

CASE #2200

HUMAN SERVICES AGENCY/PUBLIC HOUSING

REASON FOR INVESTIGATION

The San Joaquin County 2000-2001 Civil Grand Jury (SJCCGJ) received a complaint regarding the San Joaquin County Human Service Agency (HSA). The complainant alleged that General Relief recipients are forced to live in unsanitary housing at the direction of HSA. The complainant further alleged that the County Health Department is negligent in the enforcement of standard building and health codes. The previous grand jury determined that further investigation was warranted and referred the complaint to the current 2001-2002 SJCCGJ.

BACKGROUND

Welfare and Institution Code ♦17000-17030.1 requires every county and city to relieve and support all incompetent, poor, indigent persons, and those incapacitated by age, disease, or accident, lawfully resident therein, when such persons are not supported and relieved by their relatives or friends, by their own means, or by state hospitals or other state or private institutions.

The San Joaquin County Human Service (HSA) Adult Services provides general relief assistance to individuals in need. The general relief rent stipend is in the form of a voucher system paid directly to the vendor. The vendor can be a hotel, motel, or individual willing to rent a room or space to the recipients. HSA does not have the authority to force a general relief recipient (or any recipient) where they are to reside in order to receive assistance. If the recipient does not have a place to live when applying for services, HSA will provide a list of vendors willing to accept the voucher payments for rent. HSA requires that the hotels meet minimum code requirements by the City of Stockton and San Joaquin County Environmental Health. HSA does not conduct inspections nor are they qualified to cite violations or take any actions if the codes are not met. Vendors in other cities within the county who meet minimum code requirements are eligible to accept vouchers for general relief recipient, however none have expressed an interest in participating. The majority of the hotels/motels are located in the downtown Stockton area.

In the process of investigating the complainants' allegation, several downtown hotels were inspected and closed due to violations of health and building codes as well as infestation of bats. This initiated a turn in the investigation as to why these buildings were allowed to continue operating without meeting the minimum basic building and health codes.

METHOD OF INVESTIGATION

- Complainant interviewed by 2000-2001 SJCCGJ
- Joe Chelli, San Joaquin County Deputy Director of Adult Services HSA
- Carl Borgman, San Joaquin County Supervising Environmental Health Specialist
- Dario Marengo, Chairman, San Joaquin County Board of Supervisors
- Sharon Herrera, San Joaquin County General Relief Program Coordinator
- Steve Pinkerton, Director, Department of Housing and Redevelopment, City of Stockton
- Gary Podesto, Mayor, City of Stockton
- Gary Giovanetti, Councilmember, City of Stockton

FINDINGS

Originally the 2001-2002 SJCCGJ main focus was regarding the complainants' allegation that the general relief recipients under the direction of HSA were forced to live in unsanitary, below standard housing. As the 2001-2002 SJCCGJ proceeded with reviewing the original complaint, several newspaper articles appeared in The Record regarding the conditions of the Earl and Terry Hotels. These downtown hotels housed general relief recipients as well as other tenants with limited income.

The inspections of the hotels by the City of Stockton Housing and Redevelopment and San Joaquin County Environmental Health discovered infestation of bats as well as an excess of 1,000 violations for health and building code violations. Initially we requested three years of inspection reports for both hotels from the City of Stockton and were informed that they did not have copies. Due to the fact that we only had the 2001 inspection reports, we were unable to determine if the violations had to have been in existence for quite some time. Both agencies stated that due to lack of resources such as employees and time, inspections were not done on a routine basis. Both agencies stated that effective 2001 they were able to focus on the hotel inspections.

Although both the City of Stockton and San Joaquin County officials agree that the tenants should not be subject to such living conditions, there is an obvious political struggle regarding the time frame in which the hotels were closed. Although there definitely was a need to repair the hotels, the immediate closure did not allow for ample time for the tenants to find permanent or for that matter temporary housing. There are very few private hotel/housing owners that are able to maintain a profit much less keep up with the maintenance of their property with payments provided by HSA or other limited income tenants.

