

APPENDIX A

RESOLUTION

WHEREAS, the Los Angeles City Council adopted the Home-Sharing Ordinance (Ordinance number 185,931) on December 11, 2018 with an effective date of July 1, 2019;

WHEREAS, the Home-Sharing Ordinance will protect the City's affordable housing stock by allowing only an authorized host to share his or her registered primary residence with transient users and by continuing to prohibit a property owner from converting a housing unit into a Short-Term Rental that is not zoned or authorized for transient use;

WHEREAS, the Home-Sharing Ordinance allows the Department of City Planning to promulgate Administrative Guidelines, which may include, but are not limited to, application requirements, interpretations, conditions, reporting requirements, enforcement procedures, and disclosure requirements, to implement the provisions, and consistent with the intent, of the Home-Sharing Ordinance;

WHEREAS, Subsection 12.22 A.32(f)(6) of the Home-Sharing Ordinance created an exception from the Hosting Platform Responsibilities paragraph (f) of the Ordinance. The exception states that the provisions of this paragraph shall not apply to a Hosting Platform whenever it (a) complies with the Administrative Guidelines, issued by DCP and approved by a resolution of the City Council, that describe how the Platform shall satisfy the Hosting Platform responsibilities in this paragraph, or (b) enters into a Platform Agreement;

WHEREAS, the Department of City Planning has prepared and published a draft of the Home-Sharing Administrative Guidelines pursuant to Subsection 12.22 A.32(f)(6);

WHEREAS, the Hosting Platform Responsibilities portion of Administrative Guidelines (Appendix A) shall be approved by a resolution of the Los Angeles City Council;

**NOW, THEREFORE, THE PEOPLE OF THE CITY OF LOS ANGELES DO ORDAIN AS
FOLLOWS:**

APPENDIX A: HOME-SHARING ADMINISTRATIVE GUIDELINES FOR COMPLIANCE WITH HOSTING PLATFORM RESPONSIBILITIES

(As adopted by Resolution of the City Council on [DATE])

I. BACKGROUND

This document describes how a Hosting Platform operating in the City of Los Angeles may comply with the Home-Sharing Administrative Guidelines provisions relating to the Hosting Platform responsibilities in LAMC 12.22 A.32 (f) (the *Home-Sharing Ordinance*). The responsibilities are intended to facilitate compliance by all parties in an efficient and effective manner. The primary Hosting Platform responsibilities, as provided in the Home-Sharing Ordinance, are to: 1) prevent unpermitted Booking Services, 2) provide contact information; and 3) share basic information on bookings.

As described in the Administrative Guidelines, there are three means by which a Hosting Platform may opt to comply with the Hosting Platform responsibilities. Platforms may choose to: (1) comply with the provisions of LAMC Section 12.22 A.32(f); (2) comply with the provisions of these Administrative Guidelines; or (3) enter into a Platform Agreement with the City.

Hosting Platforms that choose to comply with the Administrative Guidelines may select one of the two methods provided in Section II, below, to satisfy their responsibilities. Platforms interested in utilizing one of these methods shall submit a request via email to the Department at planning.home-sharing.platform@lacity.org and work directly with staff to establish access and written approval to utilize one of these methods. Both methods require the following:

1. **Include and Display Registration Number.** Beginning no later than the end of the Outreach Phase, Hosting Platforms shall include as part of the registration and Listing validation process a field into which a Host must input the Host's valid Home-Sharing Registration Number or valid Pending Registration Status Number, or otherwise indicate that the Listing is a non-Short-Term Rental Listing. Additionally, Hosting Platforms must take reasonable measures to ensure the following:
 - a. that each Registration Number used on the Hosting Platform's Listings non-duplicative with another address/Host name/ID;
 - b. that each Registration Number used on the Hosting Platform's Listings are valid (has not expired, been revoked, etc.);
 - c. that each Registration Number used on the Hosting Platform's Listings are provided in the correct format and field location, as required by the Department of City Planning ("Department") at the time of approval of this option; and

- d. that the Host has provided a Registration Number that matches the address of the associated Listing(s), based on the most recent information provided by the Department pursuant to either method provided in Section II, below.
2. **Provide Contact Information.** On or before August 14, 2019 [within 45 days of the Effective date of the Home-Sharing Ordinance], Hosting Platforms with Listings located in the City shall provide to the Department contact information for a responsible employee or representative able to respond to and communicate with the Department. Hosting Platforms that commence Listings in the City after the Effective Date must provide this contact information prior to facilitating Home-Sharing activity or providing Booking Services within the City.
3. **Prevent Booking Services Associated with Unlawful Short-term Rentals.** Hosting Platforms shall not process or complete any Booking Service transaction for any Person whenever the City has provided notice that a Listing and/or a Registration or Pending Registration Status Number is ineligible at least 96 hours prior. Hosting Platforms may satisfy this requirement by utilizing one of the methods provided in Section II below.

