



**CONSORTIUM FOR CITIZENS  
WITH DISABILITIES**

Sept. 28, 2018

Hon. Steve King  
Chair, Subcommittee on the Constitution and Civil Justice  
House Judiciary Committee  
2210 Rayburn House Office Building  
Washington, DC 20515

Hon. Steve Cohen  
Ranking Member, Subcommittee on the Constitution and Civil Justice  
House Judiciary Committee  
2404 Rayburn House Office Building  
Washington, DC 20515

Re: Hearing on Sober Homes and the Fair Housing Act

Dear Chair King and Ranking Member Cohen:

The Co-Chairs of the Consortium for Citizens with Disabilities (CCD) Rights and Housing Task Forces submit this letter for the record of today's hearing concerning sober homes and the Fair Housing Act. CCD is the largest coalition of national organizations working together to advocate for federal public policy that ensures the self-determination, independence, empowerment, integration and inclusion of children and adults with disabilities in all aspects of society.

We understand that some have raised concerns that the Fair Housing Act (FHA) precludes state and local government authorities from regulating sober homes to address a variety of problems including unsafe conditions, inadequate services or no services, kickback schemes, and fraudulent activity. We too are extremely concerned about these issues. But these concerns can all be addressed effectively through state and local health and safety enforcement, insurance fraud enforcement, and other means. The Fair Housing Act in no way precludes enforcement action to address them. Indeed, one of today's witnesses—Dave Aronberg—has confirmed that with the successful prosecutions that he has done in Palm Beach County. The Justice Department and HUD in 2016 updated their guidance on the FHA's application to state and local land use laws to make even more clear that states and localities have ample tools to regulate and

enforce the law to address concerning conduct by sober homes as well as other group homes.<sup>1</sup> There is no need to weaken the Fair Housing Act's much-needed protections in order to address these concerns, and doing so would not substitute for adequate enforcement of health and safety laws or prosecution of fraud or other criminal conduct.

Sincerely,

Jennifer Mathis  
Bazelon Center for Mental Health Law

Samantha Crane  
Autistic Self-Advocacy Network

Mark Richert  
American Foundation for the Blind

Dara Baldwin  
National Disability Rights Network

Co-Chairs, CCD Rights Task Force

T.J. Sutcliffe  
The Arc of the United States

Andrew Sperling  
National Alliance on Mental Illness

Co-Chairs, CCD Housing Task Force

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<sup>1</sup> <https://www.justice.gov/opa/file/912366/download>.