



**Minutes**  
**Town of Lake Park, Florida**  
**Town Commission Workshop**  
**October 28, 2009 6:00 p.m.**  
**Town Commission Chambers, 535 Park Avenue**

The Town Commission met for the purpose of a Workshop on Wednesday, October 28, 2009 at 6:00 p.m. Present were Mayor DuBois, Vice-Mayor Carey, Commissioners Daly, Rumsey and Osterman, Town Manager Maria Davis, and Town Clerk Vivian Lemley.

Mayor DuBois led the pledge of allegiance  
Town Clerk Vivian Lemley performed the Roll Call

**DISCUSSION:**

**Community Groups Presentation regarding Sober Houses**

Kevin Bandy, 831 Northern Drive, Lake Park – thanked Commissioners Rumsey and Osterman and the Commission for their help with the sober housing issue. He began a Power Point presentation regarding the sober housing issue (see Exhibit “A”). He explained the differences between sober houses and halfway houses (see page 3 of Exhibit “A”). He stated that a halfway house was a step down in care from a sober house. He explained that it was a facility that a person would go to as the next step to their treatment or care after leaving a licensed treatment facility. Halfway houses have a high level of structure, access to 12 step meetings, on site staff, potentially an affiliation with a licensed treatment center, and a requirement to be involved in some form of outpatient setting. He explained that a sober house was a more relaxed structure that would include random urine screening as a form of accountability. He stated that the Department of Children and Families did not recognize either sober houses or halfway houses as licensed or regulated within the continuum of care for those dealing with substance abuse. However, the Department of Children and Families does report regular phone calls from residents of sober houses who report abuse endured in the homes and the DCF is unable to do anything. He stated that the City of Delray Beach has a self-monitoring agency that works to regulate sober houses in the City and the Town of Lake Park does not have such an agency. The men and women in sober houses are not afforded the confidentiality that a patient would be afforded in a licensed treatment center. Confidentiality is left up to potentially unlicensed and untrained residents, owners, managers, etc. He continued to explain the operations and procedures of sober houses and stated that they were not required to have policies and procedures set in place (see page 4 of Exhibit “A”).

He continued his presentation and questioned why sober houses would not get licensing (see page 4 of Exhibit “A”). He gave an overview of how many sober houses were currently in Lake Park. He stated that there was only one sober house recognized by the Town. He stated that the Town was not able to license a sober house on a clinical level; only DCF could do so. He gave an overview and explanation of Ordinance No. 12-2009 (see page 6 of Exhibit “A”) He gave an overview of “Points of Conflict” with Ordinance 12-2009 (see page 7 of Exhibit “A”). He explained that as a community group they have confidently identified 13 addresses of sober houses that are currently advertising as such in the Town of Lake Park and that the Town was only identifying the sober house at 306 Foresteria Drive as the only operating sober house. He

closed his presentation by thanking the Town and everyone who came to the meeting to express their concerns with the sober housing issue.

Tim Kasher of 315 Foresteria Drive began a Power Point presentation regarding sober houses (see Exhibit "B"). He gave a brief history of his home purchase in Lake Park and the purchase and history of the 306 Foresteria Drive property (see page 2 of Exhibit "B"). He gave an overview of the "Negative Impact on Homes" (see page 4 of Exhibit "B") by sober housing. He explained that he was trying to sell his home and move out of the Town he loves but has been unable to do so. He explained the reason for sober facilities (see page 5 of Exhibit "B"). He explained the "Demand on Town Services" (see page 7 of Exhibit "B"). He gave an overview of Ordinance No. 12-2009 (see page 12 of Exhibit "B"). He closed his presentation with reading the Town of Lake Park's Mission Statement (see page 13 of Exhibit "B").

### **PUBLIC and OTHER COMMENT**

*Rick Goodsell, 410 9<sup>th</sup> St.* – asked if County rules and regulations applied to the Town with regards to occupation limitations.

