Mike Newhouse. "As such we would appreciate a formal response from each of you with respect to your positions on this issue."

The Mar Vista Community Council, Neighborhood Council of Westchester-Playa and the Del Rey Neighborhood Council have each voted to back the ordinance.

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Mar Vista Community Council Chair Sharon Commins voted with her board two years ago but says, “over the past two years, significant larger land use policy issues have surfaced, and I now have more questions than answers.”

Some of the questions she has pertain to land use. “What is the long term environmental impact to density, traffic, infrastructure, and services when low density zones are tacitly redefined as affordable housing opportunities on a room by room rental basis?” Commins asked.

“Does not such a redefinition represent an un-vetted change of zone, which permits laissez faire operation of commercial housing entities, including corporations and not for profits, in low density zones? It is a major housing policy shift, so where is the environmental review?”

The Venice Neighborhood Council voted unanimously 15-0 to oppose the ordinance June 19. The local board postponed a vote last year after its Land Use and Planning Committee brought a motion to oppose it.

Karen Wolfe, who was a member of the committee that brought the original motion to the local council, was delighted with the vote. “This is a very important issue,” said Wolfe, who is no longer on the committee. “There are so many people affected by this ordinance than are at first glance.”

Other neighborhood councils, including the Palms council, have recently voted to oppose the ordinance, say opponents of the proposed law.

Like other service providers and nonprofit operators have noted, Wolfe mentioned veterans, disabled adults and seniors as some of the groups of people who could be displaced if the ordinance passes.

“If these people are going to be able to live a semi-independent life, they are going to have to be able to live together,” said Wolfe, who works in the home healthcare industry. “This ordinance will impact virtually everyone who does not have a stereotypical 1950s family.”

Englander’s council colleague, Bill Rosendahl, says he agrees with sanctioning anyone who is in violation of the municipal code, but thinks that the proposed ordinance has too many far-reaching consequences.

“We have to come up with a different strategy for all of these people who will be affected,” he said. “As far as I’m concerned, the ordinance in its present form is unacceptable to me.”

At the Venice meeting, a representative from the Inner City Law Center presented documents showing dozens of legal organizations as well as social service agencies that have come out against the ordinance.

In his letter, Englander disputes the notion that groups such as Chris’ Place will be harmed.

“The ordinance will help ensure that they can seek the services and support that they need without being exposed to squalid living conditions.”

Rosendahl says the city has remedies

that are available for problematic tenants and homeowners through nuisance abatement. “I believe in dealing with nuisance issues, but I’m not ready to throw the baby out with the bath water,” he said.

Wolfe feels the city attorneys who are presenting the law have not answered questions regarding how residents from places like Mitchell House as well as others will be affected. “It’s important that the council be able to get answers to those questions that have been raised,” she said.

Rosendahl, who served as a psychiatric counselor during the Vietnam War, said his office has never received complaints from any New Directions facilities.

“As a veteran, I understand what war does to people,” he said. “There’s tremendous fear and ignorance about these types of homes, but when other residents see how well they’re connected to the community, the connection begins to happen.”

Frank Mateljan, a spokesman for Trutanich, was unsure when the ordinance would be heard by the City Council.

“It has subsequently passed out of committee and is pending a vote by the full City Council,” he said. “The timing of that vote is entirely in the purview of the council to schedule.”

Trutanich and his senior staff came to the Venice meeting but were not asked about the Community Care Facilities ordinance.