

CITY OF PLANTATION



Plantation
the grass is greener

ZONING COURTESY NOTICE

Date: November 20, 2020

Case Number: CE20-02545

To:
KOLOZS, VERA
2705 NW 104 AVE #102
SUNRISE, FL 33322

Owner: KOLOZS, VERA

Address of Violation: 1021 NW 116 AVE

Folio: 494036150020

Legal Description: THE TREE BEARERS PLANTATION 89-41 B A POR OF LOT 4 DESC AS BEG AT SW COR LOT 4, N 299.29, E ALG N/L OF LOT 4 305.06, SWLY ALG ARC 77.07, SW 86.26, W 47.55, SW 245.94 TO POB

You are notified that the following violations exists on the property identified above:

The violations are described as follows:

1. Section 27-1 Definitions. Family - Exceeding the limitations of no more than three unrelated individuals living in a single dwelling unit.
2. Section 27-12 Reasonable Accommodation - Failure to obtain reasonable accommodation approval to the City's residential housing ordinances, rules, policies, and procedures with disabilities (including alcoholism and drug addiction).

Section	Corrective Action	Date to Comply
Section 27-1	Obtain reasonable accommodation approval OR reduce the number of unrelated individuals living in the single family residence to no more than three.	12/04/2020
Section 27-12	Obtain reasonable accommodation approval OR reduce the number of unrelated individuals living in the single family residence to no more than three.	12/04/2020

Failure to correct the violations by the above date will result in further action. Please feel free to contact me at the phone number listed below.

Vicki Brown, Zoning Technician
954 797-2271

**SPECIAL MAGISTRATE
CITY OF PLANTATION, FLORIDA**

In re:

Application for a Reasonable Accommodation for Property having a
Street Address of: 1021 NW 116th Ave, Plantation, Florida 33323

Case No.
CE20-02545

FINAL ORDER

STREET ADDRESS: 1021 NW 116 AVE

LEGAL DESCRIPTION FOR PROPERTY ID #494036150020

THE TREE BEARERS PLANTATION 89-41 B A POR OF LOT 4 DESC AS BEG AT SW
COR LOT 4,N 299.29,E ALG N/L OF LOT 4 305.06,SWLY ALG ARC 77.07,SW 86.26,W
47.55,SW 245.94 TO POB

On March 3, 2021, the Special Magistrate of the City of Plantation heard testimony and reviewed the evidence presented, and based on such evidence, hereby makes the following FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDERS:

FINDINGS OF FACT

Respondents are the owners or tenants of the above referenced property. Respondent(s) did/did not appear at the Special Magistrate Hearing on March 3, 2021. The Respondent was notified of these proceedings through certified mail and the notice was posted on the property and at City Hall.

CONCLUSIONS OF LAW

Under Section 27-15.7 of the City of Plantation Code of Ordinances, the Special Magistrate shall have the authority to consider and act on all applications for a reasonable accommodation for a Community Residence in which more than six (6) persons will reside. A "Community Residence" for purposes of this Division is a residential living arrangement of more than three (3) individuals living together in a single dwelling unit. where: (a) not all of such individuals are related to each other by bonds of consanguinity, marriage, legal adoption, or other qualifying circumstances identified in the definition of "Family" in Section 27-1 of this Code; (b) one (1) or more of such individuals is experiencing a disability; (c) all such individuals are living as a single functional family; and (d) the disabled residents are in need of the mutual support furnished by other residents of the dwelling unit, as well as any incidental support services, if any, provided there. The residents may be self-governing or supervised by a sponsoring entity or its staff which provides habilitative or rehabilitative services related to the residents' disabilities. The Community Residence seeks to emulate a biological family to normalize its residents and integrate them into the surrounding community. Its primary purpose is to provide shelter in a family-like environment, and any treatment is incidental. The supportive inter-relationships between residents are an essential

component of a Community Residence. A Community Residence which has received and maintained a reasonable accommodation pursuant to this Division shall be considered a residential "Family" use for the purposes of the City's land development regulations, so as to implement the policy considerations of the Federal Fair Housing Amendments Act (42 U.S.C. 3601, et seq.) and Title II of the Americans with Disabilities Act (42 U.S.C. Section 12131 et seq.)

ORDER

IT IS THE ORDER OF THE SPECIAL MAGISTRATE that has the authority to consider and act on all applications for a reasonable accommodation for a Community Residence in which more than six (6) persons will reside to allow a maximum of _____ residents (and _____ caretakers) to reside at the above referenced community residence. DONE AND ORDERED on this _____ day of _____, 2021.

Special Magistrate

RECORD ENTRY AND CERTIFICATE OF SERVICE:

I HEREBY CERTIFY that the Original of the foregoing signed Order was received by the Principal Office Assistant and entered into the Case Docket (Public Record) this _____ day of _____, 2021 and that a copy of this Special Magistrate Hearing was mailed/delivered to the above-named respondent(s) at the address stated above.

Principal Office Assistant

YOU ARE HEREBY ADVISED THAT IF A PERSON DECIDES TO SEEK JUDICIAL REVIEW OF ANY DECISION MADE BY THE SPECIAL MAGISTRATE AT THIS MEETING OR HEARING, THAT PERSON MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE JUDICIAL REVIEW IS TO BE BASED.

OFFICE OF THE MAYOR

Lynn Stoner, Mayor

**PLANNING, ZONING &
ECONOMIC DEVELOPMENT**

Danny A. Holmes, AICP, Director



CITY COUNCIL

Denise Horland, *President*

Erik Anderson,

President Pro Tem

Jennifer Andreu

Timothy J. Fadgen

Nick Sortal

SPECIAL MAGISTRATE HEARING

**NOTICE OF PUBLIC HEARING ON APPLICATION
FOR REASONABLE ACCOMODATION REQUEST**

The Special Magistrate of the City of Plantation will hold a public hearing at City Hall, 400 N.W. 73rd Avenue, Plantation, Florida on the date hereinafter specified. This item will be discussed at the times specified or as soon thereafter as practicable. Comments of any interested party relative to this matter may be submitted in writing and/or presented at the hearing.

DATE OF SPECIAL MAGISTRATE HEARING: Wednesday, March 3, 2021 at 2:00PM

This meeting will not be physically open to the public but will be available via Zoom communications technology.

See instructions below.

APPLICANT / OWNER: Yuta Varma for United Recovery Project, Inc. / Vera Kolozs and Deborah Kessler, owners

APPLICATION NUMBER: CE20-02545

SUBJECT PROPERTY LOCATION: 1021 NW 116th Avenue

PROPERTY LOCATION MAP: See below.

APPLICATION REQUEST: Reasonable accommodation to the City's residential housing ordinances, rules, policies, and procedures for persons with disabilities to allow occupancy of a community residence with up to 15 residents (and 3 caretakers).

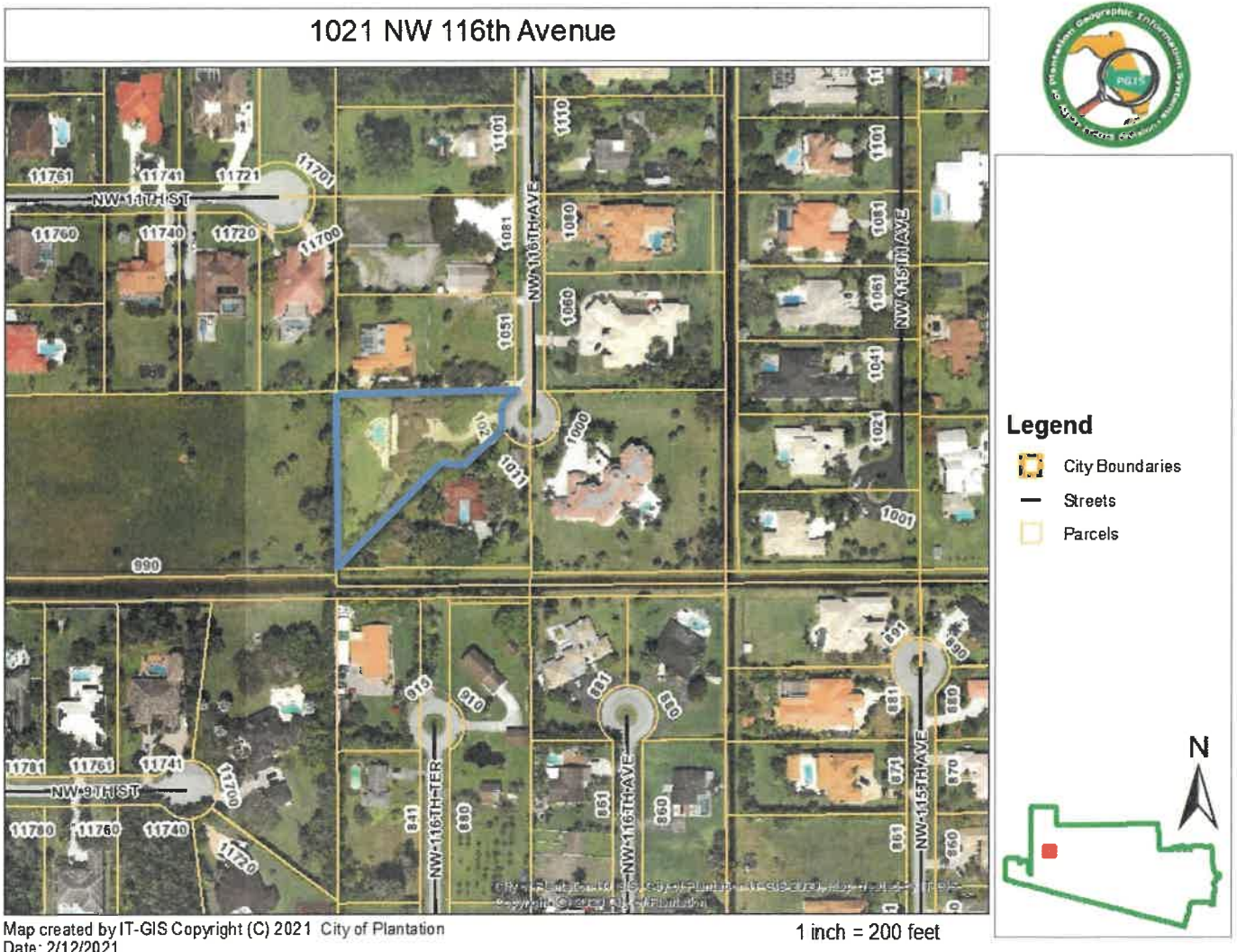
Under Section 27-15.7 of the City of Plantation Code of Ordinances, the Special Magistrate shall have the authority to consider and act on all applications for a reasonable accommodation for a Community Residence in which more than six (6) persons will reside. A "Community Residence" for purposes of this Division is a residential living arrangement of more than three (3) individuals living together in a single dwelling unit. where: (a) not all of such individuals are related to each other by bonds of consanguinity, marriage, legal adoption, or other qualifying circumstances identified in the definition of "Family" in Section 27-1 of this Code; (b) one (1) or more of such individuals is experiencing a disability; (c) all such individuals are living as a single, functional family; and (d) the disabled residents are in need of the mutual support furnished by other residents of the dwelling unit, as well as any incidental support services, if any, provided there. The residents may be self-governing or supervised by a sponsoring entity or its staff which provides habilitative or rehabilitative services related to the residents' disabilities. The Community Residence seeks to emulate a biological family to normalize its residents and integrate them into the surrounding community. Its primary purpose is to provide shelter in a family-like environment, and any treatment is incidental. The supportive inter-relationships between residents are an essential component of a Community Residence. A Community Residence which has received and maintained a reasonable accommodation

pursuant to this Division shall be considered a residential "Family" use for the purposes of the City's land development regulations, so as to implement the policy considerations of the Federal Fair Housing Amendments Act (42 U.S.C. 3601, et seq.) and Title II of the Americans with Disabilities Act (42 U.S.C. Section 12131 et seq.)

