



## ***Los Angeles County Sober Living Coalition***

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**Date:** January 4, 2011  
**To:** All Los Angeles County Planning Commissioners, Planners Alan Bell and Tom Rothmann, and Deputy City Attorney Amy Brothers  
**From:** Jeff Christensen, Project Director, Los Angeles County Sober Living Coalition  
**Re:** ADDENDUM TO PREVIOUS INPUT ON: Proposed Boarding House Ordinance: Case Number CPC-2009-800-CA and Council File Number 07-34-27

This is an addendum to previous written comments submitted to you by the Los Angeles County Sober Living Coalition (LACSLC).

Following is language that both the City of San Diego and the City of Oceanside included in similar ordinances both cities passed. They included this language after consultations between city attorney staff and sober living and mental health housing advocates.

Should the City of Los Angeles decided to proceed with the stated provisions in its proposed redefinitions of family, single housekeeping unit and boarding house, we strongly recommend inclusion of this language. In previous communications we have provided substantial evidence that the City of Los Angeles would not prevail in legal challenges should the ordinance pass as stated. However, inclusion of this language would be acceptable to us to exclude not only housing for persons with disabilities but all persons covered by fair housing laws.

The City need not worry that such language inclusion would shield housing for persons with disabilities from legal consequences should such properties be a neighborhood nuisance. Fair housing laws do not shield housing for protected populations from consequences should they not be in compliance with municipal codes and other regulations.

Following is the language adopted by both the cities of San Diego and Oceanside. We recommend the City of Los Angeles adopt this same or similar language should it proceed with this proposed ordinance.

### **SAN DIEGO: ORDINANCE NUMBER O-19739 (NEW SERIES) DATE OF FINAL PASSAGE APRIL 23, 2008**

### **AN ORDINANCE REGARDING THE REGULATION OF ROOMING HOUSES AMENDING THE SAN DIEGO MUNICIPAL CODE . . .**

#### **§ 113.0103 Definitions**

*Rooming house* means a *dwelling unit* where three or more rooms are rented individually or separately, to tenants under separate rental agreements. Housing protected by federal or state law, including housing for persons protected under the Fair Housing Act (42 USC section 3604 (f)) and the California Fair Housing Act (California Government Code section 12920 et seq.), or housing otherwise subject to the City's Separately Regulated Use regulations in Chapter 14, Article 1, shall not constitute a *rooming house*.



**OCEANSIDE:** The same language (above) was included a year later in an Oceanside high occupancy ordinance, **Resolution # 09-R0549-1**, after discussions with the Oceanside City Attorney, and passed by the City Council.

This language does not address the issue of disparate treatment of parolees and probationers in the draft Community Care Ordinance. Our concerns about those issues remain.

Thank you for your consideration.

Sincerely,

Jeff Christensen, Project Director  
Los Angeles County Sober Living Coalition