



Sharon Dickinson <sharon.dickinson@lacity.org>



Comments and suggestions on the short-term rental ordinance (CF#14-1635-S2, CPC-2016-1243-CA)

1 message

Nathan Schneiderman <nathan_schneiderman@yahoo.com>

Sat, Jun 18, 2016 at 11:22 AM

Reply-To: Nathan Schneiderman <nathan_schneiderman@yahoo.com>

To: "mayor.garcetti@lacity.org" <mayor.garcetti@lacity.org>, "matthew.glesne@lacity.org" <matthew.glesne@lacity.org>, "cpc@lacity.org" <cpc@lacity.org>, "justin.wesson@lacity.org" <justin.wesson@lacity.org>,

"councilmember.wesson@lacity.org" <councilmember.wesson@lacity.org>, "david.ryu@lacity.org" <david.ryu@lacity.org>

Cc: "Sharon.dickinson@lacity.org" <Sharon.dickinson@lacity.org>, "etta.armstrong@lacity.org" <etta.armstrong@lacity.org>

Hello Eric, Matthew, Justin, David, Sharon, and Etta,

Thank you for sending out the draft ordinance on short-term rentals (CF#14-1635-S2, CPC-2016-1243-CA). My name is Nathan Schneiderman, and I am an Airbnb host and an owner of real property in Los Angeles.

I have a few comments on the draft ordinance, which I would like to respectfully submit for consideration. I would like to start out by saying that I am pleased that an ordinance has been drafted, as I (and many Airbnb hosts) are eager to have clear rules on short-term rentals.

By way of background, I have a house in Los Feliz and since Oct 2015 have rented out a bedroom/bathroom suite on Airbnb as a short-term rental; the suite is a section of my house but also is blocked off from the main living areas of the house, which allows me to rent out the space while also having complete privacy. I had a stroke in January and no longer work, and I depend upon the extra income to pay bills, such as the huge property taxes assessed on my house (which have nearly doubled since I bought my house in 1999). The suite has a small refrigerator and a microwave but no oven and no kitchen. It is a space that I would never rent out to a long-term tenant and would not have appeal as a long-term rental, as there is no kitchen. Guests in my suite have a dedicated garage spot, so there is no impact on the neighbors. My suite is generally rented about 20-25 nights per month, so the proposed 90-day restriction / year would significantly harm me. In summary, my suite adds options for visitors wanting to stay in Los Feliz and near Griffith Park, WITHOUT taking away a rental space that could otherwise be used by a long-term renter.

The short-term rental proposal has some needed requirements, which I welcome, including a requirement to register as a home-sharing host and to pay Transient Occupancy Taxes (TOT). I have done this since the beginning, but so many of the Airbnb listings are illegal as they do not register with the city and do not pay these taxes.

I have a number of comments and suggestions that I urge you to consider that in my opinion would strengthen the proposal and make it fairer :

1. First and foremost, while the restriction on rentals to 90 days per year makes sense for units within a multi-family building (apartment) or duplex, it makes NO sense for those who rent out a section of their single-family home, which is my situation. I urge you to restrict this covenant to ONLY units within multi-family buildings and duplexes and NOT to spaces within owner-occupied homes. As I mentioned

previously, rentals such as mine open up attractive options for visitors WITHOUT taking away housing stock from long-term renters, thus by definition this is "GOOD Airbnb" and should be encouraged.

A few other suggestions:

2. I encourage you to have Airbnb assess and pay the transient occupancy taxes for ALL hosts and on all bookings. This makes the accounting simpler and allows the city to collect taxes on every single listing (even those that are temporarily illegal); thus, this change would be revenue positive, save all of us a lot of time, and simplify the city's work. In fact, cities including San Francisco and Portland already do this.
3. The penalty of a \$2000/day potential fine on hosts strikes me as egregious and unwise; I recommend you assess no more than \$200/day or double the average daily rent, whichever is more. While my unit has always been registered and legal, others may end up breaking these rules by mistake or ignorance. A \$2000/day fine easily has the potential to bankrupt someone, cause them to lose their home, or put them in grave financial hardship. I'm sure the city really doesn't want that to happen.

In my opinion, the key for the proposal is to strike a balance that is fair without overreach. Bring everyone in the system to register and pay taxes. Eliminate apartments getting turned into quasi hotels, either by the apartment owners or those who rent units from them. Factions from the hotel lobby support short-term rental restrictions; be clear that the hotel industry is NO friend of affordable housing, they simply view this as a threat to their revenue. If the hotel industry was concerned with affordable housing, they would dedicate a number of their rooms to low-cost long-term rentals, which they have NOT done and have no intention of doing. So please, don't be duped by their lobby.

