OHIO RECOVERY HOUSING
COLORADO

Funded By:
COLORADO
Behavioral Health Administration

# Memorandum

## Re: Recovery Residence Discharge

To: Colorado Department of Public Safety, State of Colorado County Sheriff Departments and State of Colorado Municipal Police Departments

From: Colorado Agency for Recovery Residences

This memorandum is being provided by Ohio Recovery Housing - Colorado (ORH-C) to inform law enforcement agencies of updates to Colorado law and ORH-C policy concerning discharge of a resident from a recovery residence, also known as a sober living facility or sober home.

A recovery residence is any place that provides housing accommodation for individuals with a substance use disorder. Recovery residences in Colorado are regulated by the Behavioral Health Administration which are overseen and certified by ORH-C. The current text of the law regulating recovery residences can be found at "https://casetext.com/statute/colorado-revised-statutes/title-27-behavioral-health/alcohol-and-substance-use-alcohol-and-substance-use-disorders/article-80-alcohol-and-substance-use-alcohol-and-substance-use-disorders/part-1-programs-and-services/section-27-80-129-regulation-of-recovery-residences-rules-definitions"C.R.S. § 27-80-129.

Recovery residences are not required to follow eviction procedures in discharging a resident from a recovery residence, as follows:

- A recovery residence may discharge a resident immediately if a resident is found in possession of alcohol, nonprescription drugs, or illicit drugs at the residence.
- A recovery residence may discharge a resident with 24 hours' notice if (1) the discharge is necessary for the safety of the resident or because the residence is unable to meet the needs of the resident; or (2) the resident has relapsed.

If the resident refuses to accept the discharge, the recovery residence will document the refusal in the resident's record. There is an appeal process for the resident to appeal the discharge after they have been removed from the premises. The recovery residence may seek assistance from law enforcement to effectuate the discharge of a resident who refuses to accept the discharge and/or presents an immediate threat to the safety of themselves or others.

Should you have any questions or require additional information, please do not hesitate to contact Rourke Weaver, Executive Director for ORH-C at 720-782-0989.