



# Treatment Court Recovery Housing

# *Toolkit*

**Michigan Association of Treatment Court Professionals**

**February 2025**

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# Thank You

Thank you to the **2023-2024 MATCP Housing Committee** for their assistance in developing this Toolkit. Committee members include:

- **Committee Chair: Hon. Robert Cooney**, 86th District Court Presiding Judge, Grand Traverse County
- **John Andrews**, Michigan Association of Substance Abuse Coordinating Agencies (retired)
- **Jamaine Atkins**, Certified Peer Recovery Coach, Growth Works, Inc.
- **Hon. Carrie Fuca**, 41B District Treatment Court Presiding Judge, Macomb County
- **Barb Hankey**, Oakland County Director of Public Services
- **Terrence McDonnell**, Chief of Police, Little Traverse Bay Bands of Odawa Indians Police Department
- **Hon. Maureen McGinnis**, 52nd District Treatment Court Presiding Judge, Oakland County
- **Erin Schroeder**, Defense Attorney, Treatment Court Team Defense Advisor

and a special thank you to MATCP Treatment Court Housing Coordinator, **Hon. Harvey J. Hoffman (ret)**.



# Introduction

By developing a Treatment Court Recovery Housing community, you will be doing something wonderful. You will improve the lives of your program participants, while increasing their chances of recovery.

However, as with most things that are wonderful, you will be doing something exceedingly difficult. You will hear “no” a lot. You cannot take “no” for an answer. You will have to be stubborn. It will take years of challenging work.

This Treatment Court Recovery Housing Toolkit sets forth basic information about processes and procedures that will be helpful. However, each of these developments is different. Local opportunities, problems, politics, and personalities must be considered when creating a Treatment Court Recovery Housing community. This Toolkit will not answer all your questions or provide all the answers, but hopefully treatment courts will find it is a valuable starting point of reference to help your court and community forge a path to providing safe, secure, and stable housing for justice-involved individuals.



# The Problem & Proposed Solution

## The Problem...

Many participants in Michigan's treatment courts lack safe and secure housing that promotes sobriety and recovery, and, during their time in a treatment court program, they often continue to live in situations that perpetuate continued substance use. In addition, after completing short term treatment programming, participants often find they have nowhere to go.

This is a minefield for someone attempting recovery from a substance use disorder, and often impacts long-term success.

## The Proposed Solution...

Treatment Court Recovery Housing offers safe, sober, permanent housing for participants, both while in the program and post-graduation, for as long as needed.



# Target Population

The target population for Treatment Court Recovery Housing communities, as defined by the Michigan State Housing and Development Authority (MSHDA), is:

“Persons in Drug Treatment Courts with an SUD with a focus on persons with opioid SUDs.”

This language considers MSHDA’s desire to maintain the relationship between the treatment courts and the housing communities to the greatest extent possible, to ensure that resources, such as treatment, recovery programs, and peer mentorship are available and utilized.

The focus on opioid use disorders speaks to the interest of statewide stakeholders in addressing the opioid epidemic. It is a balancing act between assisting those with an opioid use disorder and those with other or poly-substance use needs. The term “focus” provides some leeway in bringing in people with other or poly-substance use needs, with the understanding that opioid cases are the priority.

Some of the existing housing projects feel that there would not be enough persons being referred from the treatment courts to fill the units in the development. Under those circumstances, MSHDA has allowed individuals diagnosed with a substance use disorder to be referred to a treatment court housing recovery development, if they are in treatment with approved care providers. An example of this can be found at Andy’s Place, the Treatment Court Recovery Housing development in Jackson, Michigan, where the Phase 2 building is exploring a new target population of women with children, with no treatment court participation requirement.



# Focus on Opioids

Due to the focus on national opioid settlement dollar, states and local units have been more open to providing funding for persons dealing with opioid use disorders than they typically have for general substance use disorders. Examples of this include the Michigan state legislature appropriating initial funding for Andy's Place in Jackson and the City of Kalamazoo passing a millage to cover housing costs. A variety of programs are considering state and local opioid settlement funding options. The availability of this funding helps prioritize opioid cases.



# Role of the Courts

- The treatment courts are the primary source of tenant referrals.
- The treatment courts have no ownership interest in the development.
- The treatment courts have no financial involvement whatsoever.
- The referring treatment court maintains the referred tenant as a probationer, maintaining all probation fees, fines, and court costs.
- The referring treatment courts maintains the tenant-participant, as part of its program.
- Treatment court funding and providers follow the tenant-participant to their new residence in the recovery housing development.





