

## Nicholas J. Kindel

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**From:** Robert D. Rivers  
**Sent:** Wednesday, September 23, 2015 10:55 AM  
**To:** Nicholas J. Kindel  
**Subject:** FW: Short Term Rentals

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**From:** Jay Seastrunk [mailto:seastrunk@seastrunk.org]  
**Sent:** Tuesday, September 08, 2015 1:23 PM  
**To:** Robert D. Rivers; Leslie T. Alley  
**Cc:** Stephen K. Kroll; Stacy S. Head; Susan G. Guidry; LaToya Cantrell; T. Gordon McLeod  
**Subject:** RE: Short Term Rentals

Mr. Rivers,

Thank you for your reply and explanation of the process. I have four questions below that if you could elaborate on if not answer would be appreciated to enable better focus of my and others comments in a timely manner.

1. The motion M-15-391 mentions study of recently adopted "municipal regulatory schemes" from a "land use perspective". What portions of other municipal regulatory schemes would you see being excluded from the "land use perspective"? Or perhaps by example this can be illustrated by using schemes in San Francisco, Austin, or other cities to explain what you will consider "land use" and therefore be including in your scope of analysis. *In summary I am hoping you can clarify your opinion of what motion directs you to study perhaps by example, or detailed explanation so that the public's comment can be limited and focused on your scope of analysis.*
2. The motion mentions "the council proposes a portion of one of many potential regulatory schemes in this motion, desires City Planning Commission analysis of this council proposal, but remains open to CPC recommending a different regulatory scheme if a different scheme is more appropriate for the city of New Orleans or portions thereof" – *could you clarify or elaborate on what "portion of one of many potential regulatory schemes in this motion" the council is proposing as it is not clear to me what proposal this references.*
3. *Do you anticipate the communications directly with various constituent groups after the hearing (presumably both in support and opposition of short term rentals) being represented in the staff report that will be delivered to the commission?*
4. *When is written public comment due in order to be distributed to the commission for the tentatively scheduled 29<sup>th</sup> September hearing?*

Thank you,

Jay Seastrunk

**From:** Robert D. Rivers [mailto:rdrivers@nola.gov]  
**Sent:** Tuesday, 08 September, 2015 10:48  
**To:** Jay Seastrunk <seastrunk@seastrunk.org>; Leslie T. Alley <lalley@nola.gov>  
**Cc:** Stephen K. Kroll <skroll@nola.gov>; Stacy S. Head <SHead@nola.gov>; Susan G. Guidry <sgguidry@nola.gov>; LaToya Cantrell <lcantrell@nola.gov>; T. Gordon McLeod <tgmcleod@nola.gov>  
**Subject:** RE: Short Term Rentals

Mr. Seastrunk:

We are finalizing our schedule and will have more information on our website later this week. Generally, we plan on having a public meeting – as directed by the Council Motion – on the evening of September 29<sup>th</sup> (tentative date). The Motion gave the CPC 120 days to produce the study, so the Commission will likely take up the final report at its December 8, 2015 meeting before transmitting it to the Council for its consideration. Written communications should be directed to me or through our CPC Info address, which can be linked to from our website. We anticipate that after the initial public hearing, we will be communicating directly with various constituent groups to obtain more information on and/or clarify their respective positions, and to discuss the progress of our efforts.

We have assigned four staff members to this effort – Nick Kindel, Larry Massey, Kelly Butler and Brittany DesRocher. Please copy me on any communication you have with them – I have likewise instructed them to copy me on any communications related to this topic. As to your involvement, you are free to attend the 9/29 public hearing, as well as submit comments/information in writing. As stated above, we do not expect to schedule any meetings with individuals/groups until after the 9/29 meeting.

Please let me know if you have any additional questions.

Thanks,

Bob

**Robert D. Rivers**  
**Executive Director**  
**New Orleans City Planning Commission**  
City Hall, 1300 Perdido Street, 7<sup>th</sup> Floor  
New Orleans, Louisiana 70112  
504-658-7018  
[rdrivers@nola.gov](mailto:rdrivers@nola.gov)

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**From:** Jay Seastrunk [<mailto:seastrunk@seastrunk.org>]  
**Sent:** Saturday, September 05, 2015 11:00 AM  
**To:** Leslie T. Alley  
**Cc:** Robert D. Rivers; Stephen K. Kroll; Stacy S. Head; Susan G. Guidry; LaToya Cantrell; T. Gordon McLeod  
**Subject:** Re: Short Term Rentals

Leslie,

I am following up to see if you have more information on which CPC staff will be leading this effort and how I can be involved.

Please advise,

Thank you,

Jay Seastrunk

On Aug 24, 2015, at 09:20, Leslie T. Alley <[ltalley@nola.gov](mailto:ltalley@nola.gov)> wrote:

Jay:

Sorry for the late response. I served on jury duty all last week and have not been in the office.

Mr. Rivers makes the staff assignments. I am not sure at this time what he has in mind. I have copied him above and will let you know when I have more information.

Best,

Leslie

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**From:** Jay Seastrunk [<mailto:seastrunk@seastrunk.org>]  
**Sent:** Thursday, August 20, 2015 10:39 AM  
**To:** Leslie T. Alley  
**Cc:** Stacy S. Head; Susan G. Guidry; LaToya Cantrell; T. Gordon McLeod  
**Subject:** Short Term Rentals

Leslie,

I am writing in regard to the council request of the CPC to study short term rentals from a zoning perspective and offer the my personal comments and observations from my neighborhood. With regard to land use a particularly important issue to me is the definition of unit and the number allowed. Renting an entire owner occupied unit (or adjacent unit if a double) is one thing, renting each bedroom within an owner occupied unit (or adjacent unit if a double) individually is entirely different and much more of a business use than a residential one.

