



## **Cracking Down on Dangerous Housing, Protecting Vulnerable Residents**

***By City Attorney Mara W. Elliott***

Protecting elderly and vulnerable San Diegans is a top priority for me as San Diego City Attorney. That's why my office is cracking down on dangerous conditions at independent living facilities where seniors and dependent adults often reside.

Independent living facilities (ILFs) are a critical source of housing for the elderly, for individuals with physical and mental disabilities, and others with medical problems. We expect them to treat their clients with dignity and follow laws that safeguard their health and safety - and most do - but when ILFs cut corners and break laws, they inexcusably expose our most vulnerable community members to dangerous and potentially deadly circumstances.

We are currently prosecuting four ILF providers for substandard housing violations, two of which face additional charges of elder abuse. We're also actively investigating about two dozen other facilities.

Some ILFs are overcrowded and operate under illegal conditions. They often do so to take advantage of residents and maximize profits.

Through our investigations, we've found conditions that include:

- padlocked refrigerators, and residents being denied access to food and water
- residents being denied access to phones to report medical emergencies
- infestations of rats, scabies, bedbugs, and roaches
- open buckets used as toilets filled with human waste

When ILF operators take advantage of residents, my office finds them and holds them accountable.

Most recently, my office filed criminal charges against two facilities, one in Skyline and the other in North Bay Terraces. Each had numerous Health and Safety Code and Municipal Code violations, including vermin infestations, blocked and inaccessible exits, improper plumbing and drainage, illegally converted bedrooms, and various fire hazards. The owners and operators of both properties were each charged with 22 misdemeanors.

The court ordered the residents of the Skyline property to vacate, but the owners refused to pay relocation costs for the residents. The City stepped in to pay for new accommodations, and will seek reimbursement from the defendants.

Some residents are at the mercy of the ILF operator. Their Social Security payments go directly to the provider, so they lose control of their money. Many don't have families or friends to look out for them. They don't have access to transportation and are denied outside communication. Often, they're afraid to speak up, because they're afraid of becoming homeless.

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That's why our office is a watchdog on their behalf.

Last fall, we filed criminal substandard housing and willful cruelty charges against the owners and operators of two illegal care facilities where elderly and dependent residents were living in deplorable conditions.

Eleven victims, ranging from 57 to 84 years old, were subject to vermin infestations, denied access to food and water, and exposed to feces in the community shower. After the owner and operator were cited for numerous Health and Safety Code and Municipal Code violations and ordered to vacate the property, the residents were transported to an even worse facility.

Upon inspection of the second property, one elderly victim was discovered living in a garage that lacked ventilation, and another was found in a tent on the side of the house. All residents suffered from heat exposure, and most were transported to local hospitals for medical attention. The City provided relocation funding for all residents, and the City Attorney is seeking reimbursement of these costs by the defendants.

Criminal proceedings in this case are ongoing.

Because they are not licensed, independent living facilities can pop up anywhere. And because their clients are often desperate for housing, they can get away with a lot.

That's why we need your help.

To report elder abuse and adult dependent care emergencies, dial 911. For non-emergencies, contact the San Diego Police Department at 619-531-2000. Community members may report code, health and safety, and environmental violations to the City's Code Enforcement Division at 619-236-5500, or the City Attorney's Nuisance Abatement Unit at 619-533-5655.

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