

**BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA**

In the Matter of:

CLAIMANT

and

WESTSIDE REGIONAL CENTER, Service Agency.

DDS No. CS0034442

OAH No. 2026030415

DECISION

Joseph D. Montoya, Administrative Law Judge (ALJ), Office of Administrative Hearings (OAH), State of California, heard this matter on May 11, 2026.

Ron Lopez, IDEA Specialist, represented Westside Regional Center, the service agency (WRC or Service Agency).

Claimant appeared and represented herself.

Oral and documentary evidence was received. The record was held open until May 13, 2026, so that each party could submit an additional document into the record.

Service Agency did not submit any more exhibits. Claimant, however, submitted eight additional documents, including a declaration by Claimant, a brief, a supplement to brief, two identical "final supplement," and three exhibits. The ALJ has re-labelled Claimant's exhibits as A through J in Case Center, the digital evidence platform.

In light of her extensive filing, on May 18, 2026, the ALJ issued an order re-opening the record and continuing the matter to May 21, 2026, so that WRC could make any response to the proffered documents.

WRC did not respond, and the record was again closed and the matter submitted for decision on May 21, 2026.

The ALJ hereby makes his factual findings, legal conclusions, and order, as follows.

ISSUE

At the outset of the hearing the parties agreed the issue was whether WRC should be ordered to provide Claimant with a hotel voucher so that she can obtain housing on an emergency basis. In her post-hearing filings, Claimant recast the case as involving three issues, but those were not the issues the case went forward on.

EVIDENCE RELIED ON

Service Agency Exhibits 1 through 7, with Official Notice taken of Service Agency Exhibits 8 through 11; the testimony of Ann Moore, Program Manager at WRC; Claimant's testimony at the hearing, and her exhibits A through I; Exhibit Z-1, the decision rendered in Claimant's favor on her 2025 claim for eligibility.

FACTUAL FINDINGS

The Parties and Jurisdiction

1. Service Agency determines eligibility and provides funding for services and supports to persons with developmental disabilities under the Lanterman Developmental Disabilities Services Act (Lanterman Act), among other entitlement programs. (Welf. & Inst. Code, § 4500 et seq.) (Further statutory references are to the Welfare and Institutions Code, unless otherwise noted.)

2. Claimant is a 47-year-old woman who is eligible for services from the Service Agency because she has Autism Spectrum Disorder (ASD). Claimant lives in WRC's catchment area but is homeless.

3. On January 13, 2026, Claimant requested that WRC provide her with hotel vouchers. It is not clear from the record just how many vouchers Claimant requested.

4. On January 14, 2026, the Service Agency wrote Claimant, informing her that WRC "denied your request to fund for longer term hotel voucher stay or 'crisis support' as you termed it. . . . the Purchase of Service Committee has decided WRC cannot fund a hotel." (Ex. 4, p. A18.) On January 22, 2026, WRC sent out a Notice of Action (NOA), which further stated that "WRC can only fund for 1 week of hotel stay if you are homeless." (*Id.*, p. A21.)

5. On February 27, 2026, Claimant appealed the NOA. (Ex. 4, p. A15.) This proceeding ensued. All jurisdictional requirements have been met.

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Claimant's Background

6. Claimant was found eligible for regional center services after a fair hearing that took place on June 16, 2025. (*Claimant v. Westside Regional Center*, OAH No. 2025040938, DDS No. CS0025854 [Prior Decision]).¹ In the Prior Decision, dated June 23, 2025, Claimant was found to be substantially disabled by ASD, in that it was determined that she had significant functional limitations in receptive and expressive language, in self-direction, and capacity for independent living. (Ex. Z-1.)

7. The Prior Decision provides information about Claimant's background. For example, she reportedly received special education services as a child. A medical report generated by a neuropsychologist in connection with a workers' compensation claim filed by Claimant stated that Claimant was a survivor of childhood violence and sexual assault, and as an adult was diagnosed with Post Traumatic Stress Disorder and a major depressive disorder. (Ex. Z-1, p. 4, Factual Finding [FF] 8.)