Attorney Thomas Baird stated that the Town had its own occupancy limitations based on the square footage and number of bedrooms and bathrooms in a unit.

*Lynn Duto* – asked if the Attorney would be able to provide information on items discussed and any information regarding Town code or be able to access the Town code when a question is asked.

Town Attorney Baird stated that he would be reviewing the Town Ordinances that the Town has adopted with relation to sober housing.

Mayor DuBois explained that it would not be possible to refer to the Code with each question presented since the Town's Code book was voluminous.

*Emily* – stated that she lives in North Palm Beach and used to be a resident of Lake Park and once resided at the "Women of Dignity" halfway house. She stated that she completely supported the "Women of Dignity" house. She stated that she credited them for the improvement in the quality of her life. She stated that she was very grateful to them for being there when she got out of treatment. She stated that she was now 27 months sober and the "Women of Dignity" halfway house does a great service to the community for women whose goal is recovery.

*Bill Boyles, 742 Laurel Dr.* - stated that he was a resident of one of the sober houses. He stated that the level of care he receives was tremendous and what he was looking for. He stated that he believed that he and the residents of the sober house made good neighbors and were quiet. He stated that he would feel safer knowing that his neighbor was being drug tested regularly. He stated that there were people that you would least suspect on drugs and alcohol who drive under the influence. He stated that he wanted to point out that in the entire area there were not many licensed treatment centers that operate as halfway houses. There were many treatment centers that were residential but were not operating as halfway houses. He explained how he had moved to the sober house from Orlando and he accredited the availability of the sober house as a big part of his sobriety. He asked if the houses would be permitted by Town Code if they got

licensed as treatment centers.

Attorney Baird explained that there was no licensing procedure in the State of Florida for halfway houses or sober houses.

Mr. Boyles asked if they could be permitted in the Town if they were licensed as treatment centers.

Attorney Baird explained that the Town did not permit licensed treatment centers and that they were not permitted in a single family residential area but were permitted in multi-family and commercial districts.

Mr. Boyles stated that he also wanted to point out that Mr. Bandy was a counselor at the Hanley Center when he attended. He stated that the Hanley Center had an agreement with another halfway house which is not in Lake Park. He stated that they wanted him to attend that halfway house and he wanted to point out the potential conflict of interest.

*Brad, 742 Laurel Dr.* – stated that he attended a treatment center where Mr. Bandy was a counselor. He stated that Mr. Bandy recommended the sober life to him. He stated that he went to a halfway house that was recommended by the treatment center and it was a dump. He stated that he was at the halfway house in Lake Park and he couldn't ask for more.

*Chuck Sheen, 510 Evergreen Dr.* - stated that he worked with the Better Business Bureau and has known the halfway house at 742 Laurel Drive since it opened and has never known of an abuse situation there with any of the tenants. He stated that he worked at Hanley Center, Oakwood, Sandy Pines and other treatment centers. He stated that Mr. Kevin Bandy did work at Hanley Center and it was a conflict of interest. He stated that Mr. Kasher's comments were dramatic and reactionary. Neighbors sometimes compromise with each other and the issues Mr. Kasher was having with his boat was an issue that anyone could have with their neighbor and the picture that showed the five or six cars parked across the street at a time was probably an incident that did happen but not on a regular basis. He stated that he attended a County Commission Meeting where they brought up the point that if the people who were in sober facilities did not have a place to go for recovery they would be out on the streets committing crimes. He stated that the Town should help not hinder those in recovery.

*Vincent Terazino, 718 Magnolia Dr.* – stated that he was a resident manager of one of the sober houses in Town. He stated that he did not have the luxury of attending a treatment center but got sober through living at a sober house facility. He stated that the quality of his life has improved dramatically and sober houses provide a safe place with a high accountability level. He stated that the sober house he currently works at is well maintained.

*Priscilla Chase, 2<sup>nd</sup> Ct.* – asked if the sober houses in Town were segregated or co-mingled.