I would very much like to be involved and help with analyzing this issue in any way that I can and would appreciate it if you could let me know what staff will be involved with this issue so I can communicate with them directly.

After watching this video:

See Video at 01:14:00 to 01:28:46 – a 14 minute speech by CM Head on short term rentals then public comment speakers until 01:52:18

[http://cityofno.granicus.com/MediaPlayer.php?view\\_id=3&clip\\_id=2126](http://cityofno.granicus.com/MediaPlayer.php?view_id=3&clip_id=2126)

I find this idea of bifurcation intriguing – both as it relates to residential districts vs non residential districts and owner occupied vs non owner occupied – I would like to add a third category which is whole unit rentals vs individual separate bedroom rentals (e.g. Different renters simultaneously of each individual bedroom). The problem I see is how would you define this so that renting out a bedroom in your home is distinguished from renting out a bedroom in your home that has been cordoned off as a separate unit with separate entrance, bathroom, and possibly but not necessarily kitchen facilities – architecturally they are very much the same except the way they are being used is very different. Perhaps the number of listings per building could be tied to the number of permitted units in zoning which would eliminate short term rentals in single family districts entirely – I am not sure what the answer is but with out these kinds of issues well defined enforcement will remain problematic.

Residential vs Commercial districts:

Any STR should be a conditional use where bed and breakfasts are currently a conditional use would be my desire. The only exception I could see to this would be an owner occupied double where the owner rents out one complete side. The areas I find most problematic as outlined further below are when an

owner divides up a unit with multiple entrances into multiple short term rental units each one being listed individually and rented individually often with its own exterior entrance. I find it begins to rapidly depart from zoning and land use regulations when a single residential unit with 3 bedrooms becomes 3 individual short term rental units and the problems associated with commercial uses quickly become problems of the neighbors (people, parking, trash, noise, etc) when a single unit normally with a single tenant now has three tenants.

Owner vs Non Owner Occupied:

The types I see which might be innocuous:

Doubles where one side is owner occupied full time and the other entire side is rented out as ONE unit to ONE renter at a time.

The types I see that are problematic and should be conditional uses in zoning districts where bed and breakfasts are currently conditional uses:

Whole house rentals where owner is not present

Owner occupied singles or doubles with multiple exterior entrances where rooms are essentially rented out as small stand alone apartments – this might be a main residence above with multiple basement bedrooms, each with its own entrance and bathroom, and kitchenette –that may be connected, but have these connections blocked off for the purposes of renting out individual bedrooms as stand alone studio apartments

Because of the quantity of units cases where the owner lives in one side of a double, but owns the property next door and rents out the property next door as a short term rental.

Any definitions need to be refined to distinguish between bedrooms of a shared unit, and en suite bedrooms where a bath, separate entrance, and possibly kitchenette are provided – it needs to be easily distinguishable from an enforcement standpoint (including the way it is listed as part of the criteria) of a bedroom that is part of a unit and a bedroom that itself is rented as an individual rental unit.

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Looking at my neighborhood I find for some reason the 6300 Block of Magazine, 800 block of Calhoun, 800 block of Henry Clay, 800 block of State, and 800 block of Nashville to have many short term rentals all located a short distance apart. My neighborhood demonstrates a pretty good cross section of the types of illegal short term rental that exist and would make good study for local components and the negative aspects of concentration of these units.

6321 Magazine is listed as a short term rental and is an entire non owner occupied unit

6320 Magazine is listed as a short term rental and is an entire non owner occupied rental, though the owner lives in a property on a contiguous lot adjacent.

801 Nashville is a condominium complex with I believe 32 units – some of these are used as illegal short term rentals, some owners own multiple units though I have not tied these two together  
806 Henry Clay is a double – it has a homestead exemption but I do not believe the owner actually resides here full time as I see her periodically meeting tenants but rarely see her vehicle parked at the location.

810 Henry Clay is a double – the owner does not have homestead exemption but does appear to live in the left side. The owner put in two driveways which did not get a permit and one of which is non compliant because it is paved into a telephone pole that should have been relocated to make a proper driveway (e.g. A curb cut would not have been granted)

818 – 830 State – at least one of these condo units is listed on VRBO. It seems there should be some requirements of condo units - in that the use of short term rentals should be explicitly permitted in condo documents for it to be legal (as opposed to if not excluded it is ok) There are many 2, 3, and 4 unit condo buildings in my neighborhood and the condo documents and inception of their conversion from apartments to condos likely did not anticipate this new use being so prevalent.

821 Nashville – This is listed and operates much like a B&B with owner occupation on main floor though it is not a B&B – I believe this building has multiple basement apartments individually listed on Airbnb VRBO though it is considered a double – I find conversion of bedrooms into individual units problematic in that it effectively creates a multi unit building in a two family residential district.

930 Nashville – I believe this is owner occupied main floor with multiple basement apartments listed on VRBO though it is a considered a double.

