



PASADENA MANSION



July 9, 2014

Mr. Brent L. Green  
Chief, Division of Right of Way and Land Surveys  
ATTN: Affordable Sales Program  
California Department of Transportation  
1120 N Street, MS 37  
Sacramento, CA 95814

Dear Mr. Green:

Fifteen years ago, Ms. Marilyn Lavender, a Caltrans employee with Right of Way Property Management District 7, was instrumental in assisting us in setting up an assisted living facility for the elderly on a Caltrans property in South Pasadena. Since March 1999, we have been operating as Meridian Manor, a licensed Residential Care Facility for the Elderly at 1325 Meridian Avenue, South Pasadena. We provide a home away from home for elderly members of the community who need special 24 hour care. We believe that the elderly members in our community deserve these services. These are our mothers, fathers, grandmothers, and grandfathers; don't they deserve to spend their remaining years in their own communities, close to their families?

In 2004, we expanded our services and set up Pasadena Mansion at 779 South Pasadena Avenue in Pasadena, thanks to Linda Willford from Caltrans.

The concept of our facility is to care for the elderly members of the community in a residential setting versus an impersonal and institutional setting, like a nursing home. By law, we are not considered a business because the residents are legally referred to as a "family." This concept of "family" allows our aging seniors to spend their "golden years" in the comforts of a home with professional care being provided 24 hours a day seven days a week. Our family gives other families peace of mind, knowing that their loved ones are safe and well cared for by professionals in the best of their field.

Our six-bed residential care facility model began its roots in the 1970s, and it has been very successful ever since. Because we are a "home" and not a "business," we do not place any commercial signs on our property indicating what kind of services we provide.

Recently, it was brought to our attention, that both Meridian Manor and Pasadena Mansion were not given the first right of refusal in considering the purchase of the property that we have been taking care of and operating on for the past fifteen years. However, our neighbors, Sequoyah School and Ronald McDonald, were included in an exception created for the services that they provide to the community just so they could buy the CalTrans property they operate on. (See AB 113).

Sequoyah School and Ronald McDonald are businesses; we are not a business. We believe that we are being discriminated against under the ADA and Fair Housing Act because we are NOT given the opportunity of first right of refusal when it comes to our property. State law requires that residential care facilities that serve six or fewer residents be considered a **residential property**. ("Six or fewer persons" generally refers to the number of residents and does not include facility operators and staff). These facilities must be treated the same as a single-family home. As a result, we are exempt from all local land use and zoning restrictions, taxes, or fees that apply to businesses that are not considered single-family homes. The broad protections of the federal Fair Housing Act (FHA), as amended in 1988, apply to nearly every type of housing, including residential care facilities. The Act prohibits discrimination on the basis of specified characteristics in sale, rental, zoning land use restriction and other rules. The FHA **requires** that local governments make reasonable accommodations in "rules, policies, practices or services" when accommodations are necessary to provide equal housing opportunities.

A related policy issue is equitable distribution of facilities among communities. Currently, residential care facilities are not evenly distributed among neighborhoods. The residential facility model is overwhelmingly located in moderate and low-income neighborhoods due to affordable real estate prices and property costs. We are the **ONLY** residential care facility serving South Pasadena and neighboring communities. In Pasadena, we are the **ONLY** residential care facility in the 91105 part of town, conveniently located across the street from Huntington Memorial Hospital.

With this letter, we are asking to be considered for an exemption to continue our invaluable services to our elderly and provide our disabled residence the chance to remain in their community.

Thank you for your time and consideration.

Sincerely,



Ewa Nyczak, M.S.  
Administrator