Attorney Baird stated that the only sober house he was aware of that was co-mingled was the "Women of Dignity" house on Foresteria Dr.

Ms. Chase asked if the sober house on Laurel Drive was segregated.

Attorney Baird stated that he did not know but the operators of the sober houses were present if

she would like to ask them.

Mayor DuBois stated that for privacy purposes she did not want to publicly announce all of the different addresses of the sober houses.

Ms. Chase stated that she appreciated what was said by those who came to speak. She stated that she supported the Town's efforts and hoped that they find a specified area for sober houses that was not residential.

*Lori Hoffman, 233 Greenbriar Dr.* - asked what the Town was doing to regulate sober houses and how many more sober houses the Town would allow.

Attorney Baird stated that he would address that topic later in the meeting.

*Alison Francis, 831 Northern Dr.* – stated that she thought it was great that everyone came to the meeting to share their different views. She stated that the Town and residents needed to come to a common solution. She stated that it was interesting to note that there were halfway houses in the Town that the Town was not aware of and those halfway houses have not been straightforward in their responses as to whether they were or were not a halfway house.

*An unidentified woman* -stated that she supported both sides of the halfway house issue. She stated that she had a brother in recovery at a halfway house that was not located in an R1 Zoning District. She wanted to know how the Town was going to enforce Ordinance No. 12-2009.

*Jason Wallace, E. Jasmine Dr.* – stated that he received a letter in early October concerning the house across the street from him becoming a sober house and he was curious as to how many people received that letter. He asked if it was just his neighborhood that received the letter and if so, why not the entire Town.

Community Development Director Patrick Sullivan explained that the Town sends out certified mail to notify residents who are within 300 feet of the subject property; otherwise it would be advertised in the newspaper.

Mr. Wallace asked if the residents have been notified about the halfway houses that were mentioned at the meeting.

Attorney Baird explained that the notification was done pursuant to an application for a Reasonable Accommodation and the Ordinance requires anyone that applies to use a house for handicapped individuals living together to make an application to the Town and for the Town to give notice to those properties within 300 feet that there will be a hearing wherein the Town's magistrate considers whether or not to grant that Reasonable Accommodation. He explained that anyone else that makes those applications such as some of the sober homes there tonight and admitting in a public forum that they are operating a sober home, they are obligated to make an application to the Town to request a Reasonable Accommodation. He stated that he would expect to be contacting those individuals to ask them to submit an application; otherwise they would be in violation of existing law.

*Rachel Wallace, 123 E. Jasmine* – stated that she grew up in Lake Park and she and her husband Jason recently bought a home in the Town unbeknownst to them that there were sober house

facilities operating in the residential areas of Town. She expressed her concerns regarding having the sober facilities in the residential district of the Town.

*Sarah Mosley, 227 Foresteria Dr.* – stated that a halfway house moved in three doors down from her home. She stated that she has not seen or heard of any problems since they've moved in. She stated that the Town should work with residents and neighbors to address their issues with sober houses.

*Gifford Dean, North Palm Beach* – stated that he has had the opportunity to be involved with the “Women of Dignity” house. He stated that he has a lot of recovery and has been 40 years sober. He stated that the need for halfway houses was very important. He stated that treatment facilities were very expensive and when people leave the treatment facilities it is important for them to have a structured place to go to. He stated that there was high accountability in the halfway houses. He stated that he has been around the Foresteria Dr. sober house at different times of the day and has not witnessed any traffic issues.

*James Sullivan, 348 Flagler Blvd.* – stated that he belongs to Community Watch and regularly rides his bike around Town. He stated that he rides along E. Jasmine Dr. and Australia Cr. every day and has never seen any problems at the sober house facilities. He stated that the Town should look at correcting the abuses of those places and the impact of the Community should be considered. He stated that registered sex offenders pose a bigger problem in the Town than the halfway houses and sober house facilities.

