

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

In the Matter of:

CLAIMANT

and

SOUTH CENTRAL LOS ANGELES REGIONAL CENTER,

Service Agency.

DDS No. CS0038025

OAH No. 2026070088

DECISION

Cindy F. Forman, Administrative Law Judge, Office of Administrative Hearings, State of California, acting as Hearing Officer, heard this matter in Los Angeles, California, on September 8, 2026.

Claimant's father (Father) represented Claimant. (The names of Claimant and his family are not disclosed to protect their privacy.) Claimant was not present during the hearing.

Tami Summerville, Fair Hearings and Governmental Affairs Manager, represented South Central Los Angeles Regional Center (SCLARC or Service Agency).

The Hearing Officer heard testimony and received documentary evidence. The record was closed, and the matter was submitted for decision at the end of the hearing.

ISSUE

Whether Service Agency is required under the Lanterman Developmental Disabilities Services Act (Lanterman Act) to pay Father \$9,200 to cover overdue rent for the family home.

EVIDENCE RELIED UPON

The Hearing Officer relied on the following evidence in making her decision: Service Agency's Exhibits 1 through 6; Claimant's Exhibit A; and testimony of SCLARC Service Coordinator Alondra Ocampo, SCLARC Team Leader Eduardo Munoz, and Father.

FACTUAL FINDINGS

1. Claimant is a seven-year-old Service Agency client based on a qualifying diagnosis of autism spectrum disorder. Claimant has received regional center services since July 10, 2025. Claimant lives with his younger sister and Father in a two-bedroom rental home.

2. At Claimant's Individual Program Plan (IPP) meeting held on May 28, 2026, Father told Alondra Ocampo, Claimant's Service Coordinator, that his family faced imminent eviction because they were six months behind in rent and had

received a "3 Day Notice to Pay Rent" (Three-Day Notice). Father requested Service Agency's assistance in paying the overdue rent.

3. On June 6, 2026, SCLARC issued a Notice of Action denying Father's request for rental assistance. According to the Notice of Action, the threatened eviction was due to the family's financial circumstances and was unrelated to Claimant's developmental disability. SCLARC recommended that Father pursue generic resources to assist with his rent payments.

4. On July 1, 2026, Father filed an appeal of the Notice of Action on Claimant's behalf. In his appeal, Father stated that the Lanterman Act required Service Agency to provide rental assistance to protect Claimant from the severe health and safety risks resulting from eviction and homelessness.

5. This hearing followed.

Background

6. Father is a single parent and the sole caretaker of his two children. His principal source of income is the payments he receives as Claimant's In-Home Supportive Services (IHSS) provider. Father also recently began receiving Social Security assistance.

7. In October 2025, Father moved with his children to their rental home in Los Angeles. The family previously lived with Father's grandmother. The rent for the home is \$2,325 per month. A group associated with Med-Cal assisted Father with paying the first month's rent and purchasing furniture for the home. Claimant enjoys the new home, and Father would like the family to remain in the home.

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8. Father paid the November 2025 rent on the home. Father was unable to pay the rent on the home from December 2025 to August 2026. The outstanding rent is \$20,925. Father has paid the September 2026 rent and expects to be able to make his rent payments going forward.

9. On April 7, 2026, the landlord for Father's home served Father with a Three-Day Notice. The Three-Day Notice requested that Father vacate the home as of April 10, 2026, because of outstanding monthly rent since December 1, 2025. The landlord has not taken any court action to enforce the Three-Day Notice or pursued any judicial remedy against Father. According to Father, the landlord is willing to work with Father while he pursues sources that might fund part or the entirety of his outstanding rent. Since filing his appeal in this matter, Father has received \$5,000 from the Department of Public Social Services (DPSS) to apply toward his rent debt. Father also requested rental assistance from HOPICS (Homeless Outreach Program Integrated Care System), but HOPICS denied his request.

10. Father fell behind on his rent after his car broke down twice and he lost one month of IHSS payments because of reporting issues. After the first car breakdown, Father was forced to pay thousands of dollars in repair costs. After the second breakdown, Father bought a 2025 model-year car, and he is now responsible for monthly car payments exceeding \$800 plus car insurance. Because his children attend two different schools and Claimant has several regular medical appointments, Father cannot rely on public transportation; he does not have enough time to take both children to school without a car.

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Hearing Testimony

SERVICE COORDINATOR OCAMPO

11. Ms. Ocampo is Claimant's service coordinator, and she testified at the hearing regarding SCLARC's efforts to obtain funds from generic resources to help satisfy Father's rental debt. Ms. Ocampo is in daily contact with Father and has made efforts to put Father in touch with potential funding sources. Ms. Ocampo expressed her willingness to attend Father's meetings with those sources and to assist Father in applying for funding. Ms. Ocampo reported that Father had a meeting with a potential funding source scheduled for the day following the hearing, and she did not believe Father had exhausted all generic resources that might pay Father's back rent.