II. AVAILABLE METHODS TO SATISFY HOSTING PLATFORM RESPONSIBILITIES TO PREVENT ILLEGAL BOOKING SERVICES.

1. **Application Programming Interface (API) Method.** Upon approval from the Department, a participating Hosting Platform shall query an application programming interface (API) administered by the Department at least once every 24 hours to determine the legal status of any Registration or Pending Registration Status Numbers associated with the Listings advertised on their website, and affiliated websites.

a. API Query Requirements:

To query the API the participating Hosting Platforms must as part of their API queries provide the following information for each Listing advertised on their website, and affiliated websites:

REQUIRED FIELDS FOR ALL API QUERIES:

- i. The Unique Permanent Primary Listing ID (as presented in the metadata of the Listing on the primary publicly facing website of the Hosting Platform);
- ii. The Listing URL(s) (i.e. the website address(es) presented in the exact same format(s) as used on the publicly facing website(s) of the Hosting Platform including any affiliate websites);

- iii. The Registration Number, Pending Registration Status Number, or an exemption status code that explains why the property is not considered a Short-Term Rental subject to the provisions of the Home-Sharing Ordinance. Those exemption codes are as follows:

01: a residential property advertised and rented exclusively for stays longer than 30 consecutive days. For the avoidance of doubt, this exemption code can only apply to Listings for which the Hosting Platform is actively preventing bookings for 30 days or less.

02: a Hotel or Motel.

03: a Transient Occupancy Residential Structure.

04: a Bed and Breakfast approved pursuant to LAMC 12.24 X.12.

ADDITIONAL REQUIRED FIELDS FOR ALL API QUERIES FOR WHICH A REGISTRATION NUMBER OR PENDING REGISTRATION STATUS NUMBER IS PROVIDED:

- iv. The house number of the address associated with the Registration Number (or Pending Registration Status Number) (i.e. “123” from the address “123 Main Street”);
- v. The apartment/suite/number of the address associated with the Registration Number (or Pending Registration Status Number) (i.e. “B” from the address “123 Main Street, Apartment B”);
- vi. The number of nights the rental unit has already been rented as a Short-Term Rental through the Hosting Platform in the calendar year;
- vii. The number of nights the rental unit has been booked for Short-Term Rental stays through the Hosting Platform for the remainder of the calendar year;
- viii. The number of nights the rental unit has been booked for Short-Term Rental stays through the Hosting Platform for the following calendar year;
- ix. The number of nights the rental unit has already been rented for non-Short-Term Rental stays through the Hosting Platform in the calendar year;

- x. The number of nights the rental unit has been booked for non-Short-Term Rental stays through the Hosting Platform for the remainder of the calendar year.
- xi. The number of nights the rental unit has been booked for non-Short-Term Rental stays through the Hosting Platform for the following calendar year.

ADDITIONAL REQUIRED FIELDS FOR ALL API QUERIES FOR WHICH AN EXEMPTION STATUS CODE 02, 03 or 04 IS PROVIDED

- xii. The Unique Host ID (as presented, including in the metadata, of each Host Profile and/or Listing on the publicly facing website(s) of the Hosting Platform including any affiliate websites, if applicable);
 - xiii. The Host Email Address (i.e. the email address of the Host as provided to the Hosting Platform by the Host);
 - xiv. The Listing's Street Address (i.e. the complete physical address of the rental unit as provided to the Hosting Platform by the Host, for example "123 Main Street, Los Angeles, CA 90021").
- b. Removal Notice.** City shall notify Hosting Platform, via an electronic medium (including, but not limited to, an API), that a Listing is invalid or ineligible (a "Removal Notice"). A Removal Notice will include the following information:
- i. City Registration Number associated with the identified listing, unless the listing does not have a City Registration Number;
 - ii. Hosting Platform's Listing ID number, or unique identifier;
 - iii. The basis for the listing's ineligibility:
 - a. The listing lacks a valid City Registration Number; or
 - b. The listing has an expired registration; or
 - c. The listing has had its pending registration application denied; or
 - d. The listing has had its registration revoked or suspended; or
 - e. The City determines that the exemption status code is invalid; or
 - f. The Host has exceeded the 120 day cap; or
 - g. Other.