We were given a copy of the list that HSA provides of hotels willing to accept General Relief vouchers; this list does not certify in any way the living conditions of the hotels. HSA presumes that if the hotel is still in operation it must have passed the minimum standard inspection. We were, however, unable to determine who prepares the list and how often the list is updated.

Until the hotel inspections in August of 2001, which prompted the immediate closure of some of the downtown hotels, the general relief stipend for rent was \$6.00 per day. In September 2001 the amount was increased to \$9.00 per day. According to a comparison study provided by Joe Chelli, the amount paid by HSA for General Relief vouchers for housing is comparable to Sacramento, Fresno and Solano Counties. The monthly breakdown is as follows:

- \$270/month ♦ One person living unit, shared bath (usually a hotel-type setting);
- \$285/month ♦ One person living unit, special residence;
- \$292/month ♦ One person living unit, a non-shared apartment with private bath and kitchen.

CONCLUSIONS

- The two hotels inspection reports that were reviewed, provided adequate proof that the excessive violations, and bat infestation are a result of lack of enforcement from prior years. Both the City of Stockton and San Joaquin County failed to inspect and enforce the minimum health and structure codes, therefore allowing this situation to occur.
- Although the general relief stipend has been raised and is comparable to other counties there are limited facilities willing to accept general relief tenants.
- The displaced tenants were relocated to temporary housing for 14 days, paid by the City of Stockton and San Joaquin County Board of Supervisors.
- Despite the fact that general relief recipients are not the only tenants renting from these hotels, the San Joaquin County Board of Supervisors took the responsibility of finding permanent housing for all the tenants in need of permanent housing after the initial 14 day emergency relocation expired.
- Prior to the current aggressive move to bring these hotels to code the hotels accepting General Relief vouchers were not monitored regularly nor held accountable to meet minimum health and structure codes by both the City of Stockton or San Joaquin County Environmental Health.
- HSA does not have the authority to monitor the conditions of any of the hotels accepting General Relief vouchers. The responsibility of inspecting, citing, and

if warranted closing any hotel is the joint responsibility of the City of Stockton Housing and Redevelopment and San Joaquin County Environmental Health.

- Within the structure of the counties, it is apparent that the City of Stockton has borne a disproportionate cost of housing low and below income tenants.

RECOMMENDATION

- The City of Stockton and San Joaquin County Board of Supervisors provide adequate staff to inspect thoroughly and enforce the hotels on a regular basis.
- The City of Stockton and San Joaquin County develop a coordinated partnership and provide HSA with a quarterly certified list of hotels that have met minimum health and structure codes that will be used for referrals when requested by recipients.
- San Joaquin County Board of Supervisors develop a plan for adequate low-income housing that would require all communities within the county to accept general relief tenants.
- The City of Stockton Housing and Redevelopment include in their downtown renovation plans for low-income housing.

COMMENDATIONS

To HSA Adult Services and the County Board of Supervisors in their diligent effort to re-locate the displaced tenants who were faced with the challenge of relocating with 72 hours notice due to the closure of the downtown hotels.

RESPONSE REQUIRED

Pursuant to Penal Code §933.05, the City of Stockton and the County Board of Supervisor's shall report to the Presiding Judge of the San Joaquin County Superior Court, in writing and within 90 days of publication of this report, the response shall indicate one of the following.

As to each finding in the report a response indicating one of the following:

- a. The respondent agrees with the finding.
- b. The respondent disagrees with the finding, with an explanation of reasons therefore.

As to each recommendation, a response indicating one of the following:

- a. The recommendation has been implemented, with a summary of the action taken.

- b. The recommendation has not yet been implemented, but will be with a time frame for implementation.
- c. The recommendation requires further analysis, with an explanation of the scope of the analysis and a time frame not to exceed 6 months.
- d. The recommendation will not be implemented, with an explanation therefore.