# Types of Treatment Courts Eligible to Make Referrals

- Circuit Courts, District Courts, Probate Courts
- Adult Drug Courts
- Sobriety Courts
- Hybrid Drug/Sobriety
- Veterans Treatment Courts
- Mental Health Courts
- Juvenile Drug & Mental Health Courts
- Family Treatment Courts



# Permanent Supportive Housing

- Residents can stay as long as they need. There is no arbitrary move out date.
- Prior to move-in, residents must have maintained an initial period of sobriety.
- This is the resident's new home. We want them to feel part of a supportive, recovery community.
- All units are fully furnished.
- All low-income residents receive Section 8 housing assistance. This means that they pay no more than 30% of their income in rent. The federal government pays the balance. If the resident has no income, they pay no rent. One of the goals of the recovery housing community is to assist the residents with gaining and maintaining employment. When they are working, their rent is recalculated based upon their new level of income.

# Securing Control of Land

This is a crucial early step in the process. It shows that your community and treatment courts are serious about providing this opportunity to justice-involved individuals. All things flow from control of the land.

The site must be near schools, grocery stores, retail stores, medical and mental health practices, and more. Like any other apartment community, the residents must have easy access to life's necessities. There must also be access to bus lines or other means of public transportation.



# The Role of the Developer

The developer is the central entity in the Recovery Housing process. Our partners at Cinnaire (a Lansing, MI-based nonprofit organization that invests in people and places to transform communities through capital investments and development) can help line up a local developer experienced in these matters.

- Vision and Concept Development. The developer identifies the local needs for recovery housing and collaborates with local stakeholders.
- Site Selection and Entitlements. The developer secures the site and navigates the governmental zoning and planning processes.
- Securing Funding. The developer secures the funding including Low Income Tax Credit (LIHTC) vouchers, private investments, and grants.
- Coordinating Design and Construction. The developer oversees design and construction, hiring the professionals that do the work.
- Long Term Stewardship. The developer helps ensure the project's long-term success by collaborating with property management and service providers.



# Ownership

Initially the Recovery Housing project is owned by the people that put up the construction money through the purchase of Low-Income Tax Credits. After 15 years the property will be sold to a local nonprofit owner for \$1. Your developer and/or Cinnaire can assist interested communities and treatment courts with connections to local nonprofits who will eventually own the property.

A nonprofit that has a background in the management and operation of housing is imperative, and ideally the nonprofit will also have skilled leaders and staff with knowledge of working with populations with substance use disorders. The nonprofit will be on the Recovery Housing project team from the very start and will help with identifying additional resources and assist with community outreach.



# Property Management

- The developer secures the services of a professional property management company.
- The property management company collects the rent, pays the bills, oversees maintenance and repairs, and more.
- The Resident Manager is an employee of the property management company.
- The Resident Manager lives on site and is ideally someone with lived experience/in recovery.



# Local Political Support

- All politics is local. That is especially true when dealing with Recovery Housing.
- All local political people are sensitive to voter concerns relating to the placement of persons with SUDs in their neighborhoods. “Not in my backyard” (NIMBY) is frequently an obstacle.
- Zoning issues, tax abatements and other issues will require approval from local political bodies.
- The support of local mayors, county officials, city council members, law enforcement and first responders are critical and should be secured early on in the process.



# Funding

- Recovery Housing projects are primarily funded pursuant to the Low-Income Housing Tax Credit program (LIHTC). This is a federal Department of Treasury subsidy program, but is overseen by the Michigan State Housing and Development Authority (MSHDA).
- LIHTC is a public/private partnership that generates private capital from the sale of tax credits to private investors to better address the affordable housing needs in the state.
- Private developers seek to obtain these tax credits through a competitive process through MSHDA.
- If MSHDA issues an award of tax credits to a developer, these credits will then be sold to investors (typically banks or insurance companies), thereby securing the funding for the bulk of the bricks and mortar expense of the project.
- MATCP, MSHDA, Cinnaire and various strategic partners have established Recovery Housing as a new, first in the nation, type of project that can receive LIHTC credits.
- Cinnaire Corporation is a nonprofit Community Development Finance Institution (CDFI). It is a syndicator that has collaborated with us to sell the tax credits in all of Michigan's Treatment Court Recovery Housing projects. All Recovery Housing projects require funding beyond that raised by the sale of the tax credits. Cinnaire is heavily involved in helping to raise these additional funds.



# Homelessness

Many communities in Michigan are not only struggling with opioid issues, but large numbers of homeless people are putting stress on local public and private resources. Success in securing the support of local political leaders often depends on how well a proposal helps solve problems facing those leaders. You need to find their itch and scratch it. Michigan's Treatment Court Recovery Housing developments are designed to address both issues of opioid SUDs and homelessness.