*Randi Aberns* – stated that she was the owner of the sober residence at 306 Foresteria Dr and was also in the process of license pending for a sober residence at 118 E. Jasmine Dr. She stated that she was a recovering alcoholic and drug addict and has not had a drink or used drugs in over 10 years. She stated that she has lived in Lake Park for approximately 15 years. She stated that she rented a home 12 years ago on Foresteria Drive where she was selling drugs and alcohol to those living in the home and to those who lived in the neighborhood. She stated that God saved her and there was hope and another way of living life and in an attempt to give back to the Community she started a sober house facility. She gave a brief history of her background and the health issues she deals with today because of her drug use. She gave examples of instances where residents of her sober home had relapsed into addiction because of other addicts who were using and living in the neighborhood that had pushed drugs on them. One of those people who pushed those drugs and lived in that drug house eventually came to her facility for recovery. She explained that she was not wealthy from running the halfway houses. She stated that she has had thousands of dollars in back rent from people who come through her facility. She stated that she doesn't mind because she is there to help. She agreed that sober facilities should have regulations. She stated that when the Town requested that she receive a license and a lawsuit was involved she spent \$50,000 in legal fees to receive her occupational license to have a sober house with 10 occupants. She stated that she had a license pending for 118 E. Jasmine Dr.

Attorney Baird interrupted and wanted to clarify that Ms. Aberns did not have a license pending but an application for a Reasonable Accommodation which was what she also received for her sober facility on Foresteria. He explained that there was not licensing in the State of Florida for halfway houses.

*Donna, Lake Park* – stated that she was a retired nurse of 20 years and has two grown kids and four grandkids and was a good neighbor. She stated that she used to be extremely drunk driving

through the neighborhoods of Lake Park. She stated that none of her neighbors knew and that you really don't know what your neighbors are doing. She stated that she stayed at a sober house for 15 months and received the help she needed. While she stayed there she did not drive around drunk or throw trash on the sidewalk because she was working a recovery program. She did those things when she was drunk. She stated that treatment centers were expensive and if the sober facilities were required to get licensing it would be expensive or unaffordable. She gave reasons why licensing for sober facilities would be detrimental.

*Daniella* – stated that she has owned a couple of halfway houses, one in Lake Worth and one in Palm Beach Gardens for six years. She explained that because of the halfway houses many women have recovered from their addictions and are now productive members of society. She explained that she was a secretary for SCRA (South County Residence Association) and her houses were based on their guidelines and standards. She stated that she has known the “Women of Dignity” house and their standards meet or are better than what SCRA requires. She stated that there was a high level of structure and neighbors should feel safe.

*Ms. Reed, Foresteria Dr.* – stated that what Mr. Kasher said about the traffic at the sober house on Foresteria Dr. was true. She gave examples of the noise and traffic issues she has experienced from the sober facility.

*Shawn Ryan, 3133 Capris Rd, Palm Beach Gardens, FL* - stated that he was a Certified Addictions Counselor in the State of Florida and was currently pursuing his Masters in Social Work at Barry University. He stated that when he decided to enter the field of addiction treatment he knew that he had to be credentialed and there was an ethical standard of doing no harm to the patient when they come in for treatment. He stated that he is also a recovering alcoholic and addict and attended an unlicensed and unregulated treatment center in North Palm Beach. He stated that he was on both sides and believed in a continuum of care where transitional living is available for the clients he services, but when people do not have the proper training to provide the services that are needed for these people, it creates a danger. He stated that untrained individuals do not know how to care for people in sobriety. He gave more examples of issues that could arise from individuals being treated by those who do not have the proper training.

*Sue Ellen Mosler, 201 Foresteria Dr.* – stated that there was a halfway house close to her and she has more trouble with dogs on her street than she's had with any of the women at the halfway house. She stated that there were a lot of cars on the street because of the rental properties.

*Holly Driscoll* – stated that she was also a Certified Addictions Counselor and fully supported halfway houses and sober facilities where the patients have rights. She stated that she also believed that those who live in a residential area have rights and deserve to raise their families in a safe environment and if traffic safety is an issue it should be addressed.