Sincerely,

Nathan Schneiderman
323.219.9307c



Sharon Dickinson <sharon.dickinson@lacity.org>

CF#14-1635-S2, CPC-2016-1243-CA - ARGUMENT AGAINST THE 90 DAY PROPOSED LIMIT FOR AIRBNB

1 message

Robin Smalley <robinsmalley@gmail.com>

Mon, Jun 20, 2016 at 7:27 PM

To: mayor.garcetti@lacity.org, cpc@lacity.org, justin.wesson@lacity.org, councilmember.wesson@lacity.org

Cc: sharon.dickinson@lacity.org, etta.armstrong@lacity.org, david.ryu@lacity.org

Dear Mayor Garcetti and esteemed Council members,

My name is Robin Smalley. I have lived in my home at 1622 N Curson Ave for almost 27 years. Both my daughters, Hannah (26) and Sophia (23) were raised in our home and my husband and I are proud that it is the oldest house in the area, built in 1906, two years older than our neighbor up the street, Wattles Mansion.

For 27 years we have had a love affair with our home and have painstakingly restored it to its original beauty, bringing back its gorgeous mahogany woodwork, built-in china cupboards, maintaining its unique three-dimensional stained glass. We are close to our neighbors as our children all grew up together and the wonderful new families that have moved in all want to have that similar small-town feeling for their own growing families. We know each other, we support each other and we are there for one another.

When we first moved in, our house was a design disaster, having been through the eras of cottage cheese ceilings and shag carpets. One of the coolest things about the property was the working stable that sat in the rear of our property. Throughout the years, that stable has served many purposes...my husband's architecture studio, the office where I began my nonprofit organization, home for the neighborhood playgroups, playroom for the children, party room as they grew into teenagers (and we could keep them and their friends close by having a separate – but close – place where they could be together and stay out of trouble. Then it was a guest house that we made beautiful mostly for my elderly father to be when he couldn't be left alone. Eventually, the kids were launched, my father passed away and the Cottage (as we now call it after its transition from the Stables) remained empty.

My husband, Jeff, and I love to travel. We first got acquainted with airbnb when our youngest daughter graduated high school five years ago and our gift to her was a family holiday to Italy. As you can imagine, hotel rooms for four is an impossible expense so we decided to give airbnb a try. Our apartment in Rome was amazing, our host made the trip extra-special, and we were hooked! Since then we have stayed in airbnb's from as far away as Japan, South Africa, and Turkey, and as close as New York, DC, and La Jolla. We wanted to be able to provide the same warm, welcoming, neighborhood experience to travelers ourselves. And frankly, making ends meet grows increasingly challenging. I founded a wonderful nonprofit, mothers2mothers, based in Cape Town, that works with pregnant women and new mothers throughout sub-Saharan Africa. I am blessed to do amazing work, but a big salary is not one of the rewards! Jeff is an architect and work has slowed. We could never imagine giving up our home, and with the extra income from our airbnb, we don't have to.

Airbnb calls us "Superhosts" which I love, because our hosting is very important to us. We have now been doing this for over two years. We average 23 nights/month. It has alleviated much of our financial stress but more, it has given new depth to our lives. I can honestly say that in all this time, we have not had one, NOT ONE!, negative experience. Many of our guests are from out of the country and the Cottage strikes a chord with honeymooners. They come from China, Russia, Australia, New Zealand, Iceland. I'd venture to say we have gotten guests from most of the 50 states. They are young and old, visiting local family, PhD graduate sons, celebrating anniversaries. We keep a notebook updated with all our favorite local restaurants, hikes, dry cleaners, florists. Our local businesses love them and so do we. We have been invited to visit them and are seriously considering a journey to St Petersburg to stay with the most adorable young couple!

The income from airbnb allowed us to pull out the thirsty grass in our front yard and put in a most gorgeous draught resistant garden of olive trees and lavender which the neighborhood loves. Everyone knows we have an airbnb and no one has ever, ever complained because there has never been a reason to (wish I could have said that about my girls during their teenage years!) We regularly purchase a parking permit especially for our airbnb guests, I have registered the Cottage with the city as a business, I am law-abiding and pay taxes on the extra income we have derived. Our airbnb has never hurt or inconvenienced anyone. Quite the opposite, our guests add richness to our lives with their presence, to our property by allowing us to upgrade it, and to our neighborhood businesses.

If you decide that we will be limited to 90 days/year, we will close down...it simply won't be worth it to only stay open 3 months/year. We will never rent it out to a longterm renter...it isn't what we want because we need the Cottage to be available to our family and we would never want people staying on our property when we aren't at home. Our maintenance will stop, our money problems will escalate, and likely at some point when we get older and our income declines, we will have to sell. We have sworn never to sell our beautiful historical home to the developers who will raze it and put up a horrendous McMansion. I hate to think it's possible but it could come to that.

This is our home, we own it, it is our property. The world is a frightening place these days and what is "American" is now up for debate. For me, telling me what I can and can't do with my own property, as long as no one is hurt by it, is distinctly un-American. 90 days seems completely arbitrary and makes no sense. If you must, crack down on people who are absentee airbnb hosts, who rent out "party houses." We run the kind of airbnb you should be supporting...it makes the community stronger, supports our rights as homeowners, supports the businesses in the area, and brings warm hospitality to travelers in a world that has increasingly become a frightening place in which to experience new cultures

We spent time with David Ryu during his campaign. He didn't seem like the kind of candidate to curtail homeowners' rights, We voted for Mayor Garcetti...he seemed like he supported small business owners. Please don't punish us for the sins of a very few people who have abused the very same thing that has enabled us to look at our retirement years without fear. Do away with the proposed 90 day restrictions...it is unjust, makes no sense, and will, ultimately, force us out of a community that has been ours for almost three decades.