Addressing homelessness is a central function for MSHDA. In order to secure a grant of Low Income Tax Credits from MSHDA you have to comply with their homelessness requirements. MSHDA typically requires that 50% of the units in a development are reserved for homeless families or individuals. The MSHDA definitions for homelessness are quite broad and make it quite likely that many of the persons in treatment courts will meet those definitions.

- Literally Homeless:

- These are individuals or families who lack a fixed, regular, and adequate nighttime residence, such as a car, park, abandoned building, bus or train station, airport, campground, etc.
- People living in a supervised publicly or privately operated shelters designed to provide temporary living arrangements, including congregate shelters, transitional housing, etc.
- People exiting an institution that they resided in for 90 days or less after having been in an emergency shelter or place not meant for human habitation.

- A Person or Family Fleeing Domestic Violence

- Chronically Homeless: Persons with a disability (like an SUD) living in a shelter with a history of living in a situation other than a place not meant for human habitation, etc.
- At Risk of Becoming Homeless: Persons with annual income below 30% of median family income for the area and meets certain criteria relating to increased risk of eviction, etc.

Many of the persons referred to Andy's Place from the Jackson County Adult Drug Court qualified as homeless due to having a household income of less than 30% of the median family income for the area. You should have a conversation with your probation department as to the household incomes of your program participants.





## On-Site Services

- When building Andy's Place, we worked with the Michigan Department of Licensing and Regulatory Affairs (LARA) to establish a process where treatment providers that work with the local treatment courts can establish satellite offices at the site, using their existing licenses, at a minimum charge.
- The onsite satellite spaces for the treatment court treatment providers are provided rent free.
- This has proven to be popular with the treatment providers as they are able to simply walk down the hall and knock on the door of a resident that does not show up for a group or individual session.
- Space in the communal areas is available for regular 12-step or other self-help meetings.
- An apartment is available for an onsite peer recovery coach.
- Space is available for additional services like employment training, GED courses, financial literacy courses, and more.



# The Role of the Local Champion

## Passion is critical.

- You need a person or family that is willing to treat the project as a calling, putting in countless hours reaching out into the local community on behalf of the project.
- Mike Hirst is our champion at Andy's Place. He lost his son, Andy, to an opioid overdose. His family established "Andy's Angels", a foundation that raises money in the Jackson, MI-area to be used at Andy's Place and on other substance use disorder-related causes.
- Mike is constantly on local media, speaking to the public and community groups, seeking support for Andy's Place.
- He has brought countless resources into Andy's Place including a full gym from a local hospital and playground benches.
- He also collaborates with the individual residents helping them to secure jobs, return to school, and more.



# Building Community

The ultimate goal of a Treatment Court Recovery Housing project is to move program participants out of a community where SUD-related use may be enabled, to a community that supports sobriety.

The development of these communities are, in many ways, the most important part of Recovery Housing. This is something that the residents do themselves. It is designed to build pride not only in where we are living, but pride in themselves.

This is exemplified by the first Michigan Treatment Court Recovery Housing project, Andy's Place in Jackson, MI. People touring Andy's Place are amazed how the building continues to look brand new despite being five+ years old. The residents take care of the place.

- Special community events are part of the process. There is always a big Thanksgiving Dinner in the communal area. Andy's Angels provide the turkeys, but the residents do all the cooking. Residents invite their families to attend. Many residents say that it has been many years since they had a family Thanksgiving Dinner. Such things are important.
- On Christmas, every child gets a gift.
- During the summer there are group trips to theme parks, the beach, etc.
- Free space is available for a community garden.
- Most importantly, the residents are there for each other. When a resident is struggling, the people down the hall come together for that person - they have all been there themselves and understand what the person is going through. They are the first ones to help.
- While treatment court team members are key to participant success, it is ultimately the community at the Recovery Housing development that plays a far more instrumental role in providing a treatment court participant with continued success in their recovery journey.



# MATCP Housing Committee

The MATCP Housing Committee has been established as a means of sharing information among the developments around Michigan. We seek to include a representative from each Treatment Court Housing Recovery project (existing or in development) on the Housing Committee.

At each MATCP Annual Conference we hold a workshop on the Treatment Court Housing Recovery project, discussing the basics and providing updates on the various developments around the state.

We are also available to come out to meet with your local courts, elected officials, and other stakeholder and provide deeper insight into how a project can make a difference in your community.



## Contact Information

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Please visit our Housing Project webpage at [matcp.org/housingproject](http://matcp.org/housingproject) for updates and to fill out a Future Housing Project Community Interest form.





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