*Chris O'Brian, North Palm Beach* – stated that he's been sober 25 years and has associated with the residents of the halfway houses. He stated that the homes were beautiful and clean and he has seen young women get sober because of the living environment. He believed the sober houses to be an asset to the community.

**Public Comment Closed.**

Mayor DuBois introduced State Representative Mack Bernard.

State Representative Mack Bernard stated that since he received a letter from Mayor DuBois regarding the sober house licensing issue, he decided he needed to be at the meeting to hear both sides. He stated that he would work with the Town and its residents and follow the developments as a legislator in representing the issue.

Attorney Thomas Baird stated that he wanted to address a couple of things and respond directly to some of the speakers and also address the perception that has existed that the Town has not done enough or anything to address the sober house and halfway house issue. He stated that it was not true that the Town has not addressed the issue and he wanted to give a history of what has happened since 2002 when he was first appointed as the Town's attorney. He began with explaining that the Town was not a licensing authority. The State does not license what are called halfway or sober houses. At one time they did license these homes as part of their licensing program for recovery centers. That legislation was repealed in 2004. He explained the reasons for the repeal. The Town does not have the authority to regulate patient care whether it is in a licensed recovery center or a halfway or sober house. Patient care is regulated by the State of Florida through the Department of Children and Families. He stated that there was a comment made stating that the Town only recognizes one sober house. The Town has only received one application for a Reasonable Accommodation so far. He stated that the Town would enforce Ordinance No. 12-2009 just as it enforces all other Ordinances in the Town. Most Ordinances and Codes are driven by complaints. The Town generally does not go out searching for code violations because there are probably more code violations in any municipality than a municipality can administer at any given time. If there is a violation of the code of which a person is aware, that complaint should be given to the proper channels such as the Community Development Department and the Town would investigate the complaint. There are complaints that are made that do not violate the Town code. He stated that back in 2002 and 2004 there were complaints that came in regarding two recovery programs in the Town. The complaints stated that the facilities were not operating in accordance with licenses and the Towns zoning code. After an investigation by the Town it was found that those facilities were licensed facilities and were operating in the proper zoning district. However, because the complaints continued, the Town took action in 2003 or 2004 by changing the Town zoning code such that licensed recovery centers had to operate within commercial zoning districts and not residential districts. Licensed recovery centers are not sober houses or halfway houses. In 2004 there was also an issue with respect to group homes which was a whole other category of residential facilities. The Town addressed those group homes by passing Ordinances that brought the Town into compliance with another State Statute which regulates group homes which are also different from sober houses or recover treatment centers. In 2002 the City of Boca Raton who had experienced similar problems as Lake Park in relation to sober houses, enacted ordinances that prohibited halfway houses or sober houses from being located in any residential district of the city. They were limited to commercial districts and medical districts. He stated that Delray Beach also enacted an ordinance prohibiting sober houses from operating in residential districts. The United States Justice Department intervened in both of those cases. Attorneys for the United States wrote both cities and warned them if they continued to pursue that litigation then the United States would take the position that those cities were infringing upon the rights of individuals protected by the Fair Housing Act and the Americans for Disability Act. They indicated that their Civil Rights Division would pursue litigation with those cities. They did not have to pursue the litigation because an operator of a residential treatment center in Boca Raton pursued the litigation. A judgment was rendered against the city and the judgment essentially

said that you could not restrict sober houses only to commercial or medical zoning districts and that the city had to have in place Reasonable Accommodation procedures that would allow someone that had a disability to pursue if they chose to, to live in a residential zoning district. Meanwhile, other litigation was in the process in the City of Treasure Island. Treasure Island was attempting to restrict sober houses or halfway houses to zoning districts other than single family residential zoning districts. He stated that they attempted to do that by classifying those facilities as transitional housing. Transitional housing would also be known as time shares. He stated that there were similar arguments made by residents wherein there were traffic and garbage issues. In that case, the trial court decided those regulations treated handicapped individuals the same as non-handicapped individuals and the trial court essentially said that the regulation was alright. The litigation did not stop there but went to the 11<sup>th</sup> Circuit Court of Appeals which concluded that notwithstanding the fact that your treating handicapped and non-handicapped people the same way, you still have to provide the handicapped individuals with the opportunity to seek a "Reasonable Accommodation" of their handicap such that if they do want to live in a single family neighborhood they apply for the Reasonable Accommodation and they may or may not be granted that Accommodation.