FOR FURTHER INFORMATION ON THE APPLICATION FOR REASONABLE ACCOMMODATION, CALL THE PLANNING & ZONING DEPARTMENT AT (954) 797-2225.

NOTICE IS HEREBY GIVEN TO ALL INTERESTED PARTIES THAT IF ANY PERSON SHOULD DECIDE TO APPEAL ANY DECISION MADE BY THE FORTHCOMING MEETING WILL NEED A RECORD OF THE PROCEEDINGS CONDUCTED AT SUCH MEETING AND FOR SUCH PURPOSE, THEY MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS ARE MADE, WHICH RECORDS INCLUDE THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.

In accordance with the American with Disabilities Act, a person having a disability requiring the use of auxiliary aids may contact the City Clerk at (954) 797-2237 at least 24 hours prior to the meeting.



VIRTUAL HEARING ACCESS INSTRUCTIONS SPECIAL MAGISTRATE HEARING

The City of Plantation special magistrate will conduct a “virtual” hearing utilizing Communications Media Technology (“CMT”), in accordance City of Plantation Mayoral Executive Order 01-2021, dated January 27, 2021, as such Plantation Mayoral Executive Order may be extended or amended and Resolution Number 12858.

Respondents, property representatives, witnesses, and public access to this virtual hearing can be accomplished as follows:

Join hearing by live stream Zoom video communications (instructions located at the bottom or attached to this notice).

Respondents, property representatives, witnesses, and members of the public are encouraged to review the agenda online at www.plantation.org. If the respondent, property representatives, witnesses or any member of the public requires additional information about the hearing, or has questions about how to participate in the hearing or submit public comments for the item, please contact the City Clerk’s office by mail at 400 NW 73rd Avenue, Plantation, Florida 33317, by phone at 954-797-2719 or by e-mail sslattery@plantation.org prior to the hearing for the direct web address. If City Hall is open to the public, the items in their entirety may also be inspected at the office of the Planning, Zoning and Economic Development Department during regular working hours (8:00 am – 4:30 p.m. Mon-Fri).

If you wish to provide public comments virtually, you may do so by submitting a written statement to sslattery@plantation.org. **Any comments received by 1:00 pm on March 1, 2021 will be made a part of the record during the hearing.** To ensure your comments are made a part of the record at the hearing, your email must include:

- the date of the hearing your comments are intended for
- your name
- whether or not you live in the City of Plantation
- agenda items and/or subject your comments refer to

Emails without this information may not be made a part of the record at the hearing. In accordance with normal procedure, messages of an overly repetitive or inappropriate (vulgarity) nature may be declined to be entered into the record at the discretion of the special magistrate. **Comments received after 1:00 pm on March 1, 2021 may not be made a part of the record at the hearing.**

This hearing is open to the public. In accordance with the Americans with Disabilities Act of 1990, the City of Plantation will provide reasonable accommodations for disabled individuals requesting special assistance in order to attend or participate in this hearing. Provided however, that a request for such assistance be made to the Office of the City Clerk (954) 797-2237 at least three (3) calendar days prior to the scheduled hearing.

Instructions for respondents, property representatives, witnesses to join this hearing via Zoom:

Topic: **CITY OF PLANTATION SPECIAL MAGISTRATE HEARING March 3, 2021**
Telephone: **DIAL 1-646-876-9923**
By computer: **ZOOM.US**
<https://us02web.zoom.us/j/85932863274?pwd=Nm1EYkZuV3BBQnlhOW9xS05Pb0lXUT09>
Meeting ID: **859 3286 3274**
Passcode: **542594**

To virtually raise hand and be acknowledged to speak:

1. Users who call in can dial *9 to raise their hand.
2. If going through mobile (phone/tablet) app, to raise hand select “participants”, then see option to raise hand.
3. On the computer, users should click “participants” then see an option to raise hand.
4. Once you have been selected to speak, you will be prompted to unmute your device or stay muted.
5. The last 4 digits of your phone number or name will be called. You will then be instructed to state your name for the record.

SUSAN SLATTERY, MMC
CITY CLERK

AFFIDAVIT

The Undersigned, SUSAN SLATTERY, after being first duly sworn, deposes and says as follows:

- (1) That she is the duly appointed and serving City Clerk of the City of Plantation;
- (2) That on February 17, 2021, she did mail to each person named on the attached mailout list a copy of the attached notice to property owners for the Special Magistrate meeting of March 3, 2021.

Dated this 17th day of February, 2021.

Susan K Slattery
SUSAN SLATTERY
CITY CLERK
CITY OF PLANTATION

STATE OF FLORIDA }
COUNTY OF BROWARD }

The foregoing instrument was acknowledged before me this 17th day of February, 2021, by SUSAN SLATTERY, City Clerk, City of Plantation, who is personally known to me and who did take an oath.



AYESHA ROBINSON
Commission # GG 234954
Expires August 30, 2022
Bonded Thru Budget Notary Services

Ayesha Robinson
(SIGNATURE)

Project Name: Yuta Varma for United Recovery Project, Inc.
Project #: CE20-02545
Total: 14

Folio	Owner's Name 1	Owner's Name 2	Owner's Address 1	Owner's Address 2	Site Address
494036040175	GRAMANZINI,ANGELO & LUISA		11700 NW 11 ST	PLANTATION FL33323	11700 NW 11 ST
494036300010	COHEN,SIMON M		1000 NW 116 AVE	PLANTATION FL33323	1000 NW 116 AVE
494036040191	PLANTATION ACRES IMPROVEMENT	DISTRICT	1701 NW 112 AVE	PLANTATION FL33323	NW 118 AVE
494036050050	LAW,DANNY RAY &	LAW,PATRICIA SUE	881 NW 116 AVE	PLANTATION FL33325	881 NW 116 AVE
494036040266	RAM,JAIRAM & DAMYANTEE E		915 NW 116 TER	PLANTATION FL33325	915 NW 116 TER
494036040130	GRAMANZINI RANCH LLC		1080 NW 116 AVE	PLANTATION FL33323	1081 NW 116 AVE
494036130010	GREENE,VANESSA		910 NW 116 TER	PLANTATION FL33325	910 NW 116 TER
494036150010	KESSLER,DEBORAH	KOLOZS,VERA	2705 NW 104 AVE APT 102	SUNRISE FL33322	1011 NW 116 AVE
494036070010	KENNEDY,GLENN & NONA		1051 NW 116 AVE	PLANTATION FL33323	1051 NW 116 AVE
494036040174	HERBERT,ALISSE M & BRENT H		11720 NW 11 ST	PLANTATION FL33323	11720 NW 11 ST
494036040180	PARENTE,CARMINE & EILEEN		1131 NW 118 AVE	PLANTATION FL33323	990 NW 118 AVE
494036460040	11700 NW 9TH STREET LLC		13490 OLD LIVINGSTON RD	NAPLES FL34109	11700 NW 9 ST
494036150020	KOLOZS,VERA	KESSLER,DEBORAH	2705 NW 104 AVE #102	SUNRISE FL33322	1021 NW 116 AVE
494036040126	TABIN,LISA H/E	GUERRA,ALFREDO	1060 NW 116 AVE	PLANTATION FL33323	1060 NW 116 AVE



STAFF REPORT TO THE SPECIAL MAGISTRATE

DATE: February 19, 2021

SUBJECT: Request for Reasonable Accommodation

APPLICANT: Yuta Varma for United Recovery Project, applicant / Vera Kolozs & Deborah Kessler, property owners

ADDRESS: 1021 NW 116th Avenue

LOCATION: Located on the west side of NW 116th Avenue approximately 750 feet south of NW 12 Street

LAND USE / ZONING: Residential (1 du/ac) / RS-1EP (Estate District)

SUMMARY OF ISSUE: Yuta Varma, representing United Recovery Project, requests approval of a reasonable accommodation to occupy a single family home zoned RS-1EP as a community residence having up to 15 disabled clients and 3 caretakers (application, attached as Exhibit “A”).

SUMMARY OF REQUEST:

Ordinance 2570, attached as Exhibit “B”, was adopted by the City Council on July 25, 2018. This ordinance defines a “Family” as “One person or a group of two or more persons living together and interrelated by bonds of consanguinity, marriage, or legal adoption, or a group of persons not more than three in number who are not so interrelated, occupying the whole or part of a dwelling unit as a separate housekeeping unit with a single set of culinary facilities. The persons thus constituting a family may also include gratuitous guests and domestic servants. Any person under the age of 18 years whose legal custody has been awarded to the State Department of Children and Family Services (DCF) or to a child-placing agency licensed by DCF, or who is otherwise considered to be a foster child under the laws of the State, and who is placed in foster care with a family, shall be deemed to be related to and a member of the family for the purposes of this Chapter. Nothing herein shall be construed to include any roomer or boarder as a member of a family.”

The applicant has submitted a reasonable accommodation application requesting approval of 15 disabled residents and 3 staff members (per shift) to occupy the single-family home.

ANALYSIS:

Subject site: The subject site is a “pie” shaped lot containing 1.14 acres located on the west side of NW 116th Avenue approximately 750 feet south of NW 12th Street and bound by single family homes to the north, south, and east together with undeveloped property to the west, all zoned RS-1EP. See Figure A below.

On-site conditions: The site is developed with a two-story single-family home encompassing 6,230 square feet in area and having 6 bedrooms, 6.5 bathrooms, two two-car garages and a swimming pool. The on-site surface parking lot contains 10 parking spaces. See Figure B-1 and B-2 below.