c. Platform Listing Take-down and Collaboration Requirements:

If a Hosting Platform receives notice via the API, or any other agreed upon medium, that a Registration or Pending Registration Status Number is invalid or ineligible or a Listing does not meet the requirements to qualify for the provided exemption status code, the Platform shall, within 96 hours of receiving such API notice:

- i. Until the Listing obtains a valid Registration Number or otherwise meets the requirements to qualify for a provided exemption code, not complete any further booking transactions and block all future calendar availability with respect to such Listing, Registration or Pending Registration Status Number, and/or
- ii. Remove all Listings associated with the ineligible exemption status code, Registration or Pending Registration Status Number from their website, and affiliated websites until the Listing obtains a valid Registration Number or otherwise meets the requirements to qualify for a provided exemption code, and/or
- iii. Cancel all then-pending online reservations for all listings, except those that are scheduled to commence within thirty (30) days after the notice. If the reason for the ineligibility provided by the City is related to exceeding the 120 day cap, the Platform will only be required to cancel the bookings made since the prior day's API Query.

Notices that are sent via the API shall be deemed effective and complete at the time they are sent, unless the City receives an automatic error message from the Hosting Platform that the notice was not delivered, and the Hosting Platform, within two business days: (i) informs the Department at planning.home-sharing.platform@lacity.org that a technical error prevented the specific notice from being delivered in a timely manner to the Hosting Platform; (ii) provides technical details on the error; and (iii) works in good faith with the Department and its agents to resolve the technical issues in an expedient manner using commercially reasonable efforts.

In the event the application programming interface (API) administered by the Department fails to return a valid notice due to system downtime or other technical errors, the Hosting Platform may continue to list and/or accept new booking requests for the Listing associated with the error prone Registration or Pending Registration Status Number but must within two business days: (i) inform the Department at planning.home-sharing.platform@lacity.org about such technical error; (ii) provide technical details on the error; and (iii) work in good faith with the Department and its agents to resolve the issues in an expedient manner using commercially reasonable efforts. Additional details on the processes outlined above along with the technical API documentation will be provided by the City to participating Hosting Platforms.

2. **Manual Spreadsheet Method.** Upon approval from the Department, the City and Hosting Platform will create a system and process to satisfy each of the following requirements.

a. Provide Weekly Data.

On no less than a weekly basis, the Hosting Platform must provide to the Department an itemized data file (in a specific format approved by the Department) containing certain up-to-date information on all City of Los Angeles Listings that have appeared on the Hosting Platform's website(s) and affiliate websites since the City was last provided an itemized weekly data file (the Reporting Period). The Hosting Platform can meet this requirement by either of the following means:

- i. Uploading the spreadsheet file to a specific public data upload site maintained by the Department (available upon request by a Hosting Platform using this method); or
- ii. Sending an email to planning.home-sharing.platform@lacity.org with an attached spreadsheet file containing the required up-to-date data.

b. Weekly File Requirements:

The itemized data file shall contain the following information for each Listing advertised on the Hosting Platform's website(s), and/or affiliated websites in the Reporting Period.

REQUIRED FIELD FOR ALL LISTINGS:

- i. The Unique Permanent Primary Listing ID (as presented in the metadata of the Listing on the primary publicly facing website of the Hosting Platform);
- ii. The Listing URL(s) (i.e. the website address(es) presented in the exact same format(s) as used on the publicly facing website(s) of the Hosting Platform including any affiliate websites);
- iii. The Registration Number, Pending Registration Status Number, or an exemption status code that explains why the property is not considered a Short-Term Rental subject to the provisions of the Home-Sharing Ordinance. Those exemption codes are as follows:

01: a residential property advertised and rented exclusively for stays longer than 30 consecutive days. For the avoidance of doubt, this exemption code can only apply to Listings for which the Hosting Platform is actively preventing bookings for 30 days or less.

02: a Hotel or Motel.

03: a Transient Occupancy Residential Structure.

04: a permitted Bed and Breakfast pursuant to LAMC 12.24 X.12.

