

Good morning,

Esteemed members of the committee and staff. My name is Erik Peterson. I am currently the Mayor Pro-Tem of the Great City of Huntington Beach, CA. I am here today to attempt to shine a light on the ever-increasing difficulties our city and many other jurisdictions have with Addiction recovery housing sometimes referred to as Sober Living Homes. I would like to start my testimony by reading a statement from a testimony you should have received produced by the Southern California bases organization called Advocates for Responsible Treatment:

The Problem:

Addiction recovery housing takes on many forms, one of which is businesses that provide commercial services to short-term, transient occupants, in permanent residential neighborhoods, where such uses are often prohibited by zoning. A myriad of overlapping federal and state laws, and case law unintentionally grant excess privileges to these businesses. Essentially, businesses obtain rights superior to those of other households in the same neighborhood. Local limits on operations of such businesses are interpreted by courts and the states to be discriminatory. This is because they would constrain operations, regardless of whether the operations exceed "reasonable accommodations" or grant more than "equal rights" of neighboring homeowners. By granting these excessive privileges to operate without distinction or restrictions, the courts have failed to note that the houses do not even meet the spirit of the ADA, which is: to de-institutionalize the disabled and integrate the protected class into the community.

In just the last two years, recovery housing has been identified as a concern in municipalities in over 100 Congressional districts. Citizens exercising their right to free speech on the issue have been sued by businesses in an attempt to freeze public dialog. Multiple municipalities have lost millions fighting lawsuits claiming housing discrimination, to which no disabled individual is party. Unnecessary litigation drives investigations by the Departments of Justice and Housing and Urban Development. To meet requests by members of Congress for clarification, in 2016, the DOJ and HUD produced a 20-page document which re-stated the issue and gave no clear guidance.

Congressman Rohrabacher's HR 5724 - Restoring Community Oversight of Sober Living Homes Act of 2018 is the SECOND bill in two years attempting to clarify local control to come before the Judiciary committee. The first was proposed by Congressman Issa in September of 2016. We hope that the Judiciary Committee is moving forward with reviewing this legislation because this issue will not go away until it is finally addressed by Congress. Ignoring the issue results in disastrous effects on long-term, residential neighborhoods that form the bedrock of our communities and fuels increases in abuse of the protected class. Better local and state regulation of recovery housing is very much a matter of life or death.

Ladies and Gentlemen, when I was asked to testify to this committee, I reached out to my constituents to ask them to submit their stories. I believe you have received many of them. What got me was the stories from the parents of the victims of some of these facilities. In our city we have houses with multiple overdoses and deaths and we can only send our firefighters to pick up the pieces. Last Sunday, someone forwarded me a program from a funeral they were attending of a young 22-year-old lady who had died in a recovery home. She was dead 12 hours before it was reported to authorities. The opioid crisis in our country is destroying what is the base of our society, our families and communities. In an attempt to help or be companionate we have further placed the burden on our communities and left thousands of people who need help at risk.

The City of Huntington Beach has found many of our homeless have come from these facilities. Through what is referred to as body brokering, addicts are recruited from around the country and sent to places like Southern California, Florida, and Arizona. After the individual is placed in a home, many of the recovery companies will sign them up for as much public assistance and insurance as possible and offer bed vouchers for local residential homes. When that money runs out, they curb them. In other words, they get kicked to the street with no way home and my not have even recovered. Our city has helped over 65 people get home last year. Again, we thank you for conducting this hearing so we can talk about this immensely important issue.