Mr. Baird continued to explain that that litigation was probably not over with, but it is the teaching of what happened with the sister cities of Boca Raton, Delray Beach, and Treasure Island which has led the Town of Lake Park's Commission to adopt the most progressive kinds of ordinances in Florida with its Reasonable Accommodations Ordinance and Ordinance No. 12-2009 which is the ordinance which limits transitional housing to multi-family areas and commercial housing areas. He stated that the Commission has done all they could legally do to try to regulate what some people consider to be an impact on the Town. One of the things the Town has done to address the quality of care issue, is that in the Reasonable Accommodation Ordinance it has defined a qualifying entity as an entity that is licensed by the State of Florida. The purpose of that is to ensure that someone who's operating a halfway house or sober house is in some way affiliated with a licensed recovery program so that there is some responsibility in place in the event that something goes wrong. He stated that he did not know what would happen should the Town's Ordinances be challenged because the litigation of the sober housing issue is so new and unresolved that he cannot predict whether or not the Town's Ordinances would be upheld by the Federal Courts in the United States. He stated that the point was that what the Town Commission has done all they could do to try and improve the situation for residents and the recovery community. He stated that the Commission has contacted their Representatives, the Senator and the entire Legislative Delegation of Palm Beach County and have asked for their assistance. He stated that if there would be licensing of sober houses or halfway houses it would be the Legislature that would have to step in and do that. He stated that it was up to the community to respond to the legislators and implore them to license the facilities should that be their position on the matter. He stated that there was a lot more to learn about the sober house facilities, the licensing, the individuals who run them, and the individuals who attend the facilities. He asked if there was a way for the community to come together and sit down in the same room at the same table with Randy Aberns and others who have an interest in helping people and ensuring they hear what the communities concerns are and they could assist in making sure that the issues could be worked out. He stated that the main thing he wanted the community to take away with them is the fact that State Representative Bernard was not shirking his responsibilities regarding the sober housing issues. He stated that Ms. Aberns' application would be considered by a Special Magistrate and decided upon at a Special Hearing on a later date.

Attorney Baird assured the community that the Town would do what it's required to do in terms of enforcing its code.

**Mayor DuBois recessed the meeting for a short restroom break at 7:45 p.m.**

**Mayor DuBois reconvened the meeting at 7:53 p.m.**

### **COMMISSIONER FORUM**

**Commissioner Rumsey** stated that he wanted to address residents and those who were presently in treatment in sober facilities. He wanted to make it clear that the Commission wants them to get the treatment they deserve and he applauded those who were putting in the hard work to live a sober life. He stated that the Town of Lake Park wanted to do everything they could to ensure those in treatment continue to live a sober life. He also wanted to thank the community for coming out on the issue. He thanked Mr. Bandy and Mr. Kasher for speaking with and coordinating with the residents on the issue. He stated that that was the kind community involvement needed to help solve the problems in the community. He stated that the entire Commission has been working long and hard on the sober house issue along with the Mayor and Town staff. He wanted everyone to know that it was an issue that the entire Town was working on to resolve.

Commissioner Rumsey continued and thanked Ms. Aberns for saying that she thought that sober houses should be licensed. He stated that he looked forward to her being a part of getting that licensing taken care of by joining with the Commission in finding a solution. He stated that the Commission has taken the issue as far as it can and it was time for the community to join in finding a solution for sober homes. He stated that he told State Representative Bernard before he left that the Town would be calling him. He told the community to get the numbers for the legislature and their representatives and to call them regarding the issue. He continued to speak about Town issues and community involvement.

