

Judge's ruling in favor of Costa Mesa's sober living ordinances marks city's fourth victory

The City of Costa Mesa continues to rack up legal victories as Federal Judge James Selna on Nov. 4 denied a motion by California Women's Recovery, Inc. ("Lynn House") and the Sober Living Network, Inc. to set aside a jury's ruling last year that rejected a challenge to the city's sober living ordinances.

"It's time for these sober living home operators to stop fighting our local laws and realize that we are on the right side of history when it comes to protecting both neighborhoods and patients from the industry's bad actors," Mayor Katrina Foley said. "We will continue to enforce our laws. I am positive they will withstand these challenges as reasonable and a model for other communities."

This is the fourth legal victory for the City's laws, passed in 2014, that regulate sober living home operators in single family neighborhoods, limiting the number of residents to six or fewer and maintaining a 650-foot buffer between non-licensed sober living homes.

The laws also regulate sober living home operators in multi-family zones, requiring a separation requirement to avoid converting neighborhoods into institutional-like settings. The City implemented the laws to protect the entire community from operators of unlicensed facilities which exposed residents to dangerous conditions and created public nuisance concerns.

In September, Judge Selna denied a motion for a preliminary injunction against the city's group home ordinances filed by

sober living home operator SoCal Recovery, a for-profit corporation that operates sober living residences in Costa Mesa.

Judge Selna issued a ruling in July of 2019 that rejected a challenge to the city's group home ordinance by Yellowstone LLC.

Further, a jury unanimously ruled the same thing in December of 2018, rejecting claims by Yellowstone, along with another sober living home operator and an industry trade group, that the city's ordinances are discriminatory and violate the Fair Housing Act.