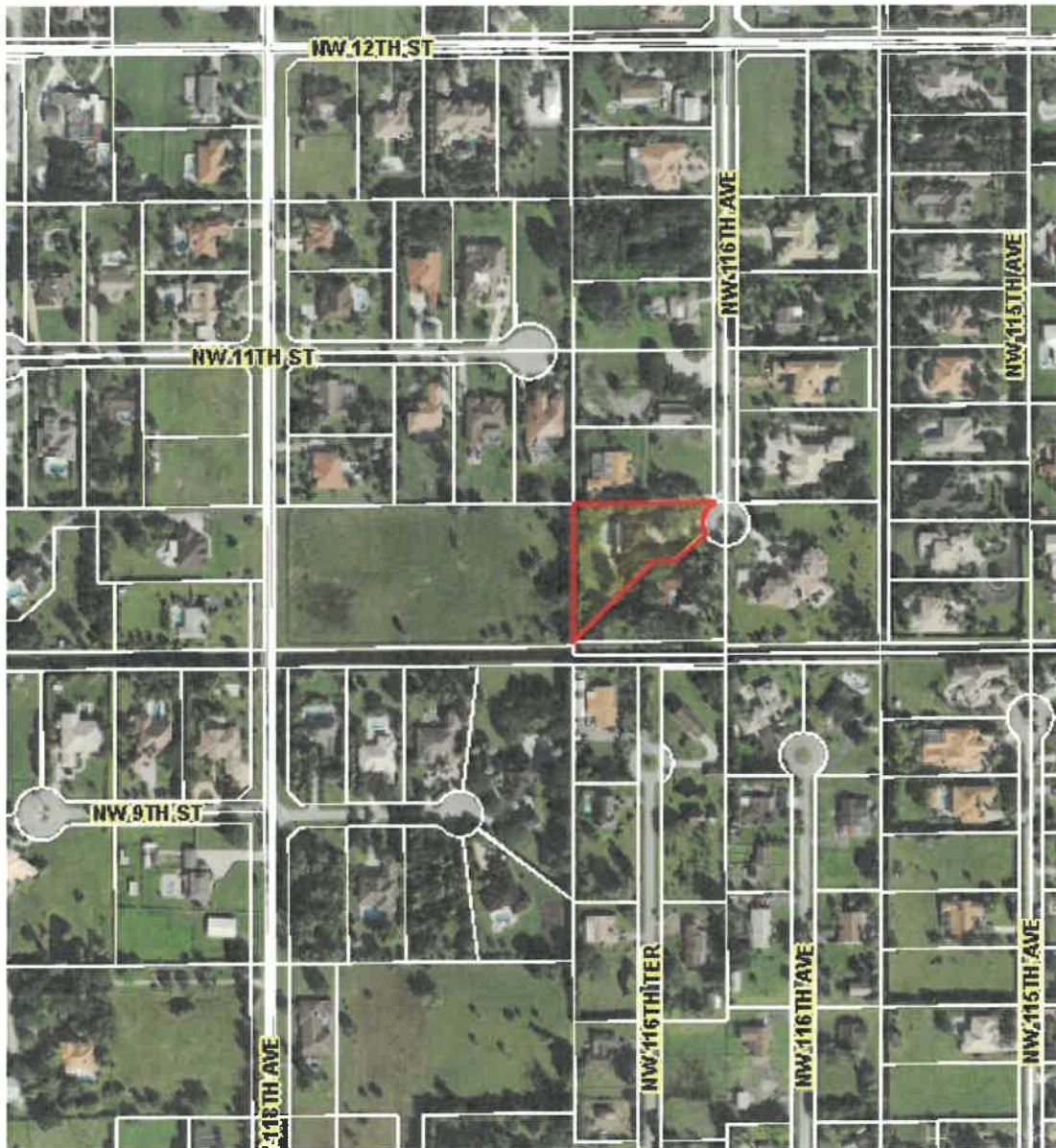


Figure "A" – The subject site



Figure B-1 – On-site conditions



Figure B-2 – On-site conditions

Application Form:

- A complete application was received by the Planning, Zoning and Economic Development Department on February 4, 2021. The Special Magistrate must render a decision on the request within 60 days (no later than Monday, April 5, 2021). The request may be granted, a portion of the request granted and a portion of the request denied and/or conditions applied, or denied in accordance with federal law.

- The applicant has provided the correct site location information:
1021 NW 116th Avenue
Plantation, FL. 33317
Folio # 49403615002

- The applicant has indicated his contact information is:
Yuta Varma
United Recovery Project Inc.
5900 Johnson Street
Hollywood, Fl. 33021

- The facility website is <https://unitedrecoveryproject.com>

- The Florida Division of Corporations website indicates the following organization contact information:
 URP Holdings LLC.
 5900 Johnson Street
 Hollywood, Fl. 33021
- The applicant has indicated the correct property owner information is:
 Vera Kolozs & Deborah Kessler
 2705 NW 104th Avenue, #102
 Sunrise, FL 33322
- There is no Homeowners Association applicable to this site.
- The applicant has indicated the primary treatment facility is located at 5900 Johnson Street, Hollywood, Fl. Staff has verified that this facility (5900) is certified by the State of Florida Department of Children and Families (DCF) for Day or Night Treatment with Community Housing (Lic. #1045972), The subject site is acknowledged as a community housing location by DCF. The applicant has also provided proof of certification from The Florida Association of Recovery Residences (FARR).
- The applicant has requested approval to allow 15 residents (plus 3 staff members per shift) to occupy the six-bedroom home.
- A virtual tour available on the applicant's website indicates there are currently 17 beds within the 6 bedrooms (3 rooms with 2 beds, 1 room with 3 beds, and 2 rooms with 4 beds).
- The applicant indicates 2 vans will be used for transporting residents and three passenger vehicles will be utilized by staff members. There are a minimum of 10 on-site parking spaces available.
- The applicant has indicated the number of residents requested is necessary for the dwelling to be financially viable given the size and operating expenses associated with the home.
- The applicant has indicated the number of residents requested is necessary for the dwelling to be therapeutically beneficial to the residents and has provided information from the Substance Abuse Mental Health Services Administration (SAMHSA) to substantiate same.
- A verification of Disability Status form has been submitted by Yuta Varma. as the Director of Operations for United Recovery Project.
- United Recovery Project occupied the residence on or about July, 2017. The home currently has all female residents. The applicant has indicated they intend to utilize this location for female clients only.
- The home is well maintained and has not had any code enforcement violations since its construction in 2006/2007.

- The Police Department has received 2 calls for service within the past two years. One call was for assistance with a mentally ill resident and the second call was to report an alleged sexual assault. See Exhibit “C”.
- The Zoning Department has not received any calls or e-mails regarding the use of the property.
- City staff is not aware of any other recovery residences in the City of Plantation within 660 feet of the subject site.
- According to the most recent data available from the United States Census Bureau released in the American Community Survey in December of 2020, an average of 3.0 people typically occupy a single-family home in Broward County and an average of 3.4 people typically occupy a single-family home in the City of Plantation.
- Within 30 days after the special Magistrate’s determination on a reasonable accommodation request is mailed to the requesting party, such applicant may seek judicial review by filing a Petition for Writ of Certiorari in the Circuit Court of the 17th Judicial Circuit in and for Broward County.

Factors for consideration of approval or denial (Section 27-15.5 of the Code):

In evaluating an application for a reasonable accommodation, the PZED Department, and either the Chief Administrative Officer or Special Magistrate, as applicable shall consider:

- whether the requested accommodation is requested by or on the behalf of one or more individuals with a disability protected under federal or state law;
- whether an accommodation is necessary to provide one or more individuals with a disability an equal opportunity to use and enjoy housing;
- the extent to which the relief requested would serve the special needs of the disability at issue;
- the physical attributes and conditions of the subject Lot and structures and improvements thereon, and whether they are compliant with applicable provisions of the Florida Building Code and Florida Fire Prevention Code;
- whether the type of accommodation requested or the objective the accommodation seeks will foreseeably impose an undue financial or administrative burden on the City (to determine these burdens, the City may consider: 1. prior experience with the applicant or operator, or property owner, or some or all of the foregoing, 2. prior experience at the Lot, 3. prior experience at other properties for which similar types of requests have been approved, 4. the City's financial resources, and 5. the City's personnel time and effort expended in the processes and procedures outlined in this Division, in ensuring the conditions and limitations of Determinations are followed, in providing services to the Lot and to other property where like Determinations have been issued, and in enforcing violations of law which relate to the Lot and to other property where like Determinations have been issued);
- any evidence that the accommodation would result in a threat to the health or safety of individuals, or damage;

- the extent to which the accommodation may impair the policy interests served by the ordinance, rule, policy, or procedure affected by the application;
- the extent to which a more tailored exception, modification, or alternative accommodation to the applicable ordinance, rule, policy, or procedure would affect the purposes served by the requested reasonable accommodation without the same degree of 1. foreseeable, accompanying burdens, or 2. impact to the policy considerations underlying the ordinance, rule, policy, or procedure in question, or 3. both 1. and 2.;
- the extent to which the application, if granted, may foreseeably result in violations of other law relating to the premises (e.g., parking);
- any specific request or directive from any federal or state agency which has been made or received concerning the application; and,
- information provided by the applicant on the reasonable accommodation request form and information provided by the PZED Department and any other Department concerning the completed application. Information provided by City Departments may include information concerning a portion of the City to which certain uniform regulations and requirements or various combinations thereof apply under the provisions of the comprehensive zoning ordinance, as such portion of the City surrounding the Lot is demarcated in the professional opinion of the PZED Director (the "Surrounding District"). Information provided by City Departments may include, but not be limited to, zoning and land use information, police incident data, fire rescue data, code enforcement data, false burglar or medical alarm data, census data, on-site and off-site physical conditions, photographs and aerials of subject Lot and of the Surrounding District, Surrounding District information and data (i.e. traffic routes that show the boundaries of the Surrounding District, interior street patterns, significant physical features, both natural and man-made [such as a canals and lakes], population data, school locations, park and recreation amenities, and municipal activity and projects), and any other relevant information concerning the application or issues relevant to the Determination of the application for a reasonable accommodation.
- When the application for a reasonable accommodation concerns or involves a Community Residence, in addition to the factors set forth above, the PZED Department shall evaluate the following additional criteria, and the Chief Administrative Officer and Special Magistrate shall not grant the application or an alternative application unless he or she reasonably concludes that the criteria in (a), (b), and (c) below are met:

the Community Residence:

- is one whose owner or operator is certified by the credentialing entity designated under Section 397.487 of the Florida Statutes, as amended (or that the Community Residence is certified by the credentialing entity designated under Section 397.487 of the Florida Statutes, as amended), or,
- is operated in accordance with the Oxford House Manual ©, or
- where neither 1. nor 2. is applicable:
 - will be operated in a manner effectively similar to the Community Residences described 1. or 2.,

- Staff, if any, will be adequately trained,
- will emulate a biological family,
- will be operated to achieve normalization and community integration, and
- rules and practices governing how the home is operated will protect residents from abuse, exploitation, fraud, theft, insufficient support, use of illegal drugs or alcohol, and misuse of prescription medications.

RECOMMENDATION: **APPROVAL** to allow a maximum of 15 persons (12 residents and 3 staff) to occupy the dwelling at any one time subject to staff comments and conditions noted below.

STAFF COMMENTS:

PLANNING AND ZONING:

1. The use of the structure must be maintained as a single-family dwelling unit.
2. A virtual tour available on the applicant's website indicates there are currently 17 beds within the 6 bedrooms (3 rooms with 2 beds, 1 room with 3 beds, and 2 rooms with 4 beds). Reduce the number of beds to the number of residents approved for occupancy.
3. Any building additions, interior or exterior modifications to the structure or site must meet all applicable land development code requirements and building permits obtained, if required. Garage conversion to living area is not permitted.
4. All vehicles must be parked in the garage or driveway. Vehicles may not be parked on the yard, swale, or street.



