

NATIONAL LAW CENTER ON HOMELESSNESS & POVERTY

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Homeless People in RVs Ask the Court to Stop the City's Ticketing and Impoundment of Their Vehicles

(July 26, 2018, Washington, DC) – Hundreds of homeless people in San Diego, many with disabilities, hope to lawfully stay in their RVs and other vehicles after today's preliminary injunction hearing. The National Law Center on Homelessness & Poverty, along with Disability Rights California, Fish & Richardson PC, and others, will be heard in court at 2 p.m. PST today to request that ticketing and impounding of homeless persons' vehicles, often the only form of shelter available to poor and disabled people in the city's increasingly unaffordable rental market, be stopped during the pendency of the class action lawsuit, *Bloom et al. vs. City of San Diego*.

The lawsuit was filed in the U.S. District Court in November of 2017, challenging the city's ticketing and impoundment policies on grounds that they are unconstitutional and discriminate against people with disabilities under the Americans with Disabilities Act (ADA).

"Throwing homeless people with disabilities onto the streets is a senseless and cruel policy," said Maria Foscarnis, executive director of the National Law Center on Homelessness & Poverty. "People on fixed incomes have few affordable housing options, and if an RV or other vehicle is their only available shelter, local governments should not make that option illegal. They should focus on moving unhoused people to permanent, secure housing—not making it more likely that they will end up unsheltered on the streets."

Homeless people with vehicles in San Diego are at risk of losing their vehicles—and incurring significant fines—under two city ordinances that make it unlawful for homeless people to use their vehicles as a "place of habitation" or to park their RVs anywhere overnight. People in RVs are particularly vulnerable because local "safe lots" do not accommodate RVs, and the city's RV parks charge high rates that many homeless RV owners cannot afford. With nowhere else to go, they are repeatedly ticketed, and after five unpaid tickets, a person's RV may be impounded.

“People with disabilities on fixed incomes cannot possibly afford to pay these tickets, let alone pay for San Diego’s high rents,” said Ann Menasche, senior attorney with Disability Rights California and one of the attorneys representing plaintiffs in *Bloom*. “Rather than solve the city’s homelessness crisis, the city’s practice of throwing homeless people out of their RVs and onto the streets only makes the crisis worse.”

Indeed, given the city’s recent Hepatitis A outbreak among its unsheltered homeless population, such a practice may threaten homeless person’s lives, along with public health.

The San Diego Housing Emergency Alliance and Disability Rights California co-sponsored a rally in San Diego, California, earlier this week to elevate the voices of those affected by the city’s policies. One of the named plaintiffs in *Bloom et al.*, Valerie Grischy, who spoke at the rally was a licensed chiropractor with a successful career before a serious car accident in 2009 led her on a path to living in an RV. Her only income is SSI.

“When I saw that I got less than \$900 a month on disability, I knew that I could either pay rent or pay for other necessities I need to live, but not both,” Grischy said. “The only option that made any sense was to use my back SSI money to get a RV.”

The hearing will occur at 2 p.m. in courtroom 4A at the U.S. District Court, 221 West Broadway in San Diego. A picket line will precede the hearing at 12 p.m. in front of the courthouse.

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[The National Law Center on Homelessness & Poverty](#) (the Law Center) is the only national organization dedicated solely to using the power of the law to prevent and end homelessness. With the support of a large network of pro bono lawyers, we address the immediate and long-term needs of people who are homeless or at risk through outreach and training, advocacy, impact litigation, and public education.

Disability Rights California is a non-profit organization founded in 1978. We protect the rights of people with disabilities. Visit disabilityrightsca.org.

The San Diego Housing Emergency Alliance is a grassroots coalition taking collective action to resolve the city’s housing and homelessness disaster.