Emerald Glen Homes
Activities and Operational Information

Detailed Description of Activities

Emerald Glen Homes was formed to own and operate a residential facility for developmentally disabled adults. The term developmental disability refers to a severe and chronic disability that is attributable to a mental or physical impairment that begins before an individual reaches adulthood. These disabilities include mental retardation, cerebral palsy, epilepsy, autism, and disabling conditions closely related to mental retardation or requiring similar treatment. Developmentally disabled adults require special physical and emotional support, which Emerald Glen Homes will provide.

Background

Government Involvement in the Operation of Homes for the Developmentally Disabled

The care and housing of developmentally disabled individuals in California is monitored and sponsored by the California state government. California has twenty-one (21) geographically-based "Regional Centers" that coordinate the provision and funding of benefits to the State's developmentally disabled residents. Section 4620 of the California Welfare and Institutions Code establishes regional centers as "private nonprofit community agencies." Regional Centers contract with the California Department of Developmental Services, a division of the California Health and Human Services Agency, to provide a wide array of services for California residents with developmental disabilities.

The Regional Centers diagnose developmental disabilities and assess an individual's eligibility for government assistance. Regional Center staff design a program for each developmentally disabled individual that lists goals and the services needed to reach those goals. The Regional Center then determines who will provide each service and who will pay for the provision of that service (for example, Medi-Cal, County Social Services, the Social Security Administration, the individual's family, or the Regional Center itself). Regional Centers provide outpatient type services to the developmentally disabled, but they are not equipped to provide residential in-patient care. Licensed care providers apply to their local Regional Center to operate group homes, and the Regional Centers place developmentally disabled residents in group homes they approve. Regional Centers fund the care of every developmentally disabled person they place in private group homes.

Certain Residents of Emerald Glen Homes

The founding of the Emerald Glen Homes project requires a brief explanation. In 1974, a group of parents with developmentally disabled children joined together to establish a group home for their children and enlisted a charitable organization to operate the home. To enable the organization to purchase the property, each set of parents paid a founder's fee, which provided a contractual right to life-long benefits of permanent residential care at the home. Title to the property was taken in the name of the organization.

In 1995, the parents were informed that an agreement had been entered into to sell the home, and that its developmentally disabled residents would be forced to leave the home. The parents attempted to prevent the sale to allow their children to remain in the home, but ultimately the home was sold to a third party. Relocating is particularly stressful for the developmentally disabled. They draw upon familiarity for security, and the extended family relationships they form within group homes. Many of the residents have suffered through years of displacement and instability. The parents and their developmentally disabled children filed suit against the organization. In November 1997, the jury found that the parents and developmentally disabled children had been defrauded. Subsequently, in 2000, the parties entered into a settlement agreement with the organization under which the victimized families received, after legal fees, an average of nearly $900,000 per family. A small group of the plaintiff families and their developmentally disabled adult children will reinvest their litigation proceeds in Emerald Glen Homes and sign founders-fee agreements similar to those in the original project. The developmentally disabled adults range in average age from 40-60.

Relationship with Walpert Association for the Retarded, Inc.

Emerald Glen Homes has a special relationship with Walpert. Walpert was formed in 1955 to provide education to developmentally disabled children. And later, the facility has evolved to provide vocational training and paid work opportunities for the attendees with companies such as the Ghiradelli Chocolate Company. This supportive environment has been instrumental to the personal development of these individuals who hold a great sense of pride in their accomplishments. Walpert will not control Emerald Glen Homes, but the two will maintain a close and supportive working relationship to meet the needs of these residents. Most future residents have attended Walpert programs since childhood. Although most residents will attend Walpert programs, residents may choose to attend other programs or pursue work opportunities in the community. Walpert will transfer title to a portion of its real property to Emerald Glen Homes to allow it to carry out its charitable purposes.

Purposes and Programs of Emerald Glen Homes

Emerald Glen Homes will construct and operate a residential facility for developmentally disabled adults on the real property it receives from Walpert. Emerald Glen Homes intends to construct five (5) homes that will each house six (6) developmentally disabled adults. Initially plans are to complete all site work and construct two homes. The remaining three homes will be constructed as funds become available through fund-raising efforts. The property offers a park-like setting for the residents, and Emerald Glen Homes will provide the services necessary to maximize the physical and psychological well being of all of its residents.