8. Dr. Jeffrey Nishii, Psy.D., conducted a psychological examination of Claimant on behalf of WRC. The Prior Decision points out that Dr. Nishii noted Claimant had been living out of her car since October 2023. (Ex. Z-1, p. 11, FF 26.)

9. According to Claimant, she is a victim of domestic violence and fleeing from it. She also asserts she is no longer living in her car, but on the street. Details of the domestic violence and Claimant's living situation have not been forthcoming.

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¹ During the hearing, the ALJ stated he would take official notice of the prior decision.

Claimant's Residency Status

10. Claimant's residency status is of some importance to this matter, where Claimant seeks hotel vouchers, and where WRC staff has attempted to locate housing for her. During her testimony, Moore stated that WRC staff had come to believe Claimant had a place to stay, which would be a reason to deny the requested vouchers.

11. As noted above, the Prior Decision made a reference to Claimant as an unhoused person since at least October 2023. WRC has had an address for Claimant for some time, consisting of a street name and unit or apartment number, in an area within the Service Agency's catchment area. (A review of OAH records indicates the Prior Decision was served on Claimant at that address.)

12. In late January 2026, WRC staff contacted an advocate who had represented Claimant during a meeting held on January 13, 2026. The advocate, Rachel Leach, responded to a WRC request for Claimant's then-current address. Leach stated that "[Claimant] respectfully declines to provide any additional contact information as releasing this information may increase current safety concerns. [Claimant's] address is already on file with the regional center." (Ex. 7, p. A28.) WRC staff believed this meant that Claimant lived at the address they had for her.

13. It is reasonable to infer that miscommunication may have resulted, because it is possible Claimant does not live at the address in WRC's files. That address might be a friend or relative's address, where Claimant can receive mail. Or it could be a mailbox in a private business center. The fact that this address is used by WRC (and OAH) to correspond with Claimant does not establish she has a residence there.

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The Failed Individual Program Plan Process

14. Claimant submitted copies of ID Notes—Interdisciplinary Notes—from her file as her first exhibit. (Labelled as Ex. A by the ALJ.) The notes indicate that she contacted the Service Agency and spoke to Moore on August 4, 2025; Claimant wanted to set up an Individual Program Plan (IPP) meeting. She told Moore that she was living in her car and requested immediate support. (Ex. A, p. B1.)

15. Two days later, Andrea Shanklin, a service coordinator, entered a note memorializing a call to a vendor known as Scobey Supported Living Services, LLC (Scobey Supported Living), seeking services for Claimant. The next ID note is dated August 13, 2025, and indicates Claimant called Walter McDonald, transfer coordinator, stating she still had not had an IPP. One week later, on August 20, 2025, McDonald entered a note to the effect he had called Claimant and could not leave a message. There are no ID notes for the week between Claimant’s call to McDonald, and his responding call. (Ex. A, pp. B1-B2.)

16. The next ID note is dated November 17, 2025, and entered by Shanklin. Claimant reported various issues she had with housing, including that her workers’ compensation case required her to remain in Los Angeles County, and a problem with accessing County assistance. Claimant asked if Shanklin would participate in a three-way phone call the next day with her domestic violence counselor. Shanklin agreed to do so. (Ex. A, p. B2.) That phone conference occurred on November 18, 2025.

17. The ID note for the November 18, 2025 meeting is extensive. Claimant shared that she was homeless and a victim of domestic violence. She had been told by a third party that she could enter the Self Determination Program (SDP) without an IPP so she could access funds. Shanklin explained that was not the case. Claimant said she

could not access emergency housing because she has autism, and that she had been in a program but never disenrolled from it, so access to other programs was not possible. Shanklin discussed group homes and shared living opportunities. Claimant did not want to live with people because she considered it a threat to her safety, and her safety concerns were an issue for domestic violence shelters. Other impediments to housing were discussed.