City of Plantation Application Form to Request a Reasonable Accommodation

A reasonable accommodation is any modification of a zoning or land development rule, policy, or practice if that modification is reasonably necessary in order to give a person with disabilities an equal opportunity to use and enjoy a dwelling in the City of Plantation. It is the policy of the City of Plantation Planning Zoning & Economic Development Department, pursuant to State and federal law, to provide individuals with disabilities reasonable accommodation in rules, policies, practices and procedures to ensure equal access to housing and facilitate the development of housing for individuals with disabilities.

If you believe that you need a reasonable accommodation to live in a dwelling, or so that persons with disabilities may live in a dwelling that you own or operate, please complete this application form and return it to the City of Plantation Planning Zoning & Economic Development Department at 401 NW 70th Terrace, Plantation, FL 33317. Please attach additional pages if necessary. If you have questions or need assistance, please contact the City of Plantation Planning Zoning & Economic Development Department.

Name and Contact Information of the Applicant:

Name: YUTA VARMA
Address: 5900 Johnson St.
Hollywood, FL 33021

Telephone: 954-629-2221
Alternative Telephone: 954-399-9048
E-mail: yuta@unitedrecoveryproject.com

Location Where Reasonable Accommodation is Requested:

Address: 1021 NW 116th Ave
Plantation, FL 33323

Name and Contact Information of Home Owners Association (HOA), If any:

Name: _____
Address: N/A

Telephone: _____
Alternative Telephone: _____
E-mail: _____



If there is a HOA, has the owner of the property received approval from HOA?¹

Yes No *NA*

Is Applicant the owner of the property at which Reasonable Accommodation is requested?

Yes No If "No", provide the name and contact information of the owner of the property at which Reasonable Accommodation is requested:

Name: Verz Kolozs / Deborah Kessler
Address: 2705 NW 104 AVE
Apt. 102
Sunrise, FL 33322
Telephone: 954-854-7166
E-mail: BRIANZmama@mama@icloud.com

Is the dwelling licensed or certified or required to be licensed or certified by the State of Florida or Federal Government? If so, please provide the type of license or certificate, the number, and attach a copy of it: *YES*

DCE/SMH (licensee) for "community hous. by" Exh. A
FARR Certified for 15 clients. See Ex. B

Are the people who will live at the dwelling persons with disabilities?

Yes No

If you answered yes, you must submit the Verification of Disability Status form on page 5. If "No", provide the name and contact information of the individual(s) for whom Reasonable Accommodation is requested below:

see pg. 5 AND Exhibit "C"

Please describe the accommodation you need. What rules or policies would you like the City of Plantation Planning Zoning & Economic Development Department to waive for the dwelling (please provide the specific regulation)?

Section 27-1 Definition of family

¹ If owner fails to receive approval from HOA, the City will require the owner to execute a "Proceed at Risk" form if the Reasonable Accommodation is approved by the City.



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Why do you need the accommodation? In other words, why is the requested accommodation necessary in order for persons with disabilities to live in the dwelling; "D"

Yes: See Attached: Exhibit "D"

Please provide the following information if you are requesting an accommodation in order to house more than 3 unrelated people in a single-family dwelling:

Number of residents that will live in the dwelling: 15

Number of staff who will serve the dwelling: 3 per shift

Anticipated number of vehicles used by residents and staff: 2 vans / 3 cars

Number of off-street parking spaces available: N/A

Square footage of the dwelling: total sq. ft. 8200 / House 5,134
See Exhibit "E"

Number of bedrooms in the dwelling: 6 ; # of bathrooms: 6.5

For each bedroom, please state the square footage of the room and the number and size of each window:

Bedroom 1: 20' x 16.5'
Bedroom 2: 21' x 16'
Bedroom 3: 14.5' x 11.5'
Bedroom 4: 14' x 13.5'

[Attach additional sheets if necessary.]

Bedroom # 5 : 16.5' x 11.5'
Bedroom # 6 : 14' x 13'



Is the number of residents necessary in order for the dwelling to be financially viable? If so, please explain why:

yes: Lease is for \$11,500 per month.
Expenses exceed \$1,000 per month per person.

Is the number of residents necessary in order for the dwelling to be therapeutically beneficial for the residents? If so, please explain why:

yes: See Exhibit "E"

I AFFIRM UNDER PENALTY OF PERJURY THAT THE INFORMATION PROVIDED IN THIS APPLICATION IS TRUE AND ACCURATE. I UNDERSTAND THAT IF I KNOWINGLY PROVIDE FALSE INFORMATION ON THIS APPLICATION THAT MY APPLICATION MAY BECOME NULL AND VOID.

Signature:

Name:

Date:



Verification of Disability Status

This form must be completed by someone who knows about the individuals' disabilities.

The City of Plantation Planning Zoning & Economic Development Department respects individuals' privacy. We will verify disability status, but will not inquire into the nature or severity of a disability. Nor will we ask to see a person's medical records. We will limit our disability inquiry to requiring the Applicant to verify the disability status of individuals for purposes of State and federal law.

Definitions:

Federal law provides that "persons with disabilities" are persons who: (1) have any "physical or mental impairment" that substantially limits one or more "major life activities"; (2) have a record of having the impairment; or (3) are regarded by others as having the impairment.

A "major life activity" is any task central to most people's daily lives, such as caring for oneself, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working.

A "physical or mental impairment" includes, but is not limited to, orthopedic, visual, speech and hearing impairments, cerebral palsy, epilepsy, muscular dystrophy, multiple sclerosis, cancer, heart disease, diabetes, mental retardation, emotional illness, learning disabilities, HIV disease (whether symptomatic or asymptomatic), tuberculosis, drug addiction, and alcoholism. Anyone with a history of an impairment that limits a major life activity is also a person with disabilities.

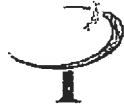
Verification:

To the best of my knowledge, information, and belief, the person(s) who occupy (or who will occupy) the dwelling that is subject to the above request for reasonable accommodation ✓ do ___ do not meet the definition of "persons with disabilities." I am in a position to know about the person(s)' disabilities because:

I supervise all sober housing units and to qualify for residency, an individual must be enrolled in substance abuse treatment.

Note: to be completed by a medical or social services professional, part of a peer support group that serves the person(s), professional, trained and certified to evaluate the individual(s) medical, mental or physical impairment.

Note: Do NOT reveal the nature or severity of the persons' disabilities.



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I affirm under penalty of perjury that the information provided in this application is true and accurate:

Signature: _____

Name: YUTA VARMA

Date: 12/2/2020

Address: 5900 Johnson Street
Hollywood, FL
33021

Telephone: 954-629-2221

E-mail: yuta@unitedrecoveryproject.com

OFFICIAL USE ONLY

Reasonable Accommodation Request Number: _____

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1 / 16

Est. **\$1,124,400** ⓘ

View up to 3 home estimates



6 beds **6.5** baths **8,200** sq ft **1.14** acres lot

FEMA Zone AH (est.) • Flood Factor NEW
6/10

Commute Time 1021 NW 116th Ave, Plantation, FL 33323

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Property Overview - LUXURY ESTATE HOME BUILT IN 2010 AND LOCATED JUST A FEW MINUTES FROM THE SAWGRASS SHOPPES AND RESTAURANTS. BUILT ON ONE ACRE THIS HOME HAS THE FINEST QUALITY CONSTRUCTION AND COSMETIC DETAILS. THIS LUXURIOUS HOME FEATURES A PRIVATE REMOTE GATE TO
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United Recovery Project is designed as an intensive program for individuals who are seeking help for substance addiction. This program is unique in that it is

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Treatment

- Detox
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Name

not a track within a general population program, but rather its own distinct program with separate therapy groups and residential experience.

URP Commercial
URP on Inside Edition

Partial-Day Program
Sober Living
Alumni Program
Financing
Privacy Policy

Email Address

SUBSCRIBE



Information provided here is subject to our privacy policy.

License Number
LIC-1045970

Exhibit A

#1045972

active 12/1/20

State of Florida

Department of Children and Families

CERTIFIES

DMBA United, LLC, DBA The United Recovery Project

is licensed in accordance with Chapter 397, Florida Statutes to provide substance abuse services for

Day or Night Treatment with Community Housing

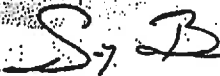
located at:

Site: 1

5900 Johnson Street
Hollywood, FL 33021

Accredited By: JC

License Type: Regular



Shayla Brown

Signature Date: 4/8/2020

Effective Date: 4/16/2020

Expiration Date: 4/15/2021

*Renewal
in process -*



**FLORIDA DEPARTMENT
OF CHILDREN AND FAMILIES**
MYFLFAMILIES.COM

COMPONENT REQUEST

PROGRAM INFORMATION

Request Type: Renewal
 Program Name: DMBA United
 Component Requested: Day or Night Treatment with Community Housing

Component Request ID: COMP-020136
 Work Queue: Provider

Comments / Issues:

COMPONENT STATUS & ACTIONS

Related Invoice Information:

Invoiced: Invoice Number:

Invoice Unique ID:

Read Only

License State: Denied
 Review Status: Waiting on Profile Admin
 Provider ID: PROV-000821
 Site ID: SITE-00002491
 Site Address:

Key Dates

Submission Date: 4/2/2018
 Effective Date: 6/7/2018
 Expiration Date:
 DCF Response Due:
 Inspection Status:

Region: Southeast
Circuit: C17

Not Required

Provider Response Due: 7/1/2018
Provider Response Extension:
Completed Date:

Renewal Notifications

120 Day: 90 Day: 60 Day: 30 Day:
120 Day Sent 90 Day Sent 60 Day Sent 30 Day Sent

Integrated Facility

Previous License Number: 0681103541501 Previous License Expiration Date: 6/6/2018

Is the applicant accredited by a certifying organization approved by the department? Yes

Select applicable organizations where you are accredited:

	Expiration Date
Commission on Accreditation of Rehabilitation Facilities (CARF) <input type="button" value="Select Item"/>	1/1/1900
The Joint Commission	7/14/2020
Council on Accreditation (COA)	1/1/1900
Green Apple Accreditation of Children Services <input type="button" value="Select Item"/>	1/1/1900
National Committee on Quality Assurance (NCQA) <input type="button" value="Select Item"/>	1/1/1900

Name of Training Coordinator: Alison Mirra

Name of Medical Director: Dr. Steve Edbril License Number: ME78892

Primary Funding Source

Primary funding source affects fee calculation.
Private

Multiple Funding Sources

If this component has multiple funding sources please select all applicable sources of funding for THIS component:

- Publicly Funded
- Privately Funded
- DCF Contracted

House Locations

	Name of House	Address	City	Status
View E...	DMBA Community housing 2	5900 Estates Drive	Davie	Active

View	DMBA Community Housing 3	1021 NW 116th Avenue	Plantation	Active
View	DMBA Community Housing 1	6300 136th Avenue	Davie	Active

Hours during which the program is open:

Monday	09:00	AM	to	05:00	PM	Closed
Tuesday	09:00	AM	to	05:00	PM	Closed
Wednesday	09:00	AM	to	05:00	PM	Closed
Thursday	09:00	AM	to	05:00	PM	Closed
Friday	09:00	AM	to	05:00	PM	Closed
Saturday	09:00	AM	to	01:00	PM	Closed
Sunday	Select Item	AM	to	Select Item	PM	Closed

Have all staff and volunteers who have direct contact with individuals under the age of 18 years been finger printed and screened in accordance with section 397.451(1)(a), Florida Statutes? NA

Please check the population, which have been targeted for services.