I will mention this outlier:

636 Webster – this was listed for sale as a 2 family residence with guest suite. The new owner is using it as a tri plex having three kitchens – he was inspected for this issue and found to be compliant – yet he has rented all three units (one of which he lives in) as illegal short term rentals, and has recently listed two of the three units (clearly identifiable as 2 basement units) on the mls for long term rental at fairly high rates. Also he has put in an accessory car port which he got a permit for, but he did not follow the conditions of the permit – he did not demolish the existing accessory structure, and he added a second covered car port that was not shown on the drawings and likely exceeds the limits of accessory structures. To me this kind of issue exhibits the enforcement problems that come with the cities limited resources – and given high levels of non compliance in cities that have passed legalization and regulation of short term rentals I don't think New Orleans will have adequate enforcement resources for any changes made to the CZO to encourage short term rentals.

Recently I have seen many properties that are listed and used as short term rentals post themselves on the MLS for long term rental at very high prices – I don't know if this was done in response to the adjudication hearings as some kind of weak defense (i.e. “see we have it listed for rent”) but that is a trend I have noticed while short term rentals continue.

In contrast to the above the only B&B remotely near me that I am aware of is on Benjamin Street between State and the Park – it went through the conditional use process and operates legally.

Best Regards,

Jay Seastrunk  
921 Henry Clay Ave  
New Orleans, LA 70118

## Nicholas J. Kindel

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**From:** CPCInfo  
**Sent:** Tuesday, September 29, 2015 9:46 AM  
**To:** Nicholas J. Kindel  
**Subject:** FW: Short Term Rental Meeting

**From:** Derek Fossier [<mailto:dfossier@gmail.com>]  
**Sent:** Tuesday, September 15, 2015 4:19 PM  
**To:** CPCInfo  
**Subject:** Short Term Rental Meeting

Hello,

It makes me terribly depressed that there are individuals out there who are so rude and despotic to try to dictate how others should live their lives, and handle their affairs/property. Specifically, this is in regards to the fact that meeting is even being held, which I view just as rude and inappropriate as if the CPC were to try to meet and hold public on how we should regulate single women living alone (or any other group minding their own business).

I understand if there are specific concerns regarding noise, or other ways in which neighbors are impacted, but any regulation should be specifically targeted at these nuisances, and not unfairly burden those trying to peacefully engage in commerce.

The property and zoning regulations which have been imposed by a very small group of self-appointed, ignorant, rude people have contributed to the terrible housing situation this city now faces. I implore the community to reject these corrupt regulations, and allow individuals to pursue their Rights unhindered by ignorant bureaucrats.

Thank you,  
Derek Fossier  
504-451-4149

**Nicholas J. Kindel**

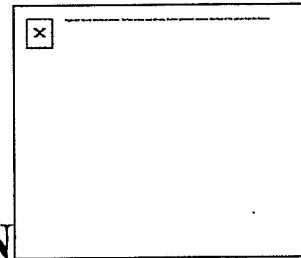
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**From:** Paul Cramer  
**Sent:** Wednesday, September 16, 2015 1:21 PM  
**To:** Nicholas J. Kindel  
**Subject:** FW: City Council Motion M-15-341, Short Term Rentals

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**From:** Louis J. Volz III [mailto:louisjosephmichael@hotmail.com]  
**Sent:** Wednesday, September 16, 2015 12:30 PM  
**To:** CPCinfo; Paul Cramer; Leslie T. Alley  
**Cc:** Stacy S. Head; Jason R. Williams; LaToya Cantrell  
**Subject:** City Council Motion M-15-341, Short Term Rentals

## COLISEUM SQUARE ASSOCIATION



SERVING THE NEEDS OF THE HISTORIC LOWER GARDEN

DISTRICT SINCE 1971

September 16, 2015

Re: City Council Motion M-15-341, Short Term Rental Study

Members of the City Planning Commission:

We are concerned, as are numerous citizens of established neighborhoods around our great city, with the increasing proliferation of short-term rental (STR) incursions. These practices are unregulated, operate without any clear guidelines as to who may stay or for how long or how late they may wish to be outside (on stoops, balconies, galleries or in courtyards) and making disturbances, usually by noise as to music or general carousing, and little is being done to protect the adjacent homeowners or tenants who, for the most part, have to awaken early in order to get to work.

We are cognizant that in other, older cities, this practice does have some regulation: limits on the number of days per month or year, caps on the number of STR tenants, e.g., no more than 4 or 6, a requirement that the property owner reside at the residence and there is an available contact process should a problem arise, and insurance necessities.

Moreso in an older neighborhood, where the homeowners or tenants have resided for a long while and there may be a greater portion of elderly residents, to have new STR people arriving every weekend or having to deal with nuisances such as noise or excessive partying is troublesome and should not be.

Also, to have unregulated STR seems to be inconsistent with the standards that apply to hotels and bed and breakfasts. They have to be inspected, they must pay taxes, they have to have insurance. I am uncertain that, in general, when a person rents out a room or rooms in his or her home, whether standard homeowner's insurance would cover an ongoing commercial enterprise, but would like to have this clarified.

In the Lower Garden District, I am aware of at least two instances where a tenant has used his apartment on a STR website and the building owner had no idea. What happens if there is a problem, a fire, or other matter and an adjacent property or house is damaged? If there are resulting problems with insurance will the impacted homeowner be able to recover or will there be protracted litigation?

When Councilmember Head brought up the notion about STR regulation in the past, one of the areas that we heard about and concurred with was that the homeowner/s must live on site and that a homestead exemption was one requirement to demonstrate proof of such an arrangement. That is quite significant and would inure to the benefit of all. If any problem transpires, the homeowner should be aware immediately and should be able to handle it.

