

NEWS

Newport Beach settles legal battle over sober-living homes

By **MEGAN NICOLAI** | Orange County Register

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0 COMMENTS

Newport Beach has reached the end of its seven-year legal battle over sober-living homes with a settlement agreement announced Tuesday.

City attorney Aaron Harp said Newport Beach settled lawsuits with Pacific Shores Properties, Newport Coast Recovery and Yellowstone Women's First Step House, for a total of \$5.25 million.

The city spent at least \$4 million in legal proceedings on the cases, according to Register archives.

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Steven Polin, attorney for the group-home operators, said his clients were more interested in ending the proceedings than battling in court.

“Everybody took into account the calculus – a trial could have taken another two to four years,” Polin said. “My clients are satisfied with this.”

The lawsuits stemmed from an ordinance approved by the City Council in 2008 that regulated group homes for recovering addicts – establishing quiet hours, parking and smoking areas and van routes. The ordinance, still in place today, requires the city’s approval for new unlicensed homes for recovering addicts in certain neighborhoods.

The three companies sued the city over the ordinance, saying it violated anti-discrimination and fair housing laws, since individuals recovering from an addiction are a protected group.

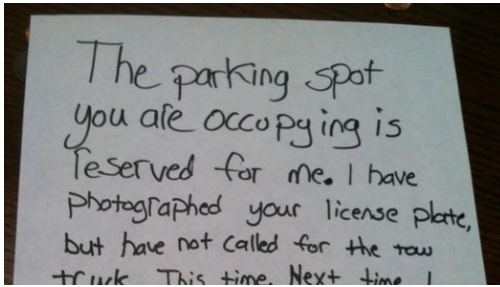
After a federal judge ruled that the group homes could not sue the city in 2011, the case went to the 9th Circuit Court of Appeals. The court’s majority sided with the group homes, saying there was enough evidence to argue discrimination. The court pointed to comments made during the 2008 hearing, which implied that the City Council was targeting recovery group homes.

The city asked the U.S. Supreme Court to review the case in 2014, but the court declined.

According to the city, the city had 25 sober-living and recovery facilities as of February – 15 licensed by the state’s Department of Healthcare Services (formerly by the Department of Alcohol and Drug Programs) and 10 without state licenses. There were an estimated 86 facilities in 2007, according to the city.

Licensed facilities can provide alcohol or drug detoxification or recovery treatment planning. But a facility doesn’t require a license if it’s licensed by another state agency such as the Department of Public Health.

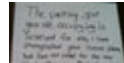
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