- | | |
|----------------------|-----------------|
| White (Non-Hispanic) | American Indian |
| Black (Non-Hispanic) | None |
| Hispanic | Other |

Please list any special population group targeted for services (e.g., hearing impaired, pregnant alcoholics or addicts, youth, criminal justice clients, etc.)

- | | |
|--------------------------------------|------------------------|
| Children | HIV/AIDS |
| Women | Hearing Impaired |
| Adolescents | Visually Impaired |
| Homeless | Older Adults |
| Criminal Justice-Involved Adults | Co-occurring |
| Juvenile Justice-Involved Youth | Intravenous Drug Users |
| Pregnant and Post Partum Women | Other |
| Pregnant and Post Partum Adolescents | |

What is the maximum number of individuals that can be served in this component on a given day? 35

What is your projected operating budget for the component listed on this application for the current year? 250000

Please list the complete names of agencies or practitioners you have written referral agreements, contracts, or subcontracts with and check the type of business relationship:

	Name	Type of Agreement
View	Edit Maureen Mahoney, Registered Dietician	Agreement
View	Edit Dr. Steve Edbril	Agreement

Please list the sources of revenue you receive by name and check the type of funds, e.g., state funds, federal funds, fees, etc:

	Name of Organization	Source Type
View	Edit Private Pay	Private
View	Edit Private Health Insurance	Private

Please further describe your program listed in item at the top of the screen. **For counseling programs, this information should include the number of counseling sessions provided weekly, the duration of each counseling session, and the average length of stay in the program.**

The Day or Night Treatment with Community Housing program is offered to both male and female adults over the age of 18 years old. The program is offered Monday to Friday 9:00 am to Friday 5:00 pm and Saturday 9:00 to 1:00 pm. The program consists of individual and group therapy sessions at least 5 hours per session, no less than 25 hours per week. The clients are provided transportation to and from the treatment center during the day. Clients are provided nutritional services and ancillary services. The housing locations are 6300 136th Avenue Southwest Ranches, Florida 33330, 5900 Estates Drive, Southwest Ranches, Florida 33330, and 1021 NW 116th Avenue, Plantation, Florida 33323.

Provider Signature

I attest I am authorized to sign and the information provided is true, accurate and complete to the best of my knowledge.

Signature Stamp

*Click the pen icon to sign.

Provider Actions

Save without submitting to DCF. Use this option for incremental saves prior to submission.

Test to determine if your request meets DCF standards. Used for informational purpose only and will not prevent submission. DCF regional staff will review the submission for compliance and return the form with comments if necessary.

Submit this form to DCF for review and approval.

**Computerized Application for Licensure to Provide Substance Abuse Services,
CF-MH 4024A, August 24, 2012 [65D-30.0034, F.A.C.].**

FARR Certification Notice- United Recovery Project

whitney@farronline.org

11/25/2020 9:52 AM

To cathyclaud@comcast.net Copy Teddy Beddoe, Lyle Fried, Steven Farnsworth

Reply Forward Delete

5 attachments View Download

image001.jpg (4.1 KB) NARR2-logo_RGB_dk (3).png (11.0 KB) Certified Residence.zip (1.9 MB)

Code of...Staff Signature.pdf (675.9 KB) United Recovery...2020 PROV.pdf (2.1 MB)

Hello Cathy,

PLEASE NOTE THE PROVIDER HAS ALREADY PROVIDED SIGNED CODE OF ETHICS

Congratulations, you have been found to be in compliance with all requirements established by FS.397.487! We welcome you as having **Level IV and II** FARR Certified Residence(s) and look forward to your participation.

Please find attached the FARR Certified Residence logo for use on your website and marketing materials. We have listed **United Recovery Project** on the Certified Residences online directory and DCF's list of providers eligible for referral under FS.397.487. We recommend that you visit the FARR site and review this listing to ensure the information you entered at the time of application is still accurate.

<https://www.farronline.info/providers#providers-table-pagination=1>

We have attached the FARR Code of Ethics and signature page. FARR requires that this Code of Ethics be posted to your website along with a link to the FARR Grievance Form **within the next 10 days**. We also require that all owners/operators and their staff execute the FARR Code of Ethics. Please be certain to return signed copies of the FARR Code of Ethics for each owner, staff member, house manager, etc. to my attention at whitney@farronline.org or by fax to 888-374-2043 **within the next 10 days**.

FARR exists to serve you and you are now is linked through FARR to many other quality providers here in Florida as well as beyond by our affiliation with NARR. The National Alliance of Recovery Residences (NARR) acts as an umbrella organization, currently linking you to over 3,000 recovery residence providers nationwide. We have included the NARR logo as an attachment for use in public facing materials. This ensures that whenever a referral source outside Florida is searching for a quality residence, they can easily identify your program adheres to NARR Standards. Should you have any questions please feel free to contact me. Once again welcome to the Florida Association of Recovery Residence.

Best,

Whitney Lehman, CRRA
Certification & Compliance Administrator
561-288-1736



Organization - United Recovery Project

No assessor *Certification - Compliant*

Information

Legal Entity Name: DMBA United, LLC

Application Date: 08/25/2020

Renewal Date: -

Corporation Type: Limited Liability (LLC)

Address: 5700 Johnson Street

City: Hollywood

State: Florida

Zip: 33021

Phone: 1 (954) 314-0964

Number of Locations: 6

Ownership in Health Care Provider YES

United Recovery Project, LLC

URP Detox, LLC

Ownership in Confirmatory Lab NO

Housing Scholarship YES

Read NARR Standards & Code of Ethics YES

Reviewed CR Requirements YES

Edit

Residences For United Recovery Project

The Villa IV

Residence Address:1021 NW 116th Ave.

Residence Address 2:

City: Plantation

State: Florida

Zip:33323

County: Broward

Peer Leader Name: Yuta Varma

Property type: Multi Family

Units:1

Bedrooms:6

Bathrooms:6

Of Beds:15

Property Ownership: Leased from a third party

Established:07/01/2017

Accessor: No assessor

Do you welcome persons on a Medication Assisted Treatment protocol at this location? NO

Gender: Women

Priority population:

Recovery path:12 Step

Is your residence abstinence based? YES

Is food included in fees? YES

Do you manage residence funds? NO

Billing Frequency: Weekly

Administrative Fees:0

Pro-Rated Amount:15

Shared Room Amount:100

Deposit Amount:0

Private Room Amount:0

Full Move in Cost:0

EXHIBIT C

Whether Applicant Qualifies for a Reasonable Accommodation:

In order to implement the requirements of the FHA and the ADA, the County has promulgated a Reasonable Accommodations (“RA”) procedure. The Reasonable Accommodation procedure provides that a qualifying entity under the FHA or ADA may request a reasonable accommodation in writing and for no charge. The request must describe the qualifying handicap or disability, the nature of the accommodation sought, and the reasons the accommodation is necessary in order to afford individuals with disabilities access to use and enjoy housing types or services.

According to its application, Applicant operates a treatment facility for individuals diagnosed as Chemical Dependent or Dual Diagnosed with a co-existing mental health and substance abuse disorder. Applicant's proposed residential housing component will provide a sober, group living environment to individuals in recovery for substance abuse, all of whom are unrelated to each other. Each resident is projected to reside at the Property for 45 days. Any minimum and/or maximum stay for each resident depends on the treatment needs of each resident, but stays range from at least 14 days to typically six months or longer. The facility is proposed to be housing only. Transportation by van or S.U.V. will be provided for any residents to other services off-site, such as treatment site(s), medical appointments, and self-help activities.

Under both the FHA and the ADA, persons with mental or physical impairments which substantially limit one or more major life activities qualify under the Fair Housing Act as “persons with disabilities.” A mental or physical impairment may include conditions such as alcoholism, drug addiction, and mental illness. 42 U.S.C. §12210(b); C.F.R. §35.014(1)(ii).

Based on Applicant's *prima facie* demonstration that it provides services to persons who require treatment and residential housing support as part of their recovery from substance abuse and or a dual diagnosis of substance abuse with a co-existing mental health condition, Applicant meets the definition of a provider of services to qualified individuals under both the FHA, the ADA, and the County's RA procedure. Accordingly, Applicant is entitled to seek an RA under the County's process.

BEST PRACTICES AND SUGGESTED GUIDELINES

On October 24, 2018 the Substance Use-Disorder Prevention that Promotes Opioid Recovery and Treatment (SUPPORT) for Patients and Communities was signed into law by President Trump. Subtitle D, Ensuring Access to Quality Sober Living (SEC. 7031), of this law mandates that the Secretary of Health and Human Services, in consultation with other specified individual stakeholders and entities, shall identify or facilitate the development of best practices for operating recovery housing. These best practices may include model laws for the implementation of suggested minimum standards that:

- (1) consider how recovery housing is able to support recovery and prevent relapse, recidivism, and overdose, including by improving access to medication assisted treatment
- (2) identify or facilitate the development of common indicators that could be used to pinpoint potentially fraudulent recovery housing operators

The SUPPORT legislation seeks to improve resident care for individuals suffering from a substance use disorder who are in need of supportive recovery-oriented transitional housing. The Administration has dedicated time, attention, and resources to ensuring that individuals with substance use disorders have access to lifesaving medications, treatments, and services in settings throughout the continuum of care, including recovery housing. This document is intended to serve as a guidance tool for states, governing bodies, treatment providers, recovery house operators, and other interested stakeholders to improve the health of their citizens related to substance use issues.

This report identifies ten specific areas, or guiding principles, that will assist states and federal policy makers in defining and understanding what comprises safe, effective, and legal recovery housing. National organizations have contributed significant and valuable work in developing policies, practices, and guidance to improve recovery housing as an integral model of care. The guiding principles in this document are meant to provide an overarching framework that builds upon and extends the foundational policy and practice work that had guided the development of recovery housing to date. SAMHSA recommends following these Ten Guiding Principles to guide recovery house operators, stakeholders and states in enacting laws designed to provide the greatest level of resident care and safety possible.

Recovery housing is an intervention that is specifically designed to address the recovering person's need for a safe and healthy living environment while supplying the requisite recovery and peer supports. The ten best practices and minimum standards are further described below in the following principles.