The idea that some people might wish to buy buildings and renovate them and turn them into STR or STD (short term development), as some use that term, runs totally counter to the concept of neighborhood. No one wants to see an old or historic house gobbled up and have a series of strangers coming into the neighborhood on a regular basis. People know their neighbors in New Orleans and to have a series of strangers, the numbers of which can vary according to the size of the structure, arrive willy-nilly at all hours and free to carry on till whenever is disruptive of the tout ensemble of any neighborhood.

We would encourage that there be regulation of STR, that the numbers be limited in scope, that the sites be limited per block face, that there be requirements of appropriate insurance and that taxes are generated to the city, and that there would only be allowance of owner-occupied houses. Commercial STR should not be initiated as the proper method for that should be in the form of hotels and residential neighborhoods should not see such an encroachment. This would be wholly inconsistent with zoning precepts and regulations as well as the Master Plan.

In addition, we would note that as more STR rise up, this takes away from the opportunity for people to find longer-term rental units as people feel they can price much higher to STR transients and make more money and not be concerned with stability of long-term renters. Appealing to Mammon as this may be, it does a disservice to the citizenry that are trying to live within their means and are being priced out of the market by these uncaring short-term profiteers. There must be consideration for the needs of our residents first. We should not be supporting the tourismization of our beloved city.

Next week, I will be in Lafayette for a hearing docket and unable to attend the CPC hearing, but I do anticipate that CSA members will be in attendance.

Sincerely,

Louis J. Volz, III  
CSA President



**Louis J. Volz, III**  
**NOLA 70130-5122**

**"We dance even if there's no radio. We drink at funerals. We talk too much and laugh too loud and live too large and, frankly,  
we're suspicious of others who don't."**

Chris Rose, *I Dead in Attic*, 2005

## Nicholas J. Kindel

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**From:** CPCinfo  
**Sent:** Tuesday, September 29, 2015 9:47 AM  
**To:** Nicholas J. Kindel  
**Subject:** FW: Short Term Rental Study

-----Original Message-----

**From:** Bill Gahagan [<mailto:wwgahagan@aol.com>]  
**Sent:** Wednesday, September 16, 2015 1:45 PM  
**To:** CPCinfo  
**Subject:** Short Term Rental Study

I reside at 1200 Seventh Street in the Garden District. I will not be in town on September 29, 2015 and therefore cannot attend the public hearing on the Short Term Rental Study. I wish to suggest that the Commission designate the Garden District as a district within which short term rentals are prohibited. In addition to the negative impact short term rentals would have on an established neighborhood, the Garden District is a significant attraction in New Orleans' tourist and visitor industry and the possible proliferation of short term rentals would take away from the unique charm and character of the neighborhood.

Thank you for giving consideration of my views.

Regards,

William W. Gahagan  
1200 Seventh Street  
New Orleans, LA 70115  
504-891-3960

Sent from our iPad

## Nicholas J. Kindel

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**From:** Robert D. Rivers  
**Sent:** Wednesday, September 23, 2015 10:57 AM  
**To:** Nicholas J. Kindel  
**Subject:** FW: Short term rentals.

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**From:** Weiss, Ellen B [<mailto:eweiss@tulane.edu>]  
**Sent:** Thursday, September 17, 2015 9:34 AM  
**To:** Robert D. Rivers  
**Cc:** Phyllis H Raabe; Jay Seastrunk  
**Subject:** Short term rentals.

Short term rentals (STRs) have proven in our block to be antithetical to our precious neighborhood's values. Unlike licensed B&B's, with the owners actually living on the property, unlimited numbers of STR parties can go on all night and threaten our homes (firecrackers thrown over fences!) as well as destroy our sleep during the week as well as on weekends. No one takes responsibility. STRs are unregulated commercial intrusions into zoning-defined residential areas that evade neighborhood standards for garbage management, parking, noise, and sociability---just because the Mayor has an unaccountable lust to turn every bit of our beloved town into a tawdry tourist trap. STRs evade the taxation and safety standards that hotels must meet. This is unfair competition. (They should be taxed at even higher rates to support the bureaucracy we would have to have to manage their impacts—we neighbors are getting mighty tired of that task.) STRs drain the city of the long term rentals so badly needed for those who live and work here. As for the "highest and best use" of our precious historic housing stock, maybe prostitution is also the "highest and best use" of our city's lovely women. No! Enough is enough.

Ellen Weiss  
515 Nashville Ave  
New Orleans LA 70115

## Nicholas J. Kindel

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**From:** CPCinfo  
**Sent:** Tuesday, September 29, 2015 9:47 AM  
**To:** Nicholas J. Kindel  
**Subject:** FW: Short Term Rental Public Comment

**From:** Randi Kaufman [<mailto:kaufman504@gmail.com>]  
**Sent:** Thursday, September 17, 2015 11:05 AM  
**To:** CPCinfo  
**Subject:** Short Term Rental Public Comment

Unable to attend meeting. Please consider these comments.

We must remember that some of the reasons for implementing the ban on short-term rentals was to protect neighborhoods and residential units from becoming hotel space: to keep residential housing available and to prevent residents from annoyance and other negative effects of living among tourists. Whatever decisions get made reflect these aims.

I don't care if people occasionally rent rooms in their homes out, especially during peak events like Jazz Fest or Carnival. But turning whole units into hotel space detracts from quality of life for residents. You have to live with noise, and inconsiderate (anything goes) vacation behavior. You also lose out on having actual neighbors who look out for each other and develop relationships and sense of community. On top of that, businesses cater to tourists instead of residents and you find that, like me, you live in neighborhood without a close grocery or dry cleaner, but have a multitude of options for grabbing a pricey, craft cocktail.