18. For the next several weeks communications were sporadic. Claimant requested a new service coordinator, and one was assigned on November 25, 2025. The new service coordinator, Miriam Adams, contacted Claimant on November 25, 2025, noting times that she could meet with Claimant. (Ex. A, p. B6.) She also sent a message about a housing opportunity.

19. On December 1, 2025, there was a lottery for a housing opportunity, and Claimant was chosen for an apartment. Adams told Claimant about the lottery win via a phone message and an email on December 4, 2025. (Ex. A, p. B7.)

20. On December 8, 2025, Adams reached out to Claimant about scheduling an IPP meeting, giving some available dates and times. She also communicated information about three domestic violence shelters that might be available. Claimant had mentioned clothing problems, and Adams took steps to get her a Target gift card. (Ex. A, p. B8.)

21. No IPP meeting was organized before the Service Agency closed for the holidays. On January 6, 2026, Adams received a letter from advocate Leach regarding a meeting. Adams responded with some available dates, and she raised the matter of the lottery apartment, and steps that needed to be taken to actually obtain the apartment.

22. An IPP meeting was scheduled for the morning of January 13, 2026. According to Adams' ID note, it was not an IPP meeting, but instead a meeting pertaining to Claimant's requests; Adams denominated the meeting as an Emergency Meeting. (Ex. A, p. B14.) Claimant requested WRC to issue a notice of action letter regarding denial of her crisis support, and particularly a hotel voucher. According to her ID note, Adams explained that WRC could not place Claimant in a hotel indefinitely, and that such would not be "sustainable," though they might be able to provide a week or two. (*Id.*) Adams discussed an SLS home. Adams followed up the meeting with an email to Claimant and her advocate, part of which referred to the need for an IPP meeting and requested availability information. Adams also communicated that she would put in a request for a hotel voucher for one or two weeks, which would have to go to a committee. On this issue Adams said: "as stated in the meeting hotel stay is not housing and is not sustainable for a long period of time." (*Id.*, p. B15.)

23. On January 15, 2026, Adams conferred with Moore, who informed her that WRC could do one week of hotel vouchers, but needed verification that Claimant was homeless. They determined that if a voucher was given, the Notice of Action might not be pursued.

24. For approximately two weeks after the January 13, 2026 meeting, communication among the parties was sporadic, at best. WRC staff was working on the next steps in perfecting the apartment lottery housing. (Ex. A, p. B.18.) On January 30, 2026, Adams let the WRC housing unit know that Claimant had verified that she was staying at the address they had for her, described generally in Factual Finding 11. (*Id.*, p. B19.) As previously noted, that may have been a misperception.

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25. WRC staff needed other information from Claimant if she was to perfect her position with the lottery-based housing; one issue was the need to verify her income and its source. (Ex. A, p. B19.) On February 3, 2026, Adams sent an email to Claimant and Leach, stating she needed information as soon as possible, including a photo ID, social security card, proof of income, other sources of income, and so forth. (Ex. A, p. B20.) The next day Adams left a voicemail for Leach explaining what was needed and that deadlines were imminent. (*Id.*, p. B21.) Ultimately, Claimant did not provide WRC with the requested information and lost the opportunity to have the apartment won in the lottery.

26. Communication between the parties continued to be sporadic in February 2026. The ID notes indicate that Claimant did not respond to emails, which she had stated was her preferred method of communication, and WRC staff had difficulty communicating with Leach. There were some communications about housing placements; WRC had a lead on a studio apartment and other housing opportunities, which Leach indicated Claimant was interested in. (Ex. A, p. B24.)

27. On February 24, 2026, Adams noted that she had no response from Claimant or her advocate in two weeks. Adams did send information about available housing to Claimant on February 26, 2026. On that same day, Adams sent an email to Claimant and Leach to the effect that if an IPP was not scheduled by March 27, 2026, Claimant's case would be deactivated. (Ex. A, pp. B26-27.)

