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1 message

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Sat, Dec 31, 2016 at 5:21 PM

To: Mitch O'Farrell &lt;councilmember.ofarrell@lacity.org&gt;

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Dec. 31, 2016

Dear Mitch -

As a continuing victim of an illegal short term rental since May 2014, I feel that I must contact you once again as we go into 2017. You know my story. My husband and I have lived in CD 13 for over 20 years. My husband is born and raised in Silver Lake. He attended Ivanhoe, King, and Marshall. His mother still lives in Silver Lake a mile away from us.

I know you said you have read all my emails. And that is appreciated. I have also dealt with Mary Rodriguez, Gabriel Taylor (and recently Tamar Galatzan), Mary Rumsey, Lenny Davis (LAPD SLO), Lincoln Lee (and other LADBS staffers, such as Ron Kidwell, David Lara, Frank Lara, John Biezins, John Jones, Kim Arther), and Presiliano Sandoval (HCIDLA) in the pursuit of prosecution of the property owners of the illegal vacation rental at 1954 Redesdale Ave since May 2014. And I have also communicated with Airbnb, but to no satisfaction whatsoever so far. And I have communicated to the Mayor's office, and all City Council members, LADBS, PLUM, Planning Commission, and Housing Authority. But again, to no satisfaction.

As a law-abiding citizen, I feel that the City Council should listen carefully to my comments. In 2014, I was subjected to a TRO lawsuit by the owner/host ( [REDACTED] ) of the Airbnb at 1954 Redesdale Ave and her husband ( [REDACTED] ) an infectious disease doctor at Glendale Adventist. I mention his occupation because I want to emphasize that there are people of means. This lawsuit was so rude, unfair, made of lies, and done out of retaliation for me and my neighbors reporting her illegal vacation rental. Fortunately, the case against me was dismissed, and as you said to me once, "She is a bully." She and her husband do not even live there, and they run a commercial Airbnb

operation and have four Airbnb rentals right now - maybe more. There has never been a permanent resident at 1954 Redesdael Ave since May 2014 when she and her husband purchased the property.

<https://www.airbnb.com/users/show/6180266>

██████████ is also the host for these two listings at 4542 Avocado St, a duplex in Los Feliz:

<https://www.airbnb.com/users/show/39058062>

I have very important concerns about the Home Sharing Ordinance. I have become educated on Airbnb and short term rentals. It is now more than just a neighborhood dispute for me.

(1) Before this is instituted, if it is passed, the City of LA must collect back Transient Occupancy Tax (TOT) as was done in San Francisco where Airbnb paid about \$12 million. It is a precedent which shows that Airbnb admits that it was breaking the law by not collecting or having its hosts pay such tax. I understand that some hosts in Los Angeles supposedly voluntarily paid TOT in the past. Now Airbnb is collecting and paying to the City the TOT as of August 2016, so I am referring to prior to that date is what the City should collect for back taxes. <http://www.sfgate.com/bayarea/matier-ross/article/M-R-Airbnb-pays-tens-of-millions-in-back-6087802.php>

Airbnb is starting to back down a little as they become the disruptive business in city after city in the world. Maybe they will start to cooperate in a fair and decent way.

<http://www.sfchronicle.com/business/article/Airbnb-will-pay-taxes-play-nice-with-cities-6626099.php>

(2) Strict enforcement and cooperation of Airbnb to provide the information is critical. All businesses in Los Angeles are required to provide a lot of information such as the owner's name, location, address, tax ID number, acquire a permit as needed, file taxes, acquire an LA business license, and pay sales tax as required. I have been a business owner since 1983, and I have always followed the law and paid my proper taxes including payroll tax and providing State Disability coverage as required.

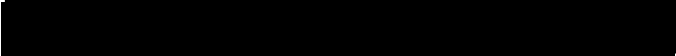
Airbnb and the hosts have a record of being covert and not following the law. So without strict enforcement and without requiring that specific data be provided by Airbnb (as well as all Home Sharing platforms), this law will not be of any relief to our residential areas. It is almost impossible right now to investigate and prosecute the illegal short term rentals - history has shown this to be true, so Airbnb and their hosts will continue to break the law. San Francisco, and New York are examples of how very few of the hosts will voluntarily cooperate.

If Airbnb and their hosts truly want to cooperate, then they should provide their information so that it can be shown that they are operating legally. And they should be required to show their Home Sharing Permit License on their internet listings. If not, we will be nowhere close to stopping the many illegal commercial operators in our City.

(3) Airbnb (and all home sharing platforms) must be required to remove all commercial operations off of their website. The rule that only a permanent resident can host on Airbnb is a start, and that they can only have one. But we must require that Airbnb immediately remove these commercial operations now. We cannot let them continue to profit off of illegal listings while trying to tell us that it is for people with financial difficulty. This is so fake and insincere.

Bottom line is that Airbnb cannot be given special favors because they are internet platform. I use the internet and most businesses these days use the internet in their businesses. Airbnb should follow the brick and mortar laws of the land just like everyone else. The internet is a platform used by businesses.

Home Sharing is no longer a small thing where people do this once in a while and the neighbors and the City look the other way. It has become out of control especially with the commercial multiple operations. It is a very small portion of the population, maybe less than 1/2 percent of our Los Angeles citizens are doing Airbnb, yet they are extremely active, vocal, and have broken the law shamelessly for years. Airbnb has provided the protection to the hosts in that they have not provided the information needed to enforce. This is a company valued at \$30 billion because of venture capitalists who hope to profit on the future growth and IPO. I have never seen even one of the hosts come to City Committee meetings to admit or apologize for breaking the law and disturbing their neighbors. They keep quiet and let the small hosts and Airbnb fight for their illegal operations.

 certainly have never apologized to me or my neighbors. In fact, they have been very antagonistic toward us. I guess they feel they are entitled to break the law since the \$30 billion Airbnb company does not require them to follow the law, and Airbnb is happy to keep collecting the commissions. Early on, I had confrontations with them and informed and provided the City laws information against short term rentals. So they break the law despite being informed. Money is their incentive after all.

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