Whether new regulations are enacted or current ones stay in place, it will make no difference if the City continues to not to enforce them. Certainly, recovering fines and licensing fees would more than make up for cost of whatever resources would be spend on enforcement? I can't figure out if the lack of enforce to date has been nonfeasance or malfeasance. But it's the cause of the big, contentious mess we are in now. The City has waited far too long to address this big issue, and now it's blown up.

Thanks for considering my comments.

Randi Kaufman  
3411 Burgundy Street  
New Orleans, LA 70117



## Nicholas J. Kindel

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**From:** CPCinfo  
**Sent:** Tuesday, September 29, 2015 9:49 AM  
**To:** Nicholas J. Kindel  
**Subject:** FW: Short term rentals

-----Original Message-----

**From:** Lbrooking [<mailto:lbrooking53@gmail.com>]  
**Sent:** Friday, September 18, 2015 1:51 PM  
**To:** CPCinfo  
**Subject:** Short term rentals

I just wanted to voice my opinion that whole-house short term rentals shouldn't be allowed in New Orleans. These illegal rentals are adversely affecting the housing stock available to residents and are driving the residential rental rates through the roof. Please don't allow whole-house AirB&B type rentals.

Lisa Brooking  
833 Eleonore St  
NOLA 70115

## Nicholas J. Kindel

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**From:** CPCinfo  
**Sent:** Tuesday, September 29, 2015 9:49 AM  
**To:** Nicholas J. Kindel  
**Subject:** FW: re- short term rentals

**From:** Marina Costopoulos [<mailto:smcamarina1@aol.com>]  
**Sent:** Friday, September 18, 2015 2:37 PM  
**To:** CPCinfo  
**Subject:** re- short term rentals

I will not be able to attend the meeting next week, but I do want to voice my opinion. I am in favor of short term rentals. I believe it is good for tourism and also for the city. The tourist want a real NOLA experience and living in a residence gives them just that. The city should charge a permit fee, like they do the artist to generate income for the city. The only ones that seem to be opposing it are the B&B and hotels. Two years prior to me permanently buying in NOLA, I came every weekend and rented basically in every hotels in the FQ. The only hotel that did not smell was the Bourbon Orleans. I did not stay at the Royal Sonesta, The Marriott and the hotel opposite the Supreme Court. I walked into a couple of B&B's and walked out. If I were a tourist I would prefer to stay at a private residence. Plus people that have stayed at private residence, truly write the truth about their experience.

- 1.. I am in favor of short term rental, minimum 3 nite stay.
2. I am in favor of the city charging a permit fee.
3. I am in favor that if the police have to come to a residence, where a short term rental is, 3 times within one year, the owner has to pay a fine. If the problem persists then a certified letter should be sent to the owner that his permit is in jeopardized of being terminated. The legal dept can figure this all out. I am only suggesting this as a deterrent to anyone renting to large groups of people.
4. This is an honest compromise.

My taxes in the FQ went from 5,200.00 8years ago to 7200.00. It would be nice to have that added income to pay for my property taxes. home insurance and to keep up the historic appearance and value of the property. I have never rented out my dependency, but I am truly considering it.

Respectfully,

Marina Costopoulos  
728 Governor Nicholls St.  
New Orlenias, LA 70116

504 525 4178 telephone no

## Nicholas J. Kindel

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**From:** CPCinfo  
**Sent:** Tuesday, September 29, 2015 9:49 AM  
**To:** Nicholas J. Kindel  
**Subject:** FW: short term rental

**From:** Jeanie Blake [<mailto:jeanieblake@gmail.com>]  
**Sent:** Friday, September 18, 2015 4:49 PM  
**To:** CPCinfo  
**Subject:** short term rental

Dear Sir or Madam:

I understand the problems associated with short-term rentals, but I believe they can be solved if the rentals were limited to property that was owner-occupied.

This would give homeowners the opportunity to get needed income and would not spoil the character of neighbors and certainly wouldn't be so much that they would infringe upon the hotels and motels in the city.

Sincerely,

Jeanie Blake



## Nicholas J. Kindel

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**From:** CPCinfo  
**Sent:** Tuesday, September 29, 2015 9:49 AM  
**To:** Nicholas J. Kindel  
**Subject:** FW: Short term rentals

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**From:** Winter Melancon [<mailto:winter1144@hotmail.com>]  
**Sent:** Friday, September 18, 2015 11:52 PM  
**To:** CPCinfo  
**Subject:** Short term rentals

**Legalize and tax it.** Airbnb listings should be required to list their license # showing that they are legitimate. This works in other cities -see Vail, CO. The taxes should be comparable to hotel tax rates to make it an even playing field.

**Owner occupants only.** Licenses should only be issued to owner occupants; either a room in their house or a unit of their double/4 plex. This will prevent absentee owners from neglecting to acknowledge the impact on the neighbors.

**Limit the number per block.** Only allow 1-2 short-term rentals per block. Owners can sign-up on a first come first served basis. Others wanting a license in the same block would go on a waiting list. If someone with a license doesn't follow the rules, revoke their license and give it to someone on a waiting list. Have a website that maps which addresses have a license and explains how neighbors can get service after hours (nights, weekends and holidays).

**Enforce the rules.** This is the most important part. Charge a yearly fee for a license. Use this \$ to hire staff to crack down on illegal short term rentals and to deal with problems caused by legal operators. Be strict on owners with licenses. Owners will be motivated to be responsible (screen tenants) if they know they can lose their license.

