



Candy Rosales <candy.rosales@lacity.org>

Fwd: CF 11-0262 Community Care Facilities

1 message

Sharon Gin <sharon.gin@lacity.org>

Thu, Feb 16, 2012 at 9:46 AM

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

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

From: **Paul Dumont HOTMAIL** <paulrdumont@hotmail.com>

Date: Thu, Feb 16, 2012 at 9:44 AM

Subject: CF 11-0262 Community Care Facilities

To: councilmember.reyes@lacity.org, councilmember.wesson@lacity.org

Cc: Sharon Gin LA City PLUM <Sharon.Gin@lacity.org>

The Housing Department expressed concerns that the proposed Community Care Facilities ordinance may have a disparate impact on protected classes and explained the City may be subject to scrutiny by HUD if it creates policies that disproportionately impact protected classes which can then result in the withholding of HUD funding. There are many other problems with the proposal.

An analysis of impediments to fair housing must be included in the Consolidated Plan. The elimination of identified impediments to fair housing must be maintained to prevent any future impacts such as loss or withholding of federal funding. The fair housing reporting requirements for entitlement jurisdictions receiving HUD funding are codified at 24 CFR 91.520 which require, in part, disclosure of actions taken to affirmatively further fair housing and reasons for any changes.

Each time Los Angeles takes HUD money it must certify compliance with fair housing. Recently HUD has withheld all funding for jurisdictions violating fair

housing choice law. The 38th Program Year Action Plan estimates LA will apply for \$136.68 million this year.

Statements and data submitted by the City are presumed accurate by HUD officials. However, the accuracy and truthfulness is occasionally spot checked and tested. Activity performance is monitored by HUD via their Integrated Disbursement Information System which generates Activity Summary Reports. In recent years HUD auditors have found some problem with nearly every activity they examined in the City of Los Angeles.

The City Attorney's office asserts the Community Care ordinance is legally defensible in spite of dozens of fair housing legal specialists who are opposed and sounding alarms. Public Counsel, the Corporation for Supportive Housing, Department of Mental Health, Homeless Services Authority and now LA's own Housing Department are concerned, to name just a few organizations. Legal challenges are certain. It would be smart to hire outside counsel now to provide an independent fair housing analysis. The CA is wrong according to experts.

Unenforced quality of life issues gave rise to the Community Care proposal. Communities are frustrated about not only group homes but other quality of life issues, and group homes are a flash point issue - neighborhood hostility is really misdirected at easy targets. Most group home complaints could be addressed with nuisance abatement alone which will provide procedural due process protections to all Angelenos. Community Care is unnecessary.

I suggest that the ordinance be modified to remove the redefinition of family and include enhanced procedures to nuisance abatement enforcement for any problem properties, sober or not. In its present form you should vote no on Community Care because it is unnecessary, does not create any real solutions and will cause many unintended consequences.

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