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Title: Councilmember Item Submitted by Mayor Pro Tem Peterson and Councilmember Semeta - Violations and Abuses Related to In-Home Businesses

Attachments:

Date	Ver.	Action By	Action	Result
9/17/2018	1	City Council/Public Financing Authority	approved	Pass

REQUEST FOR CITY COUNCIL ACTION

TO: Honorable Mayor and City Council Members

FROM: Erik Peterson, Mayor Pro Tem
Lyn Semeta, City Council Member

DATE: September 17, 2018

Councilmember Item Submitted by Mayor Pro Tem Peterson and Councilmember Semeta - Violations and Abuses Related to In-Home Businesses

Statement of Issue:

The City seeks to preserve the quality of life of its residents, including their ability to enjoy the peace and quiet of their homes and their neighborhoods. The City also has an interest in insuring the health and safety of all residents of Huntington Beach by stopping certain in-home business operations, many of which are exploiting and abusing the system by illegally offering un-licensed, in-home counseling and other medical services.

We are aware of at least one death that recently occurred at an in-home business within the City, as well as instances of overdoses and other health and safety problems in neighborhoods with unregulated in-home businesses. We also are informed that in-home businesses in these single-family residences experience overcrowding. We also have knowledge that: business operations occur without requisite State-law certifications; that business operations occur in violation of the Health and Safety Codes; business operations occur in violation of the Business and Professions Code; and more. The Orange County District Attorney's office recently formed a specialized Task Force aimed at probing insurance fraud perpetuated by these businesses in an effort to prevent exploitation and abuse. The City has a similar interest in preventing such exploitation in the City.

The City should enhance its ability to investigate and prosecute possible State and local law violations and abuses related to in-home businesses in order to address the quality of life and public and individual safety concerns outlined above.

Recommended Action:

Direct the City Attorney to return to the City Council with a proposal for an increased investigation of illicit, State and/or local law violating, unlicensed, and/or nuisance in-home businesses as outlined above, including the possibility of engaging an independent contractor(s) to assist with investigative and enforcement efforts.