28. A new service coordinator, Jose Reyes, was assigned to the case in early March 2026. On March 2 and March 4, 2026, he contacted Claimant and Leach by email regarding an IPP meeting. (Ex. A, p. B29.) On March 5, 2026, Claimant contacted Reyes by email. She stated that before she scheduled an IPP meeting, she wanted a complete copy of her file and records, within two business days, confirmation that the

meeting would be held by Zoom as a safety accommodation, and confirmation that her “independent advocate” would be allowed to attend, “in addition to ORCA ADVOCATE.” (*Id.*, p. B30, capitalization in original.)

29. The last ID note in Exhibit A is dated April 6, 2026. It states that Claimant’s advocate had received the requested documentation. She advised the service coordinator that Claimant would follow up on scheduling and IPP meeting.

30. An IPP meeting has not been held as of the hearing date. The reasons for that are not clear from the record.

Efforts to Find Housing for Claimant

31. WRC on more than one occasion wanted to refer Claimant to Scobey Supported Living regarding shared housing. In a conversation between Claimant and her service coordinator Claimant said she was unable to live in a group home or share an apartment because of her history of domestic abuse. (Ex. A, p. B5.)

32. On November 25, 2025, Claimant’s service coordinator provided information about a roommate opportunity in Gardena, in a two bedroom, two bathroom apartment. The apartment had one resident at the time, a person receiving supports from a supported living services vendor. Moore informed the service coordinator that Claimant had issues with roommates due to trauma.

33. On December 8, 2025, Adams wrote Claimant and gave her information about three domestic violence shelters that might have room for Claimant; one did not provide their name but Claimant received their phone number so she might inquire of them. The other two were named, and would want to do an assessment so that they could determine if Claimant would be a good fit. (Ex. A, p. B8.)

34. As noted in Findings pertaining to the IPP process, WRC placed Claimant in a lottery so that she might obtain low-cost housing. That did not end the process, because the housing provider needed information about Claimant, including information about her financial situation and her housing status. The ID notes indicate that this was communicated to Claimant and her advocate, but information was not forthcoming.

35. On February 6, 2026, Moore sent an email to Leach, explaining that the apartment opportunity appeared untenable given the lack of information from Claimant. She did speak to other housing options. One referenced a vendor that had two apartments in the Culver City area, near WRC's former office building. One of them was a studio apartment. Moore also referenced another supported living services vendor which could support individuals with housing needs. Moore asked Leach to let Adams know if Claimant wanted a referral to the vendor with the apartment, or if she would be interested in the other vendor's services. (Ex. 5.)

36. A February 6, 2026, ID note indicates that Leach spoke to Moore, telling her that Claimant was interested in the studio apartment. Moore told Leach the service coordinator would see if the apartment was still available. (Ex. A, p. B23.) However, there was little follow through by Claimant, and it appears that the opportunity for the studio apartment fell by the wayside.

Claimant's Case

37. Claimant asserts that she is homeless and fleeing domestic violence. Just how she is fleeing domestic violence and who is the source of that violence are not disclosed by the record.

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38. Claimant asserts that her claim is grounded in section 4646, subdivision (a)(11), which authorizes emergency and crisis intervention services, and that she was not seeking long-term housing. (Ex. D, p. B46.) She asserts that WRC has reclassified her request for emergency shelter as a long-term housing request. (*Id.*, p. B45.) She further argues that crisis intervention is not income-tested and is not subject to cost effectiveness analysis set out in section 4648, and she asserts that the grounds set out in the NOA are housing framework reasoning not applicable to section 4648, subdivision (a)(11).

39. Claimant asserts other claims, for example claiming that WRC is trying to relitigate the prior decision. She asserts that WRC in its efforts to find housing has placed her in the Homeless Management Information System (HMIS) without her consent.

LEGAL CONCLUSIONS

Jurisdiction and Burden of Proof

1. An administrative hearing to determine the rights and obligations of the parties is available under the Lanterman Act to appeal a regional center decision. (Welf. & Inst. Code, §§ 4700-4716.) (Further statutory citations are to the Welfare and Institutions Code.) Claimant timely appealed the Service Agency's denial, and jurisdiction to proceed was established.