Warmly,
Robin Smalley
Robinsmalley@gmail.com

June 21, 2016

To: LA City Council PLUM Committee

Council File: 05-0876-S2 (CPC-2015-3199-ZC-GPA)

There is nothing more obscene in the annals of CEQA history than a Negative Declaration for a General Plan Amendment. A GPA is supposed to be general and according to Section 555(a) of the LA City Charter to involve areas of significant social, economic or physical identity. A Negative Declaration according to CEQA Guidelines Section 15063(b)(2) is prepared only if there is no substantial evidence that the project or any of its aspects may cause a significant effect on the environment. Now, how do you change the General Plan with a Negative Declaration? The answer is you don't. If a GPA does not have a significant effect on the environment then the area is too small to have significant social, economic or physical identity and if an area has significant social, economic or physical identity then a GPA may cause a significant effect on the environment and a Negative Declaration couldn't possibly be the right CEQA determination. It puts the lie to the many spot General Plan Amendments that the Planning Department is putting before the City Council for approval.

LA City Charter Section 555(a)

Amendment in Whole or in Part. The General Plan may be amended in its entirety, by subject elements or parts of subject elements, or by geographic areas, provided that the part or area involved has significant social, economic or physical identity.

CEQA Guidelines Section 15063(b)(2)

The Lead Agency shall prepare a Negative Declaration if there is no substantial evidence that the project or any of its aspects may cause a significant effect on the environment.

The GPA cannot be both significant and not significant at the same time. This is a 1=0 logic error. The project must be denied.

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Sharon Dickinson <sharon.dickinson@lacity.org>

Proposed Home Sharing Ordinance - comment

1 message

Constantine Vlahos <vlahos@sbcglobal.net>

Fri, Jun 17, 2016 at 12:43 PM

To: matthew.glesne@lacity.org

Cc: Sharon.dickinson@lacity.org, etta.armstrong@lacity.org, david.ryu@lacity.org, mayor.garcetti@lacity.org, cpc@lacity.org, justin.wesson@lacity.org, councilmember.wesson@lacity.org

Dear Mr. Glesne,

I am just beside myself after reading your newest Staff Recommendation Report from the Department of City Planning regarding the proposed Home Sharing Ordinance (CPC-2016-1243-CA).

There is so much to loathe about this report but I can definitely start with the \$2000/day fine. This is, in a word, vicious. It is predatory. Where would you come up with the idea to impose such back breaking fines on such an innocuous activity? Renting out a spare room is not a "crime". No-one gets harmed by this activity. It doesn't jeopardize anyone else's safety.

What precedent is there for this fine? \$2000/day for renting out a spare room in your house? Most Americans don't spend \$2000/month for their total monthly housing cost in this country. People renting out their spare rooms are doing it because they are in financial duress. You want to fine your fellow citizens into bankruptcy for renting out a spare room? Have you ever multiplied \$2000 times say 30? That's \$60,000 for renting out your spare bedroom for a month. Enough to put many people into poverty, if they are not already living in poverty. This is your idea as a public servant?

After a quick google search, here are some examples of California fine amounts:

The fine in California for texting and driving is maximum \$20

The fine in California for illegal sale of marijuana, up to 28 gram, is \$100

The fine in California for reporting a false crime is "no more" than \$1000

The fine in California for your 3rd DUI is "up to" \$1800

The fine in California for driving without insurance is between \$100 - \$200

The fine in California for driving without insurance, 2nd offence is between \$200 - \$500

The fine in California for speeding 15 MPH over limit is total of \$146

The fine in California for speeding 16 - 25 MPH over limit is total of \$266

The fine in California for speeding 25 MPH over limit is total of \$380

To look at this another way, the Federal Reserve Board conducted a consumer study that found 48% of Americans said they could not cover a hypothetical emergency expense of \$400 without selling something or borrowing money. You are preying on an economically devastated populace with your proposed public policy. See here:

<http://www.federalreserve.gov/econresdata/2014-economic-well-being-of-us-households-in-2013-executive-summary.htm>

Do I really need to spend any more time on this issue? Fighting this fight is sucking up time when I need to be working to try to keep my home, which I built myself.

Lastly, your proposed 120 day cap for home-sharing would not allow me to make ends meet. I need this supplemental income year round. Please don't put a cap on the amount of nights I am able to host per year. Renting out a spare room is my safety net. The same way Uber is a safety net for others when times get rough. It's a lifeline for a drowning person. I may not need more than 120 nights/year but if there is a cap it will create an uncertainty I can't risk. It will force me to sell my house.

I left you a voice message earlier this morning. I would appreciate an opportunity to talk to you directly. I can be reached mornings at 323 662-9055.

Sincerely,

Tim Vlahos