Ten Guiding Principles

1. Have a clear operational definition

All recovery housing should have a clear operational definition that accurately delineates the type of services offered and to what degree or intensity these services are provided. The SUPPORT legislation defined the term ‘recovery housing’ to describe a shared living environment free from alcohol and illicit drug use and centered upon peer supports and connection to services that promote sustained recovery from substance use disorders.

Additionally, the Substance Abuse and Mental Health Services Administration (SAMHSA) official definition of recovery housing is described below:

Recovery houses are safe, healthy, family-like substance-free living environments that support individuals in recovery from addiction. While recovery residences vary widely in structure, all are centered on peer support and a connection to services that promote long-term recovery. Recovery housing benefits individuals in recovery by reinforcing a substance-free lifestyle and providing direct connections to other peers in recovery, mutual support groups and recovery support services. Substance-free does not prohibit prescribed medications taken as directed by a licensed prescriber, such as pharmacotherapies specifically approved by the Food and Drug Administration (FDA) for treatment of opioid use disorder as well as other medications with FDA-approved indications for the treatment of co-occurring disorders.

For purposes of this document, SAMHSA’s official definition will serve as the benchmark from which to ascribe best practices and suggested minimum standards. The utilization of this definition is because it encompasses the basic tenets as set forth in the statute and it stipulates the inclusion of FDA approved pharmacological interventions for substance use disorders and other co-occurring conditions.

To deliver the best care possible, recovery house operators should include to which level of care their facility delivers services to their residents. SAMHSA supports the levels of care, as identified by the National Alliance of Recovery Residences (NARR) and other stakeholder agencies depicted below, as these levels accurately reflect the basic structural blueprint of quality recovery housing and highlights the continuum of support ranging from nonclinical recovery housing to clinical and usually licensed treatment and highlights the continuum of support ranging from nonclinical recovery housing (Level I and II) to clinical and usually licensed treatment (Level III & IV).

NARR Level	Typical Resident	On-site Staffing	Governance	On-site Supports
Level 1 (e.g., Oxford Houses)	Self-identifies as in recovery, some long-term, with peer-community accountability	No on-site paid staff, peer to peer support	Democratically run	On-site peer support and off-site mutual support groups and, as needed, outside clinical services
Level 2 (e.g., sober living homes)	Stable recovery but wish to have a more structured, peer-accountable and supportive living environment	Resident house manager(s) often compensated by free or reduced fees	Residents participate in governance in concert with staff/recovery residence operator	Community/house meetings, peer recovery supports including "buddy systems", outside mutual support groups and clinical services are available and encouraged
Level 3	Those who wish to have a moderately structured daily schedule and life skills supports	Paid house manager, administrative support, certified peer recovery support service provider	Resident participation varies; senior residents participate in residence management decisions; depending on the state, may be licensed; peer recovery support staff are supervised	Community/house meetings, peer recovery supports including "buddy systems". Linked with mutual support groups and clinical services in the community, peer or professional life skills training on-site, peer recovery support services
Level 4 (e.g., therapeutic community)	Require clinical oversight or monitoring, stays in these settings are typically briefer than in other levels	Paid, licensed/credentialed staff and administrative support	Resident participation varies, organization authority hierarchy, clinical supervision	On-site clinical services, on-site mutual support group meetings, life skills training, peer recovery support services

Source: The National Alliance for Recovery Residences

2. Recognize that a substance use disorder is a chronic condition requiring a range of recovery supports:

The transition from active addiction into lasting recovery is often a difficult and emotionally trying journey for many people with a substance-use disorder. NIDA (2018) indicated that the relapse rates for substance-use disorders is approximately 40-60%, and that relapses could signify the necessity to reexamine a person's course of treatment, as relapses can be very dangerous and in many instances deadly. The first 12 months of this transitional period prior to the onset of sustained full remission, sometimes referred to as early recovery, is a crucial period during which people contend with raw core clinical issues such as family history, unresolved trauma, grief and loss, emotional immaturity, low frustration tolerance, and other factors that make them susceptible to relapse. However, Moos & Moos (2006) determined that individuals with more 'social capital' are more likely to show improved outcomes for short term remission. Therefore, recovery houses are uniquely qualified to assist individuals in all phases of recovery, especially those in early recovery, by furnishing social capital and recovery supports.

Communities support is a critical aspect of achieving and maintaining recovery. A support network comprising friends and family who are not abusing substances, peers with lived experience, trained recovery housing staff, clinical support, and access to community resources is essential to helping people maintain recovery. Community, camaraderie, empathy and guidance are necessary ingredients in helping somebody

remain on track as they navigate their way into a healthy lifestyle of recovery. This is true for individuals recently discharged from inpatient treatment, criminal justice custody, or people seeking a safe, drug free living environment conducive to recovery.

3. Recognize that co-occurring mental disorders often accompany substance-use disorders:

SAMHSA recommends that all recovery house operators and their designated staff should be informed about co-occurring disorders and the close association these ailments have with substance-use disorders. The 2018 National Survey on Drug Use and Health (NSDUH) produced by SAMHSA determined that 9.2 million adults live with a co-occurring mental and substance use disorder. The NSDUH also demonstrates that those with mental disorders, including serious mental illness, are more likely to engage in substance use; conversely, those with substance use disorders are also more likely to have a mental illness.

It is critical that recovery house operators, staff, and certified peers need to be informed as to how co-occurring disorders and resulting symptomology can contribute to increase a person's susceptibility for relapse. Furthermore, SAMHSA believes that all residents and staff should be instructed to treat each other with compassion and understanding regardless of mental health status.

4. Assess applicant (potential resident) needs and the appropriateness of the residence to meet these needs:

SAMHSA recommends that all resident referrals and placement decisions be predicated upon what gives the resident the best chance for obtaining lasting recovery. To help guide placement decisions, SAMHSA strongly encourages all clinically oriented recovery house programs to accurately assess each prospective resident according to their unique needs, strengths, challenges and current recovery capital. SAMHSA maintains that proper resident placement where an individual's needs and goals are appropriately matched to the facility including therapeutic services, recovery supports and the surrounding environment will help to ensure resident safety. To best achieve these ends, the assessment should include the prospective residence and important information about the person.

Resident assessment is an integral part of the comprehensive assessment that should be performed prior to referral and placement into a recovery house system of care. Whether the referent is a licensed clinician, concerned family member, criminal justice professional, or other stakeholder it is important to know and consider the relevant and pertinent information about a person before making impactful decisions regarding their chances for a successful recovery. Usually a licensed clinician obtains intimate knowledge of the resident throughout the therapeutic process.

State governing agencies, including law enforcement, are often important referral sources to recovery housing, it is necessary for these entities to be well versed about the

prospective program prior to referring a potential resident. Relevant information to be considered in determining the most appropriate setting includes:

- **House Culture:** such as permissiveness of unhealthy behaviors, degree of adherence to outside meeting attendance, general living environment including other peer's investment in recovery, etc.
- **Level of Care:** the type, nature and intensity of therapeutic services and recovery supports provided, ability to address specific needs.
- **Utilization of certified or appropriately trained peers with relevant lived experience**
- **Geographic area, neighborhood or external surrounding environment of the recovery house**
- **Physical living environment**
- **Current residents:** welcoming, committed to sobriety, are they mostly employed, supportive of one another
- **Medication Assisted Treatment:** does the operator or other house staff support the use of medication assisted treatment, is the use of this medication properly monitored, are the other residents in the house also supportive of MAT, are peers with MAT experience available for residents with severe opioid use disorder (OUD)
- **Level of training and professionalism of house staff (e.g., co-occurring disorder, crisis interventions, etc.)**
- **Reputation regarding ethical business practices, including fraud and abuse of residents**
- **Relapse policy**
- **Availability of opioid-overdose reversal drugs**

5. Promote and use evidence-based practices:

Given the critical importance of stable housing and community supports to attaining recovery, it is important to ensure that residents in recovery housing are afforded high-quality, evidence-based care. It is important to recognize that many in recovery housing will also need access to outpatient treatment. Polcin (2009) found significant improvements in abstinence and employment rates, as well as a reduction in the number of arrest rates for those residents who also participated in outpatient treatment for substance use disorder(s). Additionally, 76% of the residents that participated in this study remained domiciled in a recovery house for at least five months. For many, the combination of recovery housing with evidenced-based outpatient treatment is an efficacious model of care.

Medication Assisted Treatment (MAT) is a lifesaving evidence-based practice. MAT includes the use of FDA-approved medications for the treatment of opioid use disorders. Medication therapy in conjunction with counseling, behavioral therapies, and community recovery supports provide a whole-individual approach to the treatment of substance-use disorders. The National Academies of Science, Engineering, and Medicine (NASEM)

notes that medications for opioid use disorders save lives and cite the use of these medications as an integral strategy in addressing opioid misuse.

Peers and recovery coaches are other essential components that model the societal and fellowship aspects of recovery, and are fully endorsed by SAMHSA as integral components of recovery houses. Peer Support Recovery Services (PRSS) and recovery coaches have emerged as an efficacious intervention to help utilize lived experience to assist others in achieving and maintaining recovery. (Smelson et al, 2013; Tracey et al, 2011).

6. Written policies, procedures, and resident expectations

Recovery house operators should have clearly written and easy to read documentation for all standard operating procedures and policies. To avoid ambiguity, SAMHSA recommends that the standard operating procedures are clearly explained to each new resident by a house staff member or designated senior peer. It is also advisable for programs to establish a resident handbook to help ease transition and ensure compliance with house rules.

Each resident should sign the documents to verify comprehension; residents should be given a copy for future reference. The house should store the signed documents. The communication of these procedures should also be accompanied by an orientation process.

7. Ensures quality, integrity and resident safety:

SAMHSA is strongly recommending that all recovery houses adhere to ethical principles that place resident safety as the chief priority. SAMHSA believes that unethical practices must be acted upon very quickly. One emerging unethical issue is patient brokering. Patient brokering is a potentially life threatening form of healthcare /treatment fraud that involves using vulnerable people with a substance use disorder as a pawn or commodity to be traded.

In patient-brokering type practices, a broker or agent refers a person, who is either in active use or has relapsed after treatment, to an unethical treatment center for a financial fee or some other valuable kickback. In many instances, the brokered individual, who is already in sobriety after completing treatment, is enticed through financial inducements and/or free drugs to resume use by the brokering agent, who then refers this person back to treatment for a kickback. The unethical treatment center is then able to bill a third party payer for services rendered, which far exceed the kickback paid making this fraudulent business very lucrative. In other brokering type scenarios, people with an active substance use disorder are lured by inducements such as free travel, rent or drugs from around the country to seek treatment in another state or location. Once these individuals arrive at treatment they are then recruited to engage in the brokering process.

Recovery house operators should be well aware of the existence of these types of practices and should understand that these are unacceptable and unethical practices.

Program Certification

Program or recovery house certification or accreditation is one noted remedy to some of the problems stated above. States are advised to adopt a process of certification to assure program quality.

In July 2017 the city of Delray Beach Florida required certification for all recovery residences housing 4 or more unrelated individuals. A year later after this rule was implemented the city of Delray Beach witnessed a significant 60% decline in overdoses from 635 to 245. The city of Delray Beach also saw another 48% decrease in overdoses for the most recent year since this ordinance became law.