2. The standard of proof in this case is the preponderance of the evidence because no law or statute (including the Lanterman Act) requires otherwise. (Evid. Code, § 115.) This standard is met when the party bearing the burden of proof

presents evidence that has more convincing force than that opposed to it. (*People ex rel. Brown v. Tri-Union Seafoods, LLC* (2009) 171 Cal.App.4th 1549, 1567.)

3. When one seeks government benefits or services, the burden of proof is on him. (See, e.g., *Lindsay v. San Diego County Retirement Bd.* (1964) 231 Cal.App.2d 156, 161.) In this case, Claimant is requesting services and therefore she has the burden of proving by a preponderance of the evidence that she is entitled to them.

Applicable Provisions of the Lanterman Act

4. Section 4512, subdivision (b), provides that:

"Services and supports for persons with developmental disabilities" means specialized services and supports or special adaptations of generic services and supports directed toward the alleviation of a developmental disability or toward the social, personal, physical, or economic habilitation or rehabilitation of an individual with a developmental disability, or toward the achievement and maintenance of an independent, productive, and normal life.

The statute goes on to list a number of services recognized by the Act.

5. The determination of Claimant's services and supports "shall be made on the basis of the needs and preferences of the consumer or, when appropriate, the consumer's family, and shall include consideration of a range of service options proposed by individual program plan participants, the effectiveness of each option in

meeting the goals stated in the individual program plan, and the cost-effectiveness of each option." (§ 4512, subd. (b); see also § 4646, subd. (a).)

6. Section 4648 provides, in pertinent part, that

In order to achieve the stated objectives of a consumer's individual program plan, the regional center shall conduct activities, including, but not limited to, all of the following:

(a) Securing needed services and supports.

[¶] . . . [¶]

(11) Emergency and crisis intervention services including, but not limited to, mental health services and behavior modification services, may be provided, as needed, to maintain persons with developmental disabilities in the living arrangement of their own choice. Crisis services shall first be provided without disrupting a person's living arrangement. If crisis intervention services are unsuccessful, emergency housing shall be available in the person's home community. If dislocation cannot be avoided, every effort shall be made to return the person to their living arrangement of choice, with all necessary supports, as soon as possible.

Subdivision (a)(11) shows crisis intervention services to be one of the services and supports that may be necessary to achieve the objectives of a consumer's IPP. It

does not, as Claimant would assert, create some separate service rubric, separate and apart from other provisions of the Act.

7. Claimant asserts that the provisions of section 4648, subdivision (a)(11), are not subject to a cost-effectiveness analysis. That assertion is not persuasive. First, section 4648 speaks to achieving the objectives of the consumer's IPP and securing needed services and supports. Such efforts must, as a general rule, be cost effective; it can be said that cost effectiveness is woven into the Act. Section 4512, subdivision (b), requires services to be cost effective. Likewise, section 4646, subdivision (a), pertaining to IPPs, states that it is the legislature's intent that provision of services "reflect the cost-effective use of public resources." The Lanterman Act requires the regional centers to control costs so far as possible, and to otherwise conserve resources that must be shared by many consumers. (See, e.g., §§ 4640.7, subd. (b), [each regional center design shall reflect the maximum cost-effectiveness]; 4651, subd. (a); 4697, subd. (b)(2).)

8. As a general proposition, the Lanterman Act does not envision providing housing for consumers of regional center services. The list of services and supports set out in section 4512, subdivision (b), does not include housing, rent payments, or mortgage payments. It follows that the provisions of section 4648, subdivision (a)(11), are not designed to provide indefinite housing for a consumer.

9. That an IPP meeting has not been held is a matter of some import. There appears to be enough fault to go around. The ID notes show that there were no contact efforts by the Service Agency between August and November 2025, a failing by WRC staff. However, the ID notes also reveal that WRC staff did reach out to Claimant and her advocate later in the parties' relationship, in an effort to set up another IPP, and responses were slow in coming.