**Vice-Mayor Carey** thanked those who attended the meeting for their patience, cooperation and orderliness. He stated that the Commission wanted to hear from the public and work with the community to find solutions to Town issues.

**Commissioner Daly** thanked everyone who came to the meeting. He stated that he was overly impressed by those who represented the sober houses and that they brought up good points that he did not realize before. He stated that everyone has a lot to learn and believed that the Town and its residents could come to a common ground and an agreement that would be satisfactory to everybody.

**Commissioner Osterman** stated that she was also impressed by the outcome of the meeting. She requested that the ordinances and codes addressed that night particularly those that pertain to occupancy be placed on the Town's website with a direct link that can be easily accessible to the public. She also requested that the link be e-mailed to each of the Commissioners in case a resident requests the information from them. She stated that good points were brought up at the meeting such as the fact that the sober houses have improved and brought value to the community. She stated that she felt the R1 District residents have a reasonable expectation of stability in a community and there shouldn't be the same level of turnover as there may be in other districts. She stated that the Town needed to address those issues and find the best

solution. She stated that it would take time and the community would need to be patient in finding the solution.

**Mayor DuBois** stated that she appreciated a community that comes together with different views and perceptions to exchange. She stated that sometimes there is a lot of fear of the unknown and it was incredible to see the community come out with and express their views and be respectful of others. She stated that the Town needed to figure out how to move forward and find a solution for everyone. She stated that Attorney Baird would be available to answer specific questions after the adjournment of the meeting.

**ADJOURNMENT**

There being no further business to come before the Commission and after a motion to adjourn by Commissioner Osterman and seconded by Commissioner Carey, and by unanimous vote, the meeting adjourned at 8:05 p.m.

  
Mayor DuBois

  
Deputy Clerk Jessica Shepherd

  
Town Clerk Vivian Lemley



FLORIDA

Approved on this 18 of November 2009.

# Sober Houses

## Bandy Section

# The Order of things

- We realize that the audience tonight is a mix of Town residents and members from the substance abuse treatment community, as well as owner/operators of sober houses.
- We chose to start with defining exactly what a sober house/halfway house is within the Town of Lake Park at this moment.
- We will address both patient care issues and residential issues throughout the presentation.
- We hope that you will hold questions until the end.

# What exactly is a “sober house”?

## What is a “halfway house”?

- As frustrating as this may be, there are multiple definitions for both terms. None of the definitions are validated by State licensing agencies.

- Typically, within the Substance Abuse Treatment Community:

A Halfway House indicates a step in the care of a person within early stages of recovery from addiction. A Halfway House is traditionally recommended after the patient successfully completes substance abuse treatment. The House generally would have a relatively high level of structure, access to 12 step meetings, on-site staff, possibly an official affiliation with a licensed treatment center, possible requirements to be involved in Outpatient treatment.

A Sober House indicates a relaxed level of structure with random urine screens typically standing in as the tool for monitoring accountability. \*

Florida Department of Children and Families does not recognize either of these houses as licensed, or regulated, within the continuum of care for those dealing with substance abuse. **However...**

- ... Department of Children and Families reports regular phone calls from residents at sober houses/halfway houses seeking recourse for abuses suffered in those facilities. They can not help. These places are not licensed therefore have no real accountability for services offered.
- The reality for the patients at these houses is that they do not have the same recourse that a person in a licensed facility would have meaning that families are trusting that an unlicensed, untrained staff member could competently deal with the patient in such a professional manner that there would be no need for a higher level of accountability.
- The men and women in sober houses may not be afforded the confidentiality that all patients are guaranteed under HIPAA guidelines as the owner/operators appear to not hold any licensure that would help those patients have access to confidential care.
- The men and women in these houses are subject to the whims of the owner/operators, once again stating that these owners are often non-licensed individuals. The rules and regulations may be changed at any time by a "resident manager".
- The "resident manager", often times another unlicensed person, administers urine screens on residents based on hunches and hearsay.
- Imagine signing a lease like that!
- Apologize for sarcasm.
- → Why would the houses not just get licensed?
- I hope you all ask the owners of the facilities in Lake Park this question. They may respond, or they may not, as they have not responded to multiple queries about these specifics.