Thank you,  
Winter

## Nicholas J. Kindel

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**From:** CPCinfo  
**Sent:** Tuesday, September 29, 2015 9:50 AM  
**To:** Nicholas J. Kindel  
**Subject:** FW: Illegal short term rentals must receive stronger regulation and enforcement

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**From:** Frances Swigart Steg [<mailto:frances@swigart-steg.com>]  
**Sent:** Sunday, September 20, 2015 3:38 PM  
**To:** Paul Cramer; CPCinfo  
**Subject:** Illegal short term rentals must receive stronger regulation and enforcement

CNN / Money named New Orleans one of the worst cities in the U S for renters.  
This and other information may be found on the web site:  
<http://insideairbnb.com>

It can get worse without the proper regulation and enforcement.

I believe Pima County (area that includes Tucson) in Arizona has found one solution that should be considered by the city Planning Commission. This would help through out the city except the French Quarter.

Pima County Airbnb owners surprised by new taxes: [http://tucson.com/news/local/govt-and-politics/article\\_b3efb530-237f-5533-8cce-03a7dec4eb63.html](http://tucson.com/news/local/govt-and-politics/article_b3efb530-237f-5533-8cce-03a7dec4eb63.html)

I hope the city will protect the French Quarter and continue to consider unlicensed short term rental illegal. I hope that hearings for infringement will not be disrupted in the future. I am referring to the cancelations of hearings of July 17, 2015.

The lack of enforcement is unwarranted.  
Property tax is enforced as are many other issues.  
Neighborhood groups do the research and provide it to the City Planning and Zoning Department.  
It is easy and simple to verify on such web sites as VRBO.

Fines today are no deterrent to profits earned from illegal rental.  
I hope penalties will be significant enough to deter offenders, whose profits are very high.

I fear that I may loose my renters, who all have one year leases, due to the nuisance of noise from the neighboring illegal short term rental.

Just one example:  
Some French Quarter property owners get \$875 per night.  
A liquor company had rented it for \$14,000 in July, 2015 for Tales of a Cocktail.  
The currant fines would certainly be paid with ease from the profits.  
The web address of this property is  
<http://www.vrbo.com/348055#reviews>,  
This neighbor has a homestead exemption is in Bay St Louis Mississippi.  
They rent their large French Quarter house to large groups. They are never on the premises to monitor the noise nuisance. Or fire hazard.

During Tails of the Cocktail in mid July of 2015, I listened for 3 consistent days to very loud live music in the patio. The band had at least 5 musicians.

1012 Royal St (the McRaney property) and 1014 Royal St (my property) are zoned residential.

The McRaney's were listed for the adjudication hearing that was aborted on July 17, 2015.

Bob McRaney writes me that the Hotel Royal (next door to 1012 Royal) is pursuing them to sell their home for use as large suites, meeting rooms, a venue for weddings, events, parties, etc.

Frances Swigart Steg

<http://www.swigart-steg.com>

504 874-1278

## Nicholas J. Kindel

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**From:** CPCinfo  
**Sent:** Tuesday, September 29, 2015 9:50 AM  
**To:** Nicholas J. Kindel  
**Subject:** FW: Short Term Rental Study

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**From:** Rosaline Peychaud [<mailto:peychaud@bellsouth.net>]  
**Sent:** Monday, September 21, 2015 10:46 PM  
**To:** CPCinfo  
**Cc:** 'Rosaline Peychaud'  
**Subject:** Short Term Rental Study

## Nicholas J. Kindel

---

**From:** CPCinfo  
**Sent:** Tuesday, September 29, 2015 9:51 AM  
**To:** Nicholas J. Kindel  
**Subject:** FW: Response to claims against STRs

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**From:** barry bavister [<mailto:barrybavister@hotmail.com>]  
**Sent:** Tuesday, September 22, 2015 12:16 AM  
**To:** CPCinfo  
**Subject:** Response to claims against STRs

9/22/15

To Whom It May Concern:

Please see my responses to the statements below.

It is claimed that illegal STRs have become a hot issue in New Orleans (and around the world), because they:

- Replace neighbors with an ever changing cast of visitors

Response: But visitors are supposed to be welcome in New Orleans. Why is the frequency of changing visitors threatening?

- Make full-time residents compete with tourists over housing stock

Response: This is a canard; no hard evidence exists for this idea, which is based (falsely) on the idea that if STRs were not rented to tourists, then they would be available to full time residents of the City. This idea is full of holes, largely because property owners have the right not to rent to anyone if they choose, and renting long-term has some drawbacks that many people may prefer to avoid.

- Introduce unpermitted commercial uses into residential areas, and give neighbors no voice in the matter

Response: This argument is void if the City legalizes STRs, after appropriate public hearings, with strict controls over nuisances caused by renters.

- Bring health, fire, and public safety risks that affect neighbors

Response: What exactly are these risks? Why are they different than if long term renters occupied the property? These undefined claims are difficult to understand. Most STR renters are affluent people, families, or groups of people, who are unlikely to bring such risks to the City.

- Create a "nobody knows their neighbor" environment

Response: In many areas of the City, residents don't know most of their neighbors, and many people prefer it that way. It is hard to understand why this is a concern. But many STR visitors make a point of engaging with full time residents, as part of their experience.

- Are unfair to law-abiding businesses (B&Bs, hotels), which comply with zoning rules, pay commercial rates for utilities and insurance, and pay fees and taxes

Response: This argument is void if the City legalizes STRs with appropriate licensing, fees and taxes, which is what STR owners are requesting.

