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October 16, 2015 ✓

The City Clerk  
City of Los Angeles  
200 North Spring Street  
Los Angeles, CA 90012  
Attention: Sharon Dickinson, Legislative Assistant, City Council PLUM Committee -  
**with request for filing in CF 14-1635-S2**

**Re: OPPOSE - CF 14-1635-S2, "Short Term Rentals/Transient Occupancy Tax/ City's Affordable Housing Trust Fund" Motion**

The West Mar Vista Residents Association ("WMVRA") at its meeting on October 15, 2015 opposed Motion CF 14-1635-S2, sponsored by Council Members Mike Bonin and Herb J. Wesson, Jr., as it

1. **Makes changes in the current zoning laws regarding short-term rentals that protect and permit even more short term rental practices and activities.** First, contrary to the Motion in CF 14-1635-S2, Paragraph 4, the City's current regulations in fact do "anticipate" and "effectively" regulate short-term rentals. Further, short-term rentals are illegal in R zones for very good reasons. Our residential neighborhoods were never intended to accommodate hotel-like environments with transient occupancy by strangers and the noise, parking, traffic, litter and other activities. Safety of neighborhoods is threatened every time alarm codes are given to strangers, Neighborhood Watch programs (founded on residents knowing their neighbors) are compromised and emergency responders are placed at-risk by having to respond to increased and unknown numbers of people coming and going out of what were meant to be single dwelling units. Finally, the increased health and safety risk for residents and short-term renters alike is not addressed as the proposed ordinance does not require fire and public health inspections or compliance.

Second, the proposed ordinance extends the opportunity for short-term rentals in R zones by permitting even more such uses as "hosted" rentals while reducing the "non-hosted" rentals. The rationale is that by permitting more "hosted" short-term rentals the City will be able to better "police" the "non-hosted" practices. There is no credible evidence to support the assumptions, given the City's long-standing inability to enforce building and housing codes.

Further, the Motion creates unrealistic schemes. For example, expectations of limiting rentals to one or more rooms only when "hosts" "live" on the property is not realistically enforceable: what proof would be provided and deemed sufficient? What time and duration limits would be placed on the "hosts'" ability to travel "out of town" while "hosting" short-term rentals? How would proof be collected? By whom?

2. **Fails to provide credible enforcement for either existing laws or the proposed ordinance.** In response to complaints about the negative impacts of short-term rentals, City staff cite the lack of resources as a primary reason for the lack of enforcement of current laws governing R zones. Further, even when evidence is available, City enforcement departments (Housing, Building and Safety, City Attorney) have not prosecuted. The Motion proposes to reduce enforcement of existing laws by permitting certain types of additional short-term rentals such as in owner-occupied units in order to "enhance" opportunities for the City to more widely enforce its laws. There is no evidence to support the ability of the City to enforce such laws or to ensure that any additional revenues will be used for enforcement or prosecution, given the historic diversion

We are extremely concerned about an increasing assault on low-density and in particular R-1 zoning by regulation and planning measures which erode traditional protections for such homes.



With respect and great urgency, we request that instead of the proposed Motion, the City should take firm steps to enforce existing laws. If better City enforcement is not feasible, then the best way forward would be for the Municipal Code to be amended to allow property owners a private right of action, with recovery of attorney's fees, in response to the illegal operation of short-term rentals in residential zones. This amendment would help our neighbors to at least take effective judicial action on the negative impacts already occurring from short-term rentals in the City, given the City's current enforcement failures and the unrealistic new schemes that are now being proposed.

We believe that City residents deserve better protection from the negative impacts of short-term rentals than the proposed Motion. WMVRA is committed to improving the City's quality of life and to working with you.

Thank you for your consideration,

*West Mar Vista Residents Association*

cc.

