

Bridging the Gap Between SUD Care Providers and NIMBY Neighbors

Substance use disorder (SUD) treatment saves lives, improves community well-being, and has many long-term positive benefits. In spite of the benefits of community-based treatment, SUD provider agencies often receive pushback when establishing new facility locations. They may also experience ongoing community concern after the facility opens, driven by stigma surrounding addiction. This response is often referred to as “Not in My Backyard” or NIMBY. These best practices can help your neighbors get from NIMBY to YIMBY (Yes in My Backyard).



Proactive Community Engagement

- **Counter fear with facts:** Use science-based, person-first language and share evidence-based information.
- **Engage community leaders early and strategically:** Proactively engage neighborhood councils, elected officials, faith-based institutions, and other community leaders with influence to have discussions of the value of the program and its place within the community.
- **Be responsive:** Conduct listening sessions and gather feedback on concerns. Be prepared for commonly raised community concerns. Address community concerns raised and incorporate solutions into plans.
- **YIMBY:** Engage supporters within the community to ensure a broad spectrum of perspectives is represented, not just the loudest voices.

Anticipate Obstacles in Land Use and Planning

- **Contextual design:** Develop plans for well-designed buildings that blend into the surrounding neighborhood. Consult public databases to confirm that your proposed site is appropriately zoned and act in advance to stop expected delay tactics before they occur.
- **Site control:** When possible, obtain “site control” over properties through a binding purchase contract or option agreement, a long-term lease, or outright ownership.

Know Your Rights

- **Civil Rights:** Individuals with an SUD and the providers and treatment facilities who serve them are protected under the civil rights laws that cover disability.
- **California housing reform:** There have been significant legislative changes over the last ten years to streamline new development and adaptive reuse.
- **Due process:** Use due process and legal challenges to protect prospective residents from discrimination.

LA County Help Line for Mental Health & Substance Use Services at 1-800-854-7771,
select option 2 after the language prompt.

Federal and State law classifies individuals with substance use disorders as having a disability. This includes individuals in active recovery or treatment for alcohol and/or opioid dependency. Disability rights are civil rights. Civil rights laws protect individuals from unlawful discrimination, harassment, or abuse in a variety of settings like housing, the workplace, school, voting, business, healthcare, public spaces, and more. The law also shields programs providing SUD services from biased or unfair government intervention. The law does not prohibit treatment facilities from being located near other treatment facilities or sharing the same legal owners. This applies to treatment facilities of any size. There are limitations on protections under both Federal and State law for individuals who are engaged in “current unlawful use of controlled substances or other drugs.”

Title	Lead Enforcement Agency	Citation(s)	Description
Americans with Disabilities Act (ADA)	U.S. Department of Justice (Civil Rights Division)	Americans With Disabilities Act of 1990, 42 U.S.C. § 12101 et seq. (1990).	Federal civil rights law that prohibits discrimination against individuals with disabilities in everyday activities and all areas of public life. The ADA guarantees that people with disabilities have the same opportunities as everyone else to enjoy employment opportunities, purchase goods and services, and participate in state and local government programs.
Fair Employment and Housing Act (FEHA)	Civil Rights Department of the State of California	Government Code, Title 2, Division 3, Part 2.8 (starting at GOV § 12900) California Code of Regulations, Title 2 Administration, Division 4.1 Department of Fair Employment and Housing	Prohibits discrimination and retaliation in employment and housing based on a person's protected class characteristics, including disability.
Disabled Persons Act	Civil Rights Department of the State of California	Civil Code, Division I, Part 2.5 (starting at CIV § 54)	Requires that persons with disabilities have the same rights as the general public to the full and free use of public facilities, buildings, modes of transportation, and places.
Unruh Civil Rights Act	Civil Rights Department of the State of California	Civil Code, Division I, Part 2 (starting at CIV § 51)	Requires business establishments to provide equal accommodations.

Providers facing specific legal challenges should consult with qualified legal counsel.
For technical assistance and other educational resources, contact SAPCMonitoring@ph.lacounty.gov.