12. Ms. Ocampo does not believe Father's request for back rent is in any way related to Claimant's developmental disability. Claimant is the only regional center client in the family, and Ms. Ocampo believes that Father's request is tied to a financial hardship affecting the entire family, not just Claimant. Ms. Ocampo is unaware of any instance where the regional center provided funds to pay overdue rent for a minor child where there were no life-threatening or emergency structural issues in the home.

TEAM LEADER MUNOZ

13. Eduardo Munoz is a SCLARC Team Leader who is aware of Father's situation. Mr. Munoz explained that rental assistance in this case would benefit the entire family, not just Claimant, and therefore is not a service or support directed to Claimant or aimed at addressing Claimant's developmental disability. Additionally, Mr. Munoz asserted that housing instability is an issue affecting most Los Angeles residents. Because Father's rent issues are not due to Claimant's developmental disability, SCLARC cannot provide Father with funds for rental assistance. If the family

became homeless because of their financial situation, SCLARC could provide housing for Claimant, but not his family.

14. Mr. Munoz raised other issues with Father's request. Because the regional center is the payor of last resort, Mr. Munoz stated that Father must explore generic resources first before requesting funds from SCLARC. Mr. Munoz does not believe Father has exhausted those generic resources available to provide rental relief or housing support. Second, a regional center consumer cannot obtain retroactive reimbursement from the regional center for a cost unless the consumer has received the regional center's prior approval for the cost. Here, Mr. Munoz pointed out that SCLARC was unaware of Father's rent problems until April 2026, several months after Father stopped paying rent.

FATHER

15. Father is a dedicated and loving parent to his two children. He is committed to keeping his family intact and would like to remain in his present home. He has met with several housing organizations, but they were unwilling or unable to provide him with the required funds. The organization he is scheduled to meet with the day after the hearing has told him they will pay up to \$6,000 for the overdue rent, if not more than \$6,000 remains owing. For this reason, Father is seeking \$9,200 from SCLARC, so that, together with the \$5,000 he received from DPSS, he would have less than \$6,000 still owing.

16. Father contested Mr. Munoz's assertion that Father's request for rental assistance is unrelated to Claimant's developmental disability. Father asserted that the Lanterman Act is intended to help children with developmental disabilities stay at home with their family, and rental assistance would ensure Claimant could stay with

his family. Father also noted that the Lanterman Act contemplates the payment of rent in certain emergency instances, and that his family was in crisis because they were in danger of eviction. Father stated he would not ask for help from SCLARC unless he needed it.

LEGAL CONCLUSIONS

Standard of Proof

1. The Lanterman Act governs this case. (Welf. & Inst. Code, §§ 4500 et seq.) 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, 500.) 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.)

2. When one seeks government benefits or services, the burden of proof is on the individual seeking benefits or services. (See, e.g., *Lindsay v. San Diego Retirement Bd.* (1964) 231 Cal.App.2d 156, 161 [disability benefits].) Because Claimant is the party seeking governmental services, he bears the burden of proving it is more likely than not that he is entitled to such services under the Lanterman Act. Claimant did not meet his burden.

Applicable Law

3. The Legislature intends that regional centers assist persons with developmental disabilities and their families to secure "those services and supports which maximize opportunities and choices for living, working, learning, and recreating

in the community." (Welf. & Inst. Code, § 4640.7, subd. (a).) The IPP and the regional center's provision of services and supports must be centered on the individual with developmental disabilities and the individual's family. (*Id.*, § 4646, subd. (a).)

4. "Services and supports for persons with developmental disabilities" include those "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." (Welf. & Inst. Code, § 4512, subd. (b).) The services and supports are decided by the Claimant's IPP team. The services and supports may include special living arrangements and assistance in locating a home. (*Ibid.*)

5. Within the context of the IPP, the IPP team shall give "highest preference" to those services and supports that would allow minors with developmental disabilities to live with their families." (Welf. & Inst. Code, §§ 4648, subd. (a)(1); 4685, subds. (a), (c).) "Services and supports shall be flexible and individually tailored to the consumer and, if appropriate, the consumer's family." (*Id.*, § 4648, subd. (a)(2).) Welfare and Institutions Code section 4685, subdivision (c)(1), outlines the nature of the assistance to provide opportunities for children with their families. That assistance includes, but is not limited to, the following: "specialized medical and dental care, special training for parents, infant stimulation programs, respite for parents, homemaker services, camping, day care, short-term out-of-home care, child care, counseling, mental health services, behavior modification programs, special adaptive equipment such as wheelchairs, hospital beds, communication devices, and other necessary appliances and supplies, and advocacy to assist persons

in securing income maintenance, educational services, and other benefits to which they are entitled."