Hon. Eric Garcetti, Mayor, City of Los Angeles  
The Honorable Council Members  
Hon. Mike Feuer, City Attorney  
Michael LoGrande, Director of Planning, Department of City Planning  
Tom Rothman, Senior City Planner, Department of City Planning  
Raymond Chan, General Manager, Department of Building & Safety  
Lincoln Lee, Chief, Code Enforcement Bureau, Department of Building & Safety  
Larry Galstian, Chief, Inspection Bureau, Department of Building & Safety  
David Lara, Assistant Chief, Inspection Bureau, Department of Building & Safety

Oct 13, 2015  
Robin Wallace and Tim Snowber  
1717 Griffith Park Blvd  
LA, CA 90026

Dear City Councilmembers,

Thank you for listening so carefully and calmly to all of us who wish to express our concerns regarding Short Term Rentals in Los Angeles. I am truly thankful to you for recognizing the complexity of the situation.

Briefly, my background:

My husband and I have owned small rental bldgs in Silver Lake since 1997. We have a duplex and a triplex in an RSO/R2 zone, surrounded by SFRs, 2-4 unit bldgs, and 6-8-unit bldgs.

Since 2009, we have offered 1-5 of the units as furnished rentals. The longer stays (1-6 months) are usually family members of neighbors, entertainment professionals, or traveling medical workers. We have always seen ourselves as partners with our City, as without City services, our business would not be viable. To that end, we collect and pay out TOT every month. We are insured for short-term rentals, and we have a business license with the City of LA.

All of these years, we have wanted nothing more than to be properly licensed to operate our short term rentals. There is no doubt that we provide a service to our neighborhood and to the City of LA. We provide temporary, flexible, low-impact lodging in a destination neighborhood that is underserved by hotels. The services we provide, combined with our TOT payments, help the City of LA and we take pride in that.

Despite our enthusiastic repeat guests, we have felt discouraged by the discussion and bad publicity about STRs.

Here are the main points we would like you to know:

- The City of LA is too big and diverse to have a one-size-fits-all approach to STR regulations. What works on one block does not work on another.

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- Some STRs are good for neighborhoods, others are not. Some STRs create parking problems; others solve parking problems. In our case, if our triplex was occupied consistently by long term tenants, we would have 6-8 cars consistently parking on the street (due to the hillsides, it is not possible to provide parking on our property). But our short term guests share a car, walk, or Uber their way around town, so there are far fewer cars parked on the street and our neighbors love us for that. We have improved our neighborhood in many ways and our neighbors appreciate what we do. There are certain things, such as parking, that are physically impossible for us to provide, due to the configuration of our lot, and whether or not our property is a long term rental or a short term rental, that condition will always exist.
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- Small apartment buildings, such as duplexes and triplexes, are especially well suited to being rented completely as STRs. Business and family travelers want a place that is small, inexpensive, homey and private. They also sometimes like to rent adjoining units to share resources but maintain privacy.
- Our buildings fall under the rules for RSO, but even if our units were rented on a long term basis, the monthly rates would be quite high, as we have distinctive properties in a highly desirable neighborhood. For that reason, we don't believe RSO should be a factor in the decision to become STRs.
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- Home sharing is not desirable for our guests, who are mostly older couples coming to see their grown children or business travelers who need privacy, peace and quiet. They would not want the property owner present at all times, as it would be the case with home sharing, and it is not necessary in our case, as our guests are very responsible and considerate.
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- Property owners should be allowed to establish the terms of their own property, including the decision to rent on a short or a long term basis.
- Many of our neighbors are young families making good incomes but lacking space to host their parents and other relatives. Their preference

is to stay at small apartments like ours. The boutique hotels in our area are very small and unaffordable.

- TOT absolutely needs to be collected and paid out to the City. We have been strong advocates for this all along.

In short...

We provide a service and tax revenue that the City and its residents need.

We would like nothing more than the opportunity to apply for a permit to operate our units as STRs full time as we have been doing for years.

We know there are factors, such as the lack of parking, that would be counted against us, but as you make your decisions, please keep in mind that our unique offering actually helps to resolve parking scarcity in our neighborhood, which is one of the many reasons we feel that permits need to be evaluated on a case by case basis.

Please feel free to contact us for further input about any topics we may have missed.

Yours sincerely,

Robin Wallace  
Tim Snowber  
323-207-8161