**So...**

# What is the big deal?

- We have at least 13 unlicensed, unregulated sober houses/halfway houses running in Lake Park. \*
- Only one, as far as The Town informed us, is recognized in any formal way as even existing as a sober house.
- That house is the one on Tim's street.
- Tim will explore the history of that house, it is unique. \*

Our concern as a community group is that unlicensed, unregulated care is potentially abusive and dangerous care. In addition to the patient care issue, it concerns us that our neighborhoods are being transformed to treatment communities comprised of businesses rather than families.

# Ordinance 12-2009

- We encourage everyone here to download this ordinance from the Town's website.
- This ordinance was a bold move on the part of the Town to slow the impact of transient housing in general within our Town, including sober houses.
- Sober Houses as they currently stand could utilize this ordinance to seek licensure and thereby offer the disabled population the say they serve, access to an accountable system where abuses could be addressed unlike the present wild west happening right here.
- We have rights under this ordinance if it were being enforced.
- This is going to be up to us as residents.

# Points of Conflict

## Ordinance 12-2009

- As a community group we have confidently identified over 13 addresses of sober houses that are currently advertising as such.
- The Town appears to identify the sober house at 306 Foresteria Drive as the only operating house at this time.
- Semantics continue to keep this issue stuck, and makes enforcing the ordinance less than realistic.

# Closing

- Thank you again to the Town, and to all of you that came here to express your beliefs.

Exhibit "B"

**LAKE PARK  
SOBER HOME  
MEETING  
October 28, 2009**

# Sober Home Case Study

- 1998 Purchased my home in R1 district for specific zoning laws and specific protections for my family.
- In 2006 Home across the street (306 Foresteria) was purchased. We did notice an increase of rental tenants in the house.
- In 2008, I attended a public hearing for a reasonable accommodation for 306 Foresteria. (Applicant filed lawsuit against town)

- Applicant asked to have 12 women to live in house.
- Town granted the applicant 10 women.
- I challenged the town on this decision and felt they used “spot zoning”. This is an illegal practice.
- Town did not agree with my assessment.
- At this point I started to do extensive research on the subject of unlicensed sober homes in the community.

# Negative Impact of Homes

- The home will maximize occupancy causing increased pressure on towns services and infrastructure.
- Lower Property Values
- Displace permanent single family dwellings-My house is currently for sale.
- Increase noise and traffic
- Safety of children in community
- We should have had protection from this when moved into a R1 district per town code.

# Why would I want to start a sober home?

- Profit driven business:  
10 beds @ \*\$720/month = \$7200/month.

This does not include deposits and administrative fees.

2 other houses with 5 beds each =  
\$7,200/month

Total yearly income = \$172,800/year

\*From [dignityhouse.net](http://dignityhouse.net) website

## 306 Foresteria Dr.



## 255 Foresteria Dr.

# Demand on Town Services

- Garbage – Increase
- Police – Increase
- Traffic – Increase in traffic which decreases safety in area around neighborhood.









# Ordinance 12-2009

- **\*Resident Contract**

I, \_\_\_\_\_  
hereby agree to comply with the following conditions, to be evaluated for adherence on a weekly basis by Staff to allow continuation in the residence and participation of the Dignity House.

Three (3) months minimum residence at Dignity House.

\* From [dignityhouse.net](http://dignityhouse.net) website

- **TOWN OF LAKE PARK'S  
MISSION STATEMENT**

**To improve the quality of life for all  
Town stakeholders through the  
provision of effective and efficient service  
delivery while maintaining a small town  
atmosphere in an urban environment and  
embracing the sense of place and  
community that makes the Town of Lake  
Park special.**