In regards to the Fair Housing Act, it should be noted that in *Bangarter v. Orem City Corp* (1995) the court stated that the Fair Housing Amendments Act should not be viewed to preclude special restrictions on disabled or vulnerable people if the benefit of such restrictions for these populations clearly outweighs the burden of these restrictions. Therefore, certification of recovery residences should not be prohibited as a discriminatory practice if the certification is narrowly tailored to benefit the needs of vulnerable populations, and these benefits clearly outweigh whatever burdens are imposed by these rules.

It is standard clinical protocol for all treatment centers and recovery houses to require clients submit to random urine analyses and breathalyzers. In other situations clients or residents may be required to submit an additional sample if they are suspected of using or after returning to the treatment center after time spent in a potentially using type of environment. This protocol is designed to ensure safety by confirming people are sober, on track in their recovery and not in need of additional therapeutic interventions. Fair Health examined claims data based on Current Procedural Terminology (CPT) codes and determined that costs associated with laboratory testing have increased more than 900 percent between 2011 and 2014. This large increase is an indication that a standard clinical practice has been exploited for financial gain. SAMHSA panelists identified 3 key areas of concern for this unethical practice:

- Testing for quantitative amounts on negative samples
- Charging exorbitant fees over and above the standard costs for lab tests
- Excessive drug screenings during residential treatments (testing can also become excessive in some outpatient treatments)

Medication Policy:

According to the NSDUH (2018) buprenorphine was the opioid with the highest rate of misuse by those with a prescription for it. The misuse of any medication in a sober living environment can have detrimental effects not just for the individual misusing but also for other members of the house. As such, the following strategies are recommended:

- Locking medication up and house staff providing medication at specified time to clients
- Medication counts with staff and resident
- Increase drug testing (if suspected of diversion)
- Communication between stakeholders, providers & staff (releases of information)
- Maintain proper documentation
- Monitor specific residents as needed
- Open discussion of medications (e.g., group topic, potential triggers, etc.)
- Daily dosing within a licensed facility

8. Learn and Practice Cultural Competence:

The concept of cultural competency is of extreme importance, as the disease of addiction does not discriminate along racial, cultural or socioeconomic lines.

The staff and peers who operate and work in recovery houses should treat all individuals with respect regardless of their personal backgrounds and beliefs. Staff should be trained to deal with individuals on a personal basis and respect different beliefs and backgrounds.

9. Maintain ongoing communication with interested parties and care specialists

Ongoing communication is another important aspect of clinical practice that recovery houses should implement as part of their operating procedures. Provided there is a signed release of confidential information, ongoing communication between the resident's referent, concerned loved one, treatment provider, former treatment provider, certified peer recovery coach and criminal justice professional, is essential to helping the resident stay on track with recovery. In certain vocational programs, it could also be advantageous to maintain contact with the person's place of employment. Listed below are some topics areas that could be covered during communication between stakeholders to improve the quality of resident care.

- Level of program adherence
- Resident behavior – potential relapse indicators
- Attendance concerns at treatment
- MAT dosage changes, take home doses
- Progress reports
- Psychotropic medication changes

- Employment status
- Referral decisions (especially following a relapse to help alleviate any brokering type activities)
- Drug testing
- Discharge planning
- Any social network concerns
- Relapse history

10. Evaluate program effectiveness and resident success:

As recovery houses become recognized as vital components in the continuum of care, it is important to properly assess how each house is ultimately performing in delivering quality resident care. SAMHSA recognizes that program evaluation may occur at varying levels depending on the size and scope of the recovery house; however, collecting data on measures such as abstinence from use; employment; criminal justice involvement; and social connectedness would greatly assist the home in gauging the effectiveness of services provided and would also enable these entities to utilize data to justify requests for state and federal funding.

CONCLUSION

SAMHSA strongly believes in the use of recovery housing as a key strategy to assist individuals living with substance use disorder in achieving and maintaining recovery. Providing individuals with a safe and stable place to live can potentially be the foundation for a lifetime of recovery. It is critical that these houses function with sound operating procedures which center on a safe, sober living environment in which individuals can gain access to community supports and therapeutic services to advance their recovery.

References

Bangarter v. Orem City Corp.; 46 F 3d 1491. Court of Appeals, 10th Circuit 1995

Moos, R. H., & Moos, B. S. (2006). Rates and predictors of relapse after natural and treated remission from alcohol use disorders. *Addiction (Abingdon, England)*, *101*(2), 212–222. doi:10.1111/j.1360-0443.2006.01310.x

National Academies of Sciences, Engineering, and Medicine. 2019. Medications for Opioid Use Disorder Save Lives. Washington, DC: The National Academies Press.

National Alliance for Recovery Residences. Recovery Residence Quality Standards. Retrieved from <https://narronline.org/wp-content/uploads/2015/10/National-Recovery-Residence-Quality-Standards-Oct-7-2015.pdf>

National Institute on Drug Abuse. (2018, August 09). Overdose Death Rates. Retrieved from <https://www.drugabuse.gov/related-topics/trends-statistics/overdose-death-rates>

Polcin D. L. (2009). A model for sober housing during outpatient treatment. *Journal of psychoactive drugs*, *41*(2), 153-61

Smelson, D. A., Kline, A., Kuhn, J., Rodrigues, S., O'Connor, K., Fisher, W. Kane, V. (2013). A wraparound treatment engagement intervention for homeless veterans with co-occurring disorders. *Psychological Services*, *10*(2), 161–167

Substance Abuse and Mental Health Services Administration. (2018). Key substance use and mental health indicators in the United States: Results from the 2017 National Survey on Drug Use and Health (HHS Publication No. SMA 18-5068, NSDUH Series H-53). Rockville, MD: Center for Behavioral Health Statistics and Quality, Substance Abuse and Mental Health Services Administration. Retrieved from <https://www.samhsa.gov/data/>

Exhibit E

The State of Florida, Department of Children and Families recognizes the therapeutic capacity for peer interaction as 15 individuals, evidenced by the guidelines outlined in Chapter 65D-30, Florida Administrative Code for group capacity.

The National Alliance of Recovery Residence (NARR) defines a Recovery Residence (RR) as a broad term describing a sober, safe, and healthy living environment that promotes recovery from alcohol and other drug use and associated problems. Many thousands exist in the United States that vary in size, organization, and target population. (The exact number of recovery residences is unknown since many RRs are not regulated by government or independent organizations.) At a minimum, RRs offer peer-to-peer recovery support with some providing professionally delivered clinical services all aimed at promoting abstinence based, long-term recovery. Recovery residences are sober living environments, meaning that residents are expected to abstain from alcohol and illegal drug use. Each credentialed recovery residence publishes policies on relapse sanctions and readmission criteria and other rules governing group living. Recovery residences may require abstinence from particular types of medications according to individual policy.

The term Recovery Residence was promulgated by the National Alliance for Recovery Residences (NARR) and refers to standards-based recovery housing. These standards are constructed atop the Social Model of Recovery Philosophy (SMRP) which emerged in California some seventy years ago, attracted science-based, academic researchers over the following decades which, in turn, led to SMRP migration nationwide in the late 60's and beyond. Recovery-oriented housing founded on SMRP principles continues to be studied academically due to its proven effectiveness in promoting and sustaining long-term recovery.

SAMHSA recognizes the value of Recovery Residences and views them as a viable and cost-effective alternative to established recovery-oriented systems of care. These homes are a good alternative because they provide safe and healthy environments that support residents in their recovery. These communities empower people by providing support as they transition towards living independent and productive lives in their respective communities. Recovery homes offer a unique alternative to harm reduction—a component of the Housing First model—for individuals whose main goal is to find a sober living environment.

As a result of the US Department of Health and Human Services longitudinal studies of individuals post-discharge from acute level of care models. The Florida Association of Recovery Residences and Sheffield Hallam University conducted The Recovery Capital Research Project in 2017 measuring the success of accumulation of recovery capital of over 600 residents in standards-based recovery residences, bridging the gap between treatment and self-directed recovery.

The State of Florida, Department of Children and Families recognizes the therapeutic capacity for peer interaction as 15 individuals, evidenced by the guidelines outlined in Chapter 65D-30, Florida Administrative Code for group capacity.

Resources:

<https://www.myflfamilies.com/service-programs/samh/licensure-regulation/>

<https://narronline.org/resources/>

<https://farronline.org/document-library/>

<https://farronline.org/recovery-outcomes/>

<http://recoveryoutcomes.org/august17/>

<http://recoveryoutcomes.org/reccap/>

<https://www.shu.ac.uk/about-us/academic-departments/law-and-criminology/about-us/international>

<https://www.samhsa.gov/homelessness-programs-resources/hpr-resources/recovery-homes-help-people>

<https://www.samhsa.gov/homelessness-programs-resources/hpr-resources/affording-housing-models-recovery>

Calls For Service Report		Call ID: 20021799		Printed: December 28, 2020	
1. Agency PPD	2. Person Received Complaint Gandero, Idalia R	3. Date/Time Received 04/10/2020 21:58 4. Time Dispatched 21:59	5. Time Arrived 22:03 6. Time Complete 23:09	7. Case # 2004-000371	
8. Nature Of Incident	MENTALLY ILL PERSON (S20)				
9. Location Of Incident	1021 NW 116TH AVE, PLANTATION, FL 33323				
10. Victim or Caller	LORNETTE DAVIS - BEHAVIOUR TECH				
11. Classification	12. How Received 'PHONE' I/CAD CALL	13. Disposition WRITTEN REPORT MADE	14. Officer Marin, Johanz	15. Date Submitted 04/10/2020	

Notes: ** LOI search completed at 04/10/20 21:58:37
SPECIAL ADDRESS COMMENT:
UNITED RECOVERY PROJECT
COMP ADV EMILY CUMMINGS 7/31/96 W/F
IS THREATENING TO CUT HERSELF
NO SIG-0 WEAPONS IN HER HANDS AT THIS TIME
54 CAD HX 1 YR
NO ONE IS DISPLAYING ANY SYMPTOMS FOR THE VIRUS
A130-- W/F ADULT 10-12 51 FMC ON:58194 A32 FOLLOWING
** LOI search completed at 04/10/20 22:13:53
** LOI search completed at 04/10/20 22:14:00
A130 -- CONTACT UNIT : 5 minutes: NPIR/WSB
A130 -- CONTACT UNIT : 5 minutes: 55/OAKLAND PARK
A130-97 OFF:58201
** Case number C2004000371 has been assigned to event P20021799
** >>>> by: JOHANZ MARIN on terminal: \$A130
** Event Type changed from SUICIDE(THREAT) to MENTALILL at: 04/10/20 23:08:45
** >>>> by: Maggie Tshingombe-Lingomo on terminal: psd-disp07-w10

TRUE COPY

Incident/Investigation Report

Agency: Plantation Police Department

Case Number: 2004-000371

Marsy's Law Invoked

Incident Information

Date/Time Reported	Date/Time From	Date/Time To	Officer
04/10/2020 21:58	04/10/2020 21:58	04/10/2020 21:58	(91313) MARIN, JOHANZ
Incident Location			
1021 Nw 116th Ave, Plantation, FL 33323			

