



Dependent Elders Need Our Help Now More Than Ever

By City Attorney Mara W. Elliott

As City Attorney, I've made it a priority to protect the most vulnerable in our communities, especially children, domestic violence victims, and elderly and dependent adults.

Some of the most disturbing cases our office handles involve elderly and dependent adults who reside in Independent Living Facilities (ILFs) that do not comply with local and state laws intended to keep residents safe. An ILF offers rooms in a single-family home for rent to people who often have no other residential options because they do not have family or friends to look out for them and they lack financial resources. Most ILFs are responsible and law-abiding and are often the only housing option that keeps these renters from being on the streets.

Now, as the pandemic continues, our most vulnerable are especially at risk because many are completely isolated from outsiders, especially medical professionals. Routine interactions that might have raised a red flag about the treatment of a resident aren't happening, and might not happen anytime soon.

Since ILFs aren't nursing homes or assisted living facilities, they aren't licensed or overseen by the County or the State, and this can lead to serious and potentially deadly problems for members of our communities. We've encountered ILFs that subject their tenants to truly deplorable conditions, including rodents, cockroaches, and bed bug infestations, and serious code violations including exposed electrical wiring and non-working carbon monoxide detectors. In one case, inspectors found the residents wearing filthy clothes, and the owner admitted he'd unplugged the washer and dryer because he didn't want the tenants wasting water.

In several cases, inspectors have arrived to find a tenant in such bad physical shape that they had to be immediately hospitalized. City inspectors found one resident lying naked, disheveled, and unresponsive in a dirty, trash-strewn bedroom.

Our Office launched a concerted crackdown on substandard ILFs in 2018. In most cases, we file criminal charges, seek penalties against unscrupulous owners and operators, and shut them down.

Recently, our Office charged an ILF operator with 23 criminal counts, including willful cruelty to a dependent adult, theft, and embezzlement. A paraplegic man in his care had to be transported to the hospital after paramedics found him covered in feces, suffering from severe bedsores, and hooked to a catheter that hadn't been changed in weeks. Another resident had his \$800 Social Security check stolen by the operator.

When I realized a team approach was required to hold ILF operators accountable for their abuse and exploitation, I established the Independent Living Facilities Vulnerable Victim Program in our Criminal and Community Justice Division. I've also hired a Victim Services Coordinator to work with prosecutors to ensure the safe relocation of residents. Despite the challenges presented by the

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pandemic, our investigators continue to conduct extensive site visits to build criminal cases against problem ILFs.

Because the pandemic makes it more difficult to monitor ILFs, we need your help looking out for seniors and the medically fragile who have no family or friends nearby.

You can help us protect people from predatory ILF operators by keeping an eye out for them in your own neighborhood. Sometimes the residences that house these vulnerable individuals are the site of frequent disturbances, or so poorly kept that they are an eyesore in the community.

Please call the police if you see suspicious activity at homes where it appears vulnerable residents may be living in a group setting.

SDPD non-emergency lines: (619) 531-2000 or (858) 484-3154. Always call 9-1-1 in an emergency.

You can also contact our Victim Services Coordinator at (619) 533-5678 or by emailing cityattorney@sandiego.gov.

With your help, our work to protect San Diego's most vulnerable residents will continue despite these challenging times.

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