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From: **Raymond Klein** <rklein908@gmail.com>

Date: Fri, Jan 19, 2018 at 12:16 AM

Subject: SECOND SUPPLEMENTAL REPORT BACK RELATIVE TO PROPOSED HOME-SHARING ORDINANCE (COUNCIL FILES 14-1635-S2, 14-1635-S3)

To:

The following is submitted for the record in response to SECOND SUPPLEMENTAL REPORT BACK RELATIVE TO PROPOSED HOME-SHARING ORDINANCE.

Please add these comments to COUNCIL FILES 14-1635-S2, 14-1635-S3 and distribute to PLUM Committee.

Raymond Klein

Hosted Listings

Report: "Hosted activity protects the housing stock, ensures residential use is maintained and limits nuisance behavior by guests. . . . Unfortunately, it has proven difficult for any city to be able to verify whether each guest stay is hosted on a nightly basis. The City could require self-certification under the penalty of perjury and accept the use of complaints and proxy IT data to enforce violations, but enforcement would continue to be an issue of concern."

Comment: The Report acknowledges that hosted listings solves the most serious problems of short-term rentals. But raises the issue of enforcement. Should the difficulty of enforcement mean that we abandon our standards and good laws? Should we get rid of stop signs because many drivers don't come to a complete stop? Should we eliminate the business tax because it relies on honest reporting of gross revenue? ALL short-term rentals should require hosted listings! Only then will a "Home-Sharing Ordinance" truly be home-sharing. The residents of the entire City should not suffer because very, very few legitimate hosts are gone from the City on entertainment industry business and therefore could not be present in the residence.

Protection of Existing Renters

Report: "The initial DCP recommendation of 90 days was a more conservative recommendation intended to minimize any impact on existing housing."

Comment: In view of all the existing and proposed legislation intended to protect and increase the amount of affordable housing, it is clear that, if the cap is greater than 90 days, the preservation of rental housing stock and the affordable housing objective take second place to pleasing a big political donor like Airbnb and generating tax revenue from the hotel tax. Any Councilmember voting for a cap in excess of 90 days cannot say that he/she has a policy priority of protecting rental housing stock and affordable housing.

Primary Residence

Report: The possibility of requiring applicants to self-certify primary residency under penalty of perjury, with consideration of: . . . b) For investigation or verification, if the City could require that supporting documentation be furnished upon demand at any time

Comment: The primary residence requirement is meaningless unless it prevents a person from owning, directly or through an LLC, multiple residences on which they could submit property tax bills, utility bills, etc., and nevertheless actually be residing in still another home that they rent. And why even suggest relying on public complaints for enforcement when

Planning states that such a solution is not worth considering for enforcement of hosted listings? Since the fine on property owners/hosts is for listing an unregistered property ("The proposed fines on hosts and property owners are \$500, or two times the nightly rate (whichever is greater) for listing unregistered properties for rent"), if multiple properties were listed, it appears there would be no fine.