Costa Mesa wins nuisance abatement action against group home operator Pacific Shores Recovery

In a ruling by the Orange County Superior Court, Costa Mesa has prevailed in a nuisance abatement action against group home operator Pacific Shores Recovery LLC, marking another victory in the ongoing legal enforcement of the City's sober living ordinances.

"We have been defending our ordinances for the past several years with a series of victories in Federal Court, including the Ninth Circuit," Mayor Katrina Foley said. "Now we have affirmatively enforced those ordinances in State court, obtaining a permanent injunction. This outcome fulfills the long-term strategic vision of mine and Mayor Pro-Tem John Stephens, and represents the highest quality of legal work by our outside counsel to protect our community and preserve the residential character of our neighborhoods."

The City filed an action for public nuisance and for abatement against Pacific Shores Recovery LLC in September 2019 to enjoin the operation of unlicensed and unpermitted group homes in two adjacent apartment buildings at 200, 202, 204 and 206 Cabrillo Street in violation of the City's Municipal Code.

At the time of filing, there were 44 individuals residing at these two locations. The properties have been the subject of significant calls for services for drug overdoses and assaults.

Pacific Shores Recovery LLC had previously filed suit in federal court against the City, claiming the City's municipal codes were discriminatory and unconstitutional. The City

prevailed in the federal action in April 2020 and Pacific Shores has appealed that decision.

In the meantime, the Orange County Superior Court, where the nuisance abatement action was pending, considered the City's Motion for Summary Judgment on July 6, 2020 and granted judgment for the City.

As a result, Pacific Shores or anyone affiliated with them are prohibited from continuing to operate their illegal group homes at these locations. The City will be seeking its attorney's fees and immediate enforcement of the injunction.