- Remove housing units from use by full-time residents, which reduces the availability and affordability of housing for New Orleanians

Response: This is the same argument as the first one. There is no solid, provable connection between STRs and availability of housing for long term renters, or potential home owners.

#### Counter-arguments:

None of the above arguments is a valid reason to deny legalization of STRs. Instead, the case for full legalization, with payment of fees and taxes to the City, is very strong.

First, visitors obviously want STRs, for a variety of reasons, otherwise they would be content with hotel rooms and B&Bs. Such reasons include: the desire to live in typical housing (such as shotgun homes) in vibrant neighborhoods; interaction with City residents; ability to gather in one location for meals, TV watching, etc. (not convenient or even possible with hotel or B&B rooms), which is paramount for groups or families – for example, families with several small children cannot be dispersed among several hotel or B&B rooms; preparing meals “at home” to save money and for company. Banning STRs would eliminate this choice and drive away a huge number of visitors.

The advantages to the City are considerable: studies calculate the additional indirect tax revenue from STR visitors to be in excess of \$70 million a year – this amount would be increased by the proposed fees and taxes on STRs, some of which could be used for regulating STRs; many STR owners use their rental income to improve their properties, which can generate higher property taxes; such improvements help the appearance of neighborhoods; STR renters frequently post their reviews of the property, and New Orleans in general, on international sites such as Trip Advisor as well as on rental sites like AirBnB – this generates favorable publicity that encourages more visitors to come and partake of the overall experience. Moreover, there is insurmountable evidence in the form of testimonials that STR visitors directly benefit local businesses such as restaurants, grocery stores, bars and specialty shops.

In summary, the arguments against legalization of STRs in New Orleans are weak, if not unfounded in reality, while the advantages to the City and its rich tradition of welcoming visitors are considerable, and in my opinion are overwhelming.

Sincerely,

Barry Bavister, PhD  
4505 Dryades Street  
New Orleans

Tel: (504) 874 1084

E-mail: [barrybavister@hotmail.com](mailto:barrybavister@hotmail.com)

website: [www.barrybavister.com](http://www.barrybavister.com)

## Nicholas J. Kindel

---

**From:** CPCinfo  
**Sent:** Tuesday, September 29, 2015 9:51 AM  
**To:** Nicholas J. Kindel  
**Subject:** FW: Short Term Rental Study - Motion M-15-391

**From:** [info@gvbb.com](mailto:info@gvbb.com) [<mailto:info@gvbb.com>] **On Behalf Of** Bonnie Rabe  
**Sent:** Tuesday, September 22, 2015 4:27 AM  
**To:** CPCinfo  
**Cc:** Nicholas J. Kindel; Stacy S. Head; Jason R. Williams; Susan G. Guidry; LaToya Cantrell; DistrictC; Jared C. Brossett; James A. Gray; Mayor Mitchell J. Landrieu  
**Subject:** Short Term Rental Study - Motion M-15-391

City Planning Commission Staff,

The Professional Innkeepers Association of New Orleans (PIANO) would like to officially address you concerning the Short Term Rental (STR) study which you were mandated to conduct from the City Council via Motion M-15-391.

As you know, PIANO has worked with your staff in the past several years to develop a new, more encompassing and modern definition of a Bed and Breakfast (B&B) for the City's new Comprehensive Zoning Ordinance (CZO) which was recently adopted by the City Council.

Our discussions along the way also addressed the STR problem in New Orleans and we had hoped that these less prohibitive definitions would also encourage more of these illegal STRs to apply for and get a B&B license and be recognized by the City. However, it seems that these new codes have not really been given a chance to work and now your office is studying the issue again.

Based on sample legislation/ordinances seen in the past year, the licensed B&Bs have highlighted many issues that need to be resolved in order for these "new" STRs to operate on a level playing field with those of us who follow the City's rules to operate. Among these items are:

- equal taxation,
- enforcement of the current laws and/or any new laws that may be developed,
- equal fee structure and permitting requirements, and
- safety requirements as indicative of a Use & Occupancy Certificate issued by Safety & Permits allowing a B&B to open its doors to the public

However, knowing that you were challenged to address the land use issues involved with this business model, the concerns that we would like to see addressed in your study include:

- owner or operator-occupied residential structures, as studies seem to show that the majority of these businesses are investment properties only and not "occupied" by anyone on a permanent basis. To be a licensed B&B, one must produce and maintain a homestead exemption and be a permanent resident of the property.
- density/intensity of the quantity of these commercial entities in residential neighborhoods, as B&Bs are limited currently to one B&B per block face and to be 9 or less sleeping rooms per building/license, realizing that this may vary within different neighborhoods
- zoning enforcement, as these illegal STRs are currently popping up wherever they choose regardless of their property's designated zoning on the Master Plan maps.

We would also like to pose the following question based on the last line of your Public Hearing Notice issued on the STR Study which states ".... consider changes to bed-and-breakfast regulations." Will the definition of a B&B as they appear now in the recently adopted CZO still exist or are you trying to roll us all into the same category of Short Term Rentals? Curiously, hotels are also technically considered STRs, but seem to be excluded/exempt from this discussion.

PIANO representatives would like to be participants in the discussions forming this study as it directly involves our businesses and industry. We hope to schedule a meeting with your staff after the public hearing next week but before the staff report is finalized and presented to the Council in December. Thank you, in advance, for your consideration on this matter.

