

SOBER LIVING HOME ACCOMMODATION MODEL CONDITIONS

- 1.** No more than eight residents plus one Sober Living Home (SLH) Operator staff person may live in the SLH at any one time. A “resident” for purposes of this Accommodation is a person who is handicapped within the meaning of the FHA, and for whom living with more than four unrelated persons as a single family is necessary to address or treat that handicap.
- 2.** The residents and the SLH Operator shall not allow more than four persons who are not related by blood, marriage, or adoption to live in the SLH at any one time unless all of them are either: (a) handicapped within the meaning of the FHA, and for whom living with more than four unrelated persons as a single family is necessary to address or treat that handicap; or (b) SLH Operator staff.
- 3.** The residents, the SLH Operator, and their officers, employees, contractors, and staff shall comply with all federal, state, and local laws, regulations, and ordinances regarding the SLH or activities at the SLH, except as modified by the Accommodation.
- 4.** The residents and the SLH Operator shall use their best efforts to ensure that their officers, employees, contractors, staff, and invitees comply with all federal, state, and local laws, regulations, and ordinances regarding the SLH or activities at the SLH, except as modified by the Accommodation.
- 5.** All bedrooms shall measure at least 70 square feet; and all bedrooms with more than one occupant shall measure at least 50 square feet per occupant.
- 6.** The residents and the SLH Operator shall not allow a person to live in the SLH who, within three months of anytime that the person is a resident, has used a controlled substance (as defined in 21 U.S.C. § 802, Appendix B) without a valid prescription.
- 7.** The residents and the SLH Operator shall not allow a person to live in the SLH who:
 - a.** Has been convicted of committing within three years of any time that the person is a resident, or released from incarceration for committing within one year of any time that the person is a resident, any of the following crimes: Felony assault; Felony battery; Domestic Violence; Robbery offense with no weapon involved; Stalking; Felony burglary or breaking-and-entering-related offense; Theft or stolen-property offense (second felony conviction); Felony destruction, damage, or vandalism of property offense; Drug offense involving manufacture or distribution; or Weapons offense (other than use of firearm against a person);
 - b.** Has been convicted of committing within ten years of any time that the person is a resident, or released from incarceration for committing within five years of any time that the person is a resident, any of the following crimes: Use of firearm against a person; Armed robbery offense; Intentional homicide; Manslaughter;

Kidnapping or abduction; Arson-related offense; or two or more offenses listed in Section II(B)(7)(a) above;

- c.** Is required to register as a sex offender, child predator, or similar type of offender pursuant to La. R.S. 15:542, 34 U.S.C. § 20913, or a similar statute of any other state; or
 - d.** Whose tenancy would constitute a direct threat to the health or safety of other individuals or whose tenancy would result in substantial physical damage to the property of others.
- 8.** On February 1 of every year after the Accommodation was granted,, the SLH Operator shall certify to the DPD in writing that the SLH Operator and the SLH and its operations and residents are in compliance with all Conditions of the Accommodation; and provide a list of all residents and SLH Operator staff currently living in the SLH and state whether they are residents or staff.
- a.** If the SLH Operator and the SLH and its operations and residents are not in compliance with all Conditions, the SLH Operator shall so certify to the DPD in writing, identifying the specific Conditions violated, the nature and circumstances of the violations and persons involved, all remedial measures the SLH Operator has taken or is taking, when full compliance was or will be achieved, and how repetition of the violation will be avoided; certify that the SLH Operator and the SLH and its operations and residents are in compliance with all other Conditions of the Accommodation; and provide a list of all residents and SLH Operator Staff currently living in the SLH and state whether they are residents or staff. If there is no SLH Operator, the residents shall perform all of the foregoing certification and other requirements in lieu of an SLH Operator.
 - b.** Certifications required by this Section shall be made on the Sober Living Home Accommodation Annual Certification Form. This form is attached to this Accommodation, and may also be requested from DPD.
 - c.** By January 1 of each year, DPD will issue a reminder notice to each SLH Operator at its address on the Request for Reasonable Accommodation (or such other address as provided to DPD in writing) of the requirements of this Condition. However, failure by LCG to issue a reminder shall have no effect on the SLH Operator's responsibility to comply with this Condition.
- 9.** The residents and the SLH Operator shall provide all information requested by the DPD regarding the SLH and its operations and residents that is reasonably related to the Accommodation or compliance with its Conditions. The residents and the SLH Operator shall allow reasonable inspection of the SLH by DPD and other authorized LCG or State officials.



10. The Accommodation does not supersede, modify, or otherwise affect any provision of the Lafayette Development Code or any other provision of federal, state, or local laws, regulations, or ordinances, except that DPD will apply and enforce zoning and other requirements within DPD's jurisdiction with respect to the SLH only to the extent these requirements would apply to single family residential use.

11. The Accommodation does not supersede, modify, or otherwise affect any lease, deed restriction, or covenant affecting the property where the facility is located. It is the sole responsibility of the SLH Operator (or the residents, if there is no SLH Operator) to determine whether any leases, deed restrictions, or covenants exist, and if so, whether and how they affect use of the property for an SLH.

12. The SLH Operator (or the residents, if there is no SLH Operator) shall notify each resident, in writing, as follows:

“I understand that _____ (“Applicant”) has requested and Lafayette Consolidated Government Community Development and Planning Department (“CDPD”) has granted a reasonable accommodation for _____ (the “SLH”) pursuant to the Fair Housing Act, to apply zoning, safety, and other requirements under the authority of the CDPD to the SLH only to the extent that such requirements would apply to a single family residence. As a result, safety and other requirements that would otherwise apply will not be applied to the SLH. I understand that no safety or other requirements beyond those applicable to a single family residence are required for the SLH. For information regarding the safety and other requirements that still apply to the SLH, I understand that I may contact the CDPD. For further information on safety and other standards that the SLH in fact satisfies, I understand that I must contact the operator of the SLH, or the residents of the SLH if there is no operator.”

The SLH Operator (or the residents, if there is no SLH Operator) shall require each resident to sign and date such a notice before becoming a resident of the SLH, and shall retain all such signed notices until the signatory is no longer a resident of the SLH.

Notices required by this Section shall be made on the Sober Living Home Accommodation Safety Notice form. This form is attached to this Accommodation, or may be requested from CDPD.

13. Any other condition that the Administrator determines necessary and appropriate under the circumstances.