6. The Lanterman Act authorizes regional centers to provide rental assistance in specific situations. A regional center may pay rent for regional center consumers receiving supported living services who live in their own homes, and in which no parent or conservator of the consumer resides, when the regional center director determines that payment of rent would result in savings to the State and the cost cannot be paid by available natural or generic supports. (Cal. Code Regs., tit. 17 (CCR), §§ 58601, subd. (a)(3), 58611, subd. (b).) A regional center may also pay up to six months of rent for a supported living home if the regional center executive director verifies that rental assistance is required (a) to meet the specific care needs unique to the individual consumer and (b) when a consumer's demonstrated risk of homelessness, medical, behavioral, or psychiatric condition presents a health and safety risk to the consumer or another. (Welf. & Inst. Code, § 4689, subd. (i).) A supported living home is a home owned or leased by a regional center consumer over the age of 18. (*Id.*, subd. (a)–(c).)

7. Regional centers are required to identify and pursue generic resources before using regional center funds. (Welf. & Inst. Code, §§ 4646.4, subd. (a)(2), 4659, subd. (a).) A "generic resource" is a resource available to the public that has a legal responsibility to provide services to eligible persons. (*Id.*, § 4644, subd. (b).) Regional center funds are not to be used to supplant the budget of an agency that has a legal responsibility to serve all members of the public and is receiving public funds for providing those services. (*Id.*, § 4648, sub. (a)(8).) As a result, regional centers are the payor of last resort and must use available generic resources before purchasing services.

8. When deciding to purchase a service or support for a regional center consumer, regional centers must also consider the family's responsibility for providing similar services and supports for a minor child without disabilities in identifying the consumer's service and support needs as provided in the least restrictive and most appropriate setting. (Welf. & Inst. Code, § 4646.4, subd. (a)(4).)

9. A regional center is required to investigate situations presenting an immediate danger. (CCR, § 56053, subd. (a).) These situations include life-threatening structural conditions, suspicion or allegations of abuse of a consumer, a consumer in a facility without direct supervision, failure to provide a consumer with a medically prescribed diet, and the presence of an individual exhibiting aggressive or assaultive life-threatening behavior. (*Ibid.*) After verifying that a situation constitutes an immediate danger, the regional center shall meet with the appropriate administrator and notify the Department of Social Services. The regional center shall also immediately relocate the regional center consumer or verify that correction of the immediate danger has occurred. (*Id.*, § 56053, subd. (e).)

Analysis and Disposition

10. Father did not prove that SCLARC is obligated under the Lanterman Act to provide Claimant with funding for back due rent. Father's financial issues are not related to Claimant's developmental disability, and payment of the outstanding rent is not intended to alleviate Claimant's developmental disability. While Claimant may benefit if the family remains at their current residence, Father did not demonstrate that Claimant was unable to move if required or that such a move would undermine Claimant's progress.

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11. Contrary to Father's contentions, the situations that would permit a regional center to pay overdue rent are not present here. Claimant is a minor who does not own his home or live independently. Thus, the rent provisions set forth in Welfare and Institutions Code section 4689 and CCR section 58611, subdivision (b), do not apply. Father is also not facing an emergency as identified in CCR section 56053. Although the landlord served Father with a Three-Day Notice, the landlord has yet to pursue any legal action to evict Claimant and his family, and has indicated a willingness to work with the family. Moreover, the house is not facing life-threatening structural issues, Claimant is not facing abuse, and Claimant is adequately nourished.

12. The Lanterman Act also makes clear that SCLARC must consider the family's responsibility for providing rent for a minor child without services and support in responding to Father's request. Here, Father's responsibility to pay rent for Claimant is no different than a parent's responsibility to pay rent for a child who is not a regional center consumer. Moreover, the requested rental assistance would not be directed to Claimant; instead, Claimant's entire family would benefit. Because of these issues, the Lanterman Act provides that a regional center may provide support and advocacy assistance in locating housing for a minor child, but does not authorize direct rental payment assistance.

13. Father also asserted that SCLARC, as the payor of last resort, was responsible for paying the overdue rent. However, even if the Lanterman Act authorized the payment of Father's rent, Father did not prove that he exhausted all potential generic resources to assist the family in staying in their home. Father has discussed the situation with three or four service providers. Both Ms. Ocampo and Mr. Munoz stated that Father had not yet exhausted his search. Ms. Ocampo has been speaking on the telephone daily with Father and working on locating possible funding

sources. While the Lanterman Act does not require Father to request assistance from every possible generic resource, Father is expected to make a sustained and reasonable effort to contact those resources reasonably expected to have sufficient funds to assist him. According to SCLARC, this has not yet been done.

14. The evidence showed that Service Agency is making every effort to locate a funding source so that Claimant and his family can remain in their home. The Lanterman Act, however, prohibits Service Agency from paying the outstanding rent under the circumstances presented here.

ORDER

Claimant's appeal is denied. Service Agency shall continue to assist Father in seeking and obtaining funds from other sources to satisfy his past-due rent obligations.

DATE:

Cindy F. Forman
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.