10. The issue in this case is a narrow one, and assigning blame for the lack of a completed IPP is not the issue. That being said, the parties are urged to engage in an IPP at the earliest possible time.

11. Claimant has not carried her burden of establishing that she is entitled to hotel vouchers. An indefinite hotel placement would not be a cost-effective or sustainable method of addressing Claimant's housing situation.

ORDER

Claimant's appeal is denied, and the Service Agency will not be required to provide her with hotel vouchers.

DATE:

JOSEPH D. MONTOYA
Administrative Law Judge
Office of Administrative Hearings

NOTICE

This is the final administrative decision. Each party is bound by this decision. Either party may request reconsideration pursuant to subdivision (b) of Welfare and Institutions Code section 4713 within 15 days of receiving the decision, or appeal the decision to a court of competent jurisdiction within 180 days of receiving the final decision.

**BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA**

In the Matter of:

CLAIMANT,

and

WESTSIDE REGIONAL CENTER,

Service Agency.

OAH No. 2026030415

DDS No. CS0034442

ORDER DENYING CLAIMANT'S APPLICATION FOR RECONSIDERATION

An Administrative Law Judge (hearing ALJ) from the Office of Administrative Hearings (OAH) issued a final decision (Decision) in this matter on May 28, 2026. The Decision was served on the parties on May 28, 2026.

On June 12, 2026, Claimant's representative, on behalf of Claimant, applied to OAH for reconsideration of the Decision under Welfare and Institutions Code section 4713. The application for reconsideration (application) was submitted timely.

The undersigned ALJ, who did not hear the matter or write the Decision for which reconsideration is requested, was assigned to decide the application.

Here, Claimant's authorized representative applies for reconsideration on the grounds that the hearing ALJ made the following mistakes of fact and law that require correction: 1) the hearing ALJ did not correctly identify the issue to be decided at hearing; 2) the hearing ALJ based the Decision on "a record containing material factual inaccuracies and unresolved factual disputes that had been identified by the Office of Clients' Rights Advocacy . . . before hearing"; 3) the Decision contains material factual errors concerning Claimant's willingness to participate in an IPP; 4) the Decision contains material factual errors concerning the nature of the requested service; and, 5) the Decision relies upon disputed and corrected factual information.

Additionally, Claimant contends her ability to meaningfully present her position at the hearing was impaired because of the following: she appeared without counsel despite her documented impairments; records necessary for meaningful participation were not timely provided; notice-related defects occurred; and claimant received insufficient opportunity to review portions of Westside Regional Center's (WRC) evidentiary submissions.

ANALYSIS

Pursuant to Welfare and Institutions Code section 4713, subdivision (b), a party may apply for reconsideration to correct a mistake of fact or law or a clerical error in a decision. Pursuant to section 4713, subdivision (d), within 15 days of receiving an application for reconsideration, the hearing office or the director responsible for issuing the decision may deny the application, grant the application and modify the decision, or grant the application and set the matter for further proceedings.

In this case, the application's alleged "mistake(s) of fact" constitute, in effect, disagreement with the hearing ALJ's formulation of the issue, rejection of Claimant's attempt to reframe the issue(s) after the hearing, and disagreement with the factual findings contained in the Decision. The application appears as more of an attempt to have the matter re-heard because Claimant is dissatisfied with the result. The issues raised in the application, such as the IPP meeting scheduling issues and delays, were considered and addressed by the hearing ALJ and findings were made in the Decision, which is the purview of the hearing officer under the Lanterman Act appeal process. In addition, there is no "mistake of law" that is specifically identified in the application.

Furthermore, there is no support in the record for Claimant's allegation of procedural errors. The application is based on Claimant's allegations that her rights as a consumer were violated and/or that WRC acted unreasonably or improperly. Such matters are appropriately addressed through the complaint process under Welfare and Institutions Code section 4731, not the fair hearing process.

For these reasons, the application must be denied.

ORDER

The application for reconsideration is DENIED.

DATE:

IRINA TENTSER

Administrative Law Judge

Office of Administrative Hearings