Charges

1	Charge Type	Description	Statute	UCR	<input type="checkbox"/> Att
		BAKER ACT	201	999	<input checked="" type="checkbox"/> Com
Alcohol, Drugs or Computers Used		Location Type	Premises Entered	Forced Entry	Weapons
<input type="checkbox"/> Alcohol <input type="checkbox"/> Drugs <input type="checkbox"/> Computers		RESIDENCE-SINGLE		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	1.
Entry	Exit	Criminal Activity			2.
					3.
Bias Motivation		Bias Target	Bias Circumstances	Hate Group	

Other Persons Involved

Name Code	Seq. #	Name (Last, First, M)	DOB	Race	Sex
Involved, Other	1	CUMMINGS, EMILY	07/31/1996 00:00:00	W	F
Address			Cell Phone	Home Phone	
1021 NW 116TH AVE, PLANTATION, FL 33323				(954) 629-2221	
Employer Name/Address				Business Phone	

Assisting Officers

(91702) BUKATA, AMANDA

Incident/Investigation Report

Agency: Plantation Police Department

Case Number: 2004-000371

Marsy's Law Invoked

Notes/Narrative

On 4/10/20 I responded to 1021 NW 116th Ave in reference to a resident who possibly wanted to harm herself. Upon arrival I made contact with Emily Cummings. Cummings stated that she wanted to harm herself by cutting her wrists with anything that was sharp. Cummings advised that she also suffers from Bipolar disorder, PTSD, depression and borderline personality disorder.

Cummings was taken to Florida Medical Center for Baker Act Procedures.

Under penalty of perjury, I declare that I have read the foregoing and that the facts stated therein are true and correct to the best of my knowledge and belief.

I swear and affirm that I have prepared this incident report, and it is correct and true to the best of my knowledge.

Electronically signed by: (91313) MARIN, JOHANZ

Calls For Service Report		Call ID: 20059043		Printed: December 28, 2020	
1. Agency PPD	2. Person Received Complaint Lubow, Erin M	3. Date/Time Received 11/10/2020 15:53 4. Time Dispatched 15:54	5. Time Arrived 16:23 6. Time Complete 19:14	7. Case # 2011-000377	
8. Nature Of Incident	INFORMATION (S14 - MUST DEFINE IN REMARKS)				
9. Location Of Incident	1021 NW 116TH AVE, PLANTATION, FL 33323				
10. Victim or Caller	[REDACTED]				
11. Classification	12. How Received '911' I/CAD CALL	13. Disposition WRITTEN REPORT MADE	14. Officer Saglio, Peter A	15. Date Submitted 11/10/2020	

Notes: ** LOI search completed at 11/10/20 15:53:03
 UNITED RECOVERY PROJECT
 10-56 DAVID CHARLIE
 10-4 PER D218 TO SEND 1 UNIT DOWN
 * DAVID OR CHARLIE -- CLINICAL DIRECTOR
 FEMALE PT IS ADV THAT SHE WAS SEXUAL ASS BY A ROOMMATE
 OCC ON SAT
 5900 JOHNSON ST HOLLYWOOD
 ** LOI search completed at 11/10/20 15:55:47
 ** Case number C2011000377 has been assigned to event P20059043
 ** >>>> by: DANA LERNER on terminal: psd-disp08-w10
 ** Event Type changed from SEXUALBAT(DEL) to INFORMATION at: 11/10/20 17:54:44
 ** Event Priority changed from 2 to 5 at: 11/10/20 17:54:44
 ** >>>> by: LUCIANA RAMOS on terminal: psd-disp05-w10
 ** >>>> by: LUCIANA RAMOS on terminal: psd-disp05-w10
 ** LOI information for Event # P20059043 was viewed at: 11/10/20 18:06:58
 ** >>>> by: JESSE A. LAPIN-BERTONE on terminal: psd-disp06-w10

TRUE COPY

Incident/Investigation Report

Agency: Plantation Police Department

Case Number: 2011-000377

Marsey's Law Invoked

Incident Information

Date/Time Reported 11/10/2020 15:53	Date/Time From 11/07/2020 04:00	Date/Time To 11/07/2020 04:30	Officer (99515) SAGLIO, PETER A
Incident Location 1021 Nw 116th Ave, Plantation, FL 33323			

Charges

1	Charge Type	Description INFORMATION	Statute 903	UCR 999	<input type="checkbox"/> Att <input checked="" type="checkbox"/> Com
Alcohol, Drugs or Computers Used <input type="checkbox"/> Alcohol <input type="checkbox"/> Drugs <input type="checkbox"/> Computers		Location Type RESIDENCE-SINGLE	Premises Entered	Forced Entry <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Weapons 1. 2. 3.
Entry	Exit	Criminal Activity			
Bias Motivation		Bias Target	Bias Circumstances		Hate Group

Other Persons Involved

Name Code Reporting Party	Seq. # 1	Name (Last, First, M) [RESTRICTED]	DOB	Race	Sex
Address			Cell Phone	Home Phone	
Employer Name/Address				Business Phone	
Name Code Involved, Other	Seq. # 1	Name (Last, First, M) SALAS, ALLISON	DOB 08/16/1994 00:00:00	Race W	Sex F
Address 5900 JOHNSON ST, HOLLYWOOD, FL 33021			Cell Phone (786) 246-4567	Home Phone (888) 699-9395	
Employer Name/Address				Business Phone	
Name Code Involved, Other	Seq. # 2	Name (Last, First, M) FERGUSON, VANESSA	DOB	Race W	Sex F
Address 1021 NW 116 AVE, PLANTATION, FL 33325			Cell Phone	Home Phone (888) 699-9395	
Employer Name/Address				Business Phone	
Name Code Involved, Other	Seq. # 3	Name (Last, First, M) MICHAUD, DAVID	DOB 06/28/1958 00:00:00	Race B	Sex M
Address 5900 JOHNSON ST, HOLLYWOOD, FL 33021			Cell Phone (305) 389-4822	Home Phone (888) 699-9395	
Employer Name/Address				Business Phone	

Case Status: CLOS

Primary Officer (99515) SAGLIO, PETER A

Incident/Investigation Report

Agency: Plantation Police Department

Case Number: 2011-000377

Marsy's Law Invoked

Incident/Investigation Report

Agency: Plantation Police Department

Case Number: 2011-000377

Marsy's Law Invoked

Notes/Narrative

I responded to 5900 Johnson St., Hollywood (United Recovery Project), reference a possible sexual assault. Upon arrival, I made contact with reporter, [REDACTED] who stated she was sexually assaulted by her roommate (Ferguson) at 1021 NW 116 Ave, Plantation (Sober Living Facility), on Saturday, 11-07-20, between 0400 and 0430 hours. According to [REDACTED], she was sleeping in her bed when she was awoken by the feeling of a hand on her breasts, under her pajama top. She immediately swung her arm in order to push the hand away, and when she did she knocked over a bottle of Seltzer water. When she sat up, she saw Ferguson standing by her bed. She stated that Ferguson had been harassing her sexually prior to the incident with unwanted comments about her body. [REDACTED] stated she has been at the Sober living Facility for about three weeks and Ferguson for about two and have been roommates ever since Ferguson moved in. She stated this is the first time that Ferguson has touched her inappropriately. [REDACTED] further stated that she reported the incident to the Behavioral Health Tech, Allison Salas. She stated that she wanted the incident reported to the Police, however she was told to wait until the Clinical Director (Michaud) was notified, which was done on Sunday. [REDACTED] stated that Michaud wanted to discuss the incident on the following day at the office in Hollywood before contacting the police. Due to the storm, that meeting did not occur until Tuesday.

I spoke with Salas, who stated that [REDACTED], did report the incident, but later apologized to Ferguson for accusing her of the assault, which gave Salas the impression that [REDACTED] made up the allegation. Salas stated that [REDACTED] did express her wish to contact the Police, however agreed to discuss the matter with Michaud first on Monday before doing so, in the hopes of possibly resolving the issue administratively. Again, due to the storm, the incident was dealt with on Tuesday. Salas stated that she had not seen or heard of any issues between Ferguson and [REDACTED] since Ferguson arrived and this was the first. Additionally, she stated that [REDACTED] has a tendency to imagine things in her head that were not necessarily fact.

I spoke with Michaud, who basically mirrored the comments made by Salas. He stated that [REDACTED] did agree to wait until they met before calling the Police. He also stated that he has had interaction with both parties and never heard of any inappropriate acts or statements that were made by Ferguson. Michaud further stated that he spoke with Ferguson, who denied ever touching [REDACTED]. She stated that she was sleeping and woke after [REDACTED] had knocked over the seltzer water. She stated that she had gotten up to see what the noise was and that's why she was beside [REDACTED]'s bed.

After speaking with both Salas and Michaud, I told [REDACTED] that I would forward my report to our CID Sex Crimes Detective for review. I asked her if she did agree not to call the Police after speaking with Michaud, she stated she did but it was under duress and that she wanted the incident reported. I advised her that she could contact our Department to inquire as to the disposition of this incident. She understood and no further action was taken. It should be noted that after the incident, she and Ferguson were separated and [REDACTED] was

Incident/Investigation Report

Agency: Plantation Police Department

Case Number: 2011-000377

Marsy's Law Invoked

later transferred out of the Sober Living Facility and placed in another Facility in Hollywood.

I spoke with Detective Graber, who deals with incidents of sexual crimes. She stated that based on what I advised her of the incident, that this would fall under a simple Battery at best. She agreed to classify this incident as an Information for now and would follow up with a phone call to Michaud. We both agreed but that there doesn't seem to be enough evidence to pursue this criminally, based on the factors explained in this report. I advised her that if she did find anything further, that I would continue investigating the case as she determines. I also stated that I would attempt to contact Ferguson, in order to get her side of the story and if so, add a supplemental report to this case.

Under penalty of perjury, I declare that I have read the foregoing and that the facts stated therein are true and correct to the best of my knowledge and belief.

I swear and affirm that I have prepared this incident report, and it is correct and true to the best of my knowledge.

Electronically signed by: (99515) SAGLIO, PETER A

TRUE COPY

Calls For Service Report Call ID: 20059206

Printed: December 28, 2020

1. Agency PPD	2. Person Received Complaint Quick, Priscila	3. Date/Time Received 11/11/2020 16:26	5. Time Arrived 16:26	7. Case # -
	4. Time Dispatched 16:26		6. Time Complete 17:31	
8. Nature Of Incident	FOLLOW-UP (10-17)			
9. Location Of Incident	1021 NW 116TH AVE, PLANTATION, FL 33323			
10. Victim or Caller				
11. Classification	12. How Received 'OFFICER' I/CAD	13. Disposition ASSIGNMENT COMPLETE -	14. Officer Saglio, Peter A	15. Date Submitted 11/11/2020

Notes: Field Event

** LOI search completed at 11/11/20 16:26:49