ADDITIONAL REQUIRED FIELDS FOR ALL LISTINGS FOR WHICH A REGISTRATION NUMBER OR PENDING REGISTRATION STATUS NUMBER IS PROVIDED:

- iv. The house number of the address associated with the Registration Number (or Pending Registration Status Number) (i.e. “123” from the address “123 Main Street”);
- v. The apartment/suite/unit number of the address associated with the Registration Number (or Pending Registration Status Number) (i.e. “B” from the address “123 Main Street, Apartment B”);
- vi. The number of nights the rental unit has already been rented as a Short-Term Rental through the Hosting Platform in the calendar year;
- vii. The number of nights the rental unit has been booked for Short-Term Rental stays through the Hosting Platform for the remainder of the calendar year;
- viii. The number of nights the rental unit has been booked for Short-Term Rental stays through the Hosting Platform for the following calendar year;
- ix. The number of nights the rental unit has already been rented for non-Short-Term Rental stays through the Hosting Platform in the calendar year;
- x. The number of nights the rental unit has been booked for non-Short-Term Rental stays through the Hosting Platform for the remainder of the calendar year.
- xi. The number of nights the rental unit has been booked for non-Short-Term Rental stays through the Hosting Platform for the following calendar year.

ADDITIONAL REQUIRED FIELDS FOR ALL LISTINGS FOR WHICH AN EXEMPTION STATUS CODE 02, 03 or 04 IS PROVIDED:

- xii. The Unique Host ID (as presented, including in the metadata of each Host Profile and/or Listing on the publicly facing website(s) of the Hosting Platform including any affiliate websites, if applicable);
 - xiii. The Host Email Address (i.e. the email address of the Host as provided to the Hosting Platform by the Host);
 - xiv. The Listing's street address (i.e. the complete physical address of the rental unit as provided to the Hosting Platform by the Host, for example "123 Main Street, Los Angeles, CA 90021").
- c. Removal Notice.** City shall notify Hosting Platform, via an electronic medium (including, but not limited to, an API), that a Listing is invalid or ineligible (a "Removal Notice"). A Removal Notice will include the following information:
- i. City Registration Number associated with the identified listing, unless the listing does not have a City Registration Number;
 - ii. Hosting Platform's Listing ID number, or unique identifier;
 - iii. The basis for the listing's ineligibility:
 - a. The listing lacks a valid City Registration Number; or
 - b. The listing has an expired registration; or
 - c. The listing has had its pending registration application denied; or
 - d. The listing has had its registration revoked or suspended; or
 - e. The City determines that the exemption status code is invalid; or
 - f. The Host has exceeded the 120 day cap; or
 - g. Other.
- d. Platform Listing Take-down and Collaboration Requirements:**

Subsequent to the receipt of each itemized data file from the participating Hosting Platforms, the Department will compile a list of ineligible Listings which will be provided in the form of a spreadsheet attached to an email sent to the responsible employee or representative of each Hosting Platform (Notice of Ineligibility). The City shall provide such Notice of Ineligibility status to the Platform within three business days of a Platform notifying City Planning by email

at planning.home-sharing.platform@lacity.org, of a request to utilize this Method, and on a recurring basis thereafter.

If a Hosting Platform receives notice that a Registration or Pending Registration Status Number is invalid or ineligible or a Listing does not meet the requirements to qualify for the provided exemption status code, the Platform shall, within 96 hours of receiving such Notice of Ineligibility:

- i. Until the Listing obtains a valid Registration Number or otherwise meet sthe requirements to qualify for a provided exemption code, not complete any further booking transactions and block all future calendar availability with respect to such Listing, Registration or Pending Registration Status Number, and/or
- ii. Remove all Listings associated with the ineligible exemption status code, Registration or Pending Registration Status Number from their website, and affiliated websites Until the Listing obtains a valid Registration Number or otherwise meets the requirements to qualify for a provided exemption code, and/or
- iii. Cancel all then-pending online reservations for all Listings, except those that are scheduled to commence within 30 (thirty) days after the notice.

Notices sent via email shall be deemed effective and complete at the time it is sent, unless: (i) the City receives an automatic error message that the email was not delivered; or (ii) the Hosting Platform within two business days of receipt: (i) informs the Department at planning.home-sharing.platform@lacity.org that a technical error prevented the Hosting Platform from opening and extracting the information in the spreadsheet; (ii) provides technical details on the error; and (iii) works in good faith with the Department and its agents to resolve the technical issues in an expedient manner using commercially reasonable efforts.