Professional Innkeepers Association of New Orleans Board of Directors

Bonnie Rabe, Innkeeper

Grand Victorian Bed & Breakfast

and President of PIANO

[info@gvbb.com](mailto:info@gvbb.com)

tel: 504-895-1104; toll free: 1-800-977-0008

2727 St. Charles Avenue

New Orleans, LA 70130



## Nicholas J. Kindel

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**From:** CPCinfo  
**Sent:** Tuesday, September 29, 2015 9:51 AM  
**To:** Nicholas J. Kindel  
**Subject:** FW: airbnb

**From:** nancy thacker [mailto:njthacker@gmail.com]  
**Sent:** Tuesday, September 22, 2015 1:03 PM  
**To:** CPCinfo  
**Subject:** airbnb

While I plan to attend the meeting - I wanted to make sure that my opinion on this is noted in some way just in case I don't make it -

I am a home owner - in Bywater - and I have an AirBnB - never more than a week - as it IS part of my house - and i live in the area i rent - I also work out of my home. This seems a appropriate use for Air BnB - I actually get a lot of single women and parents - as I am older and have rules and regs so that my neighbors are not inconvenienced. Its listed at 'whole apartment' because it has privacy - a hook and eye on a door that leads to the rest of the house - it is not a space that could be rented out full time - come take a look!

Two houses down is a house- a double - - that has a homestead exception - and no one lives in - and is rented out to big parties who come to town (bachelorette seems to be the preferred...) - NONE of us like that - that is not an appropriate use of Air Bnb.

1. How do we get their homestead exception pulled (I worked hard to get mine!) - they also have multiple listings on airbnb in the hood - so own more than one property - in Louisiana and NY and California.....as neighbors we all got together and signed a petition that we gave one of the homeowners who met with us after months of trying to schedule - they don't live here you see - and she agreed to rent out long term so we can have neighbors in at least half of the house - but if she doesn't follow through - what recourse do we have?

2. How do I make what I do legal? I am paying taxes on the income...what else?

My neighbors agree - adds to the hood -and the city. I'm 60 and about to retire - the space i rent on airbnb will someday be where i live.....and the rest of the home will be rented - with luck - to my caretakers, as i have no family.....only excellent neighbors and what could stay a great hood  
at density, good food, lots of art - we're good here - really - good just like it is - with some updates to infrastructure,,,,,traffic flow - *if the developers don't pay off to many of you's guys to let totally inappropriate projects take over....and greed and gentrification rule -*

Thank you for your time and attention -

Nancy Thacker  
3137 Royal

## Nicholas J. Kindel

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**From:** CPCinfo  
**Sent:** Tuesday, September 29, 2015 9:51 AM  
**To:** Nicholas J. Kindel  
**Subject:** FW: No Air B and Bs

-----Original Message-----

**From:** Glenn DeVillier [<mailto:devillierg@yahoo.com>]  
**Sent:** Tuesday, September 22, 2015 1:54 PM  
**To:** CPCinfo  
**Subject:** No Air B and Bs

There are more than thirty of them operating illegally within two blocks of my home. They have destroyed the character of the Vieux Carre.

1137 Bourbon Street  
New Orleans 70116-2767  
(225) 819-7535

## Nicholas J. Kindel

---

**From:** CPCinfo  
**Sent:** Tuesday, September 29, 2015 9:52 AM  
**To:** Nicholas J. Kindel  
**Subject:** FW: Illegal Short-Term Rentals' ill affects on local business  
**Attachments:** Matassa\_CPC LTR\_Sept 2015.docx

**From:** Carol Gniady [<mailto:carolgniady@frenchquartercitizens.org>]  
**Sent:** Wednesday, September 23, 2015 2:21 PM  
**To:** Robert D. Rivers; CPCinfo  
**Cc:** DistrictC; Susan G. Guidry; LaToya Cantrell; Jared C. Brossett; James A. Gray; Stacy S. Head; Jason R. Williams; Jonathan T. Harris; [kdhunter-lowery@nola.gov](mailto:kdhunter-lowery@nola.gov); Susan Guillot  
**Subject:** Illegal Short-Term Rentals' ill affects on local business

September 23, 2015

Mr. Rivers, City Council Members:

I am writing to ask for your help. My name is Louis Matassa. I own and operate Matassa's Market on 1001 Dauphine Street, in the French Quarter. My grandfather, Giovanni Cosimo Matassa, opened this business in 1924 and, until the last few years, it has continued to thrive and operate in the same location. Matassa's is a neighborhood market that has been a part of, and served the residential community for over 91 years. However, things have changed drastically in the last few years due to the short term rentals. My business has fallen off and for the first time in almost a century, the future is uncertain. The community is my customer base, and the community is dying. The residents have been displaced and the small number of residents who are left are dwindling each day because they are being kicked out of their homes by their landlords who want to make more money by running short term rentals. Other properties have been bought by owners who don't live here and rent the homes out to short term renters instead of long term residents. Other residents have left because they don't want to live on a street full of short term strangers. The neighborhood has lost many people who worked in the service industry at hotels and restaurants.

The short term renters come in on "Check-in Thursday". These people have no interest in our neighborhood and are here to simply have a good time for a few days. They come to my store and they buy cigarettes and liquor. They don't buy staples like milk, eggs, butter, bread, fruit, or meat. They don't buy detergent, paper towels or fresh produce. I can't afford to stock merchandise that no one buys. I can't make a living selling cigarettes. It is becoming more and more difficult to stock items that the residents need and want because there are just not enough of them. There is nothing wrong with tourism, but the short term renters give nothing back to the community. They don't spend money in the neighborhoods. They come here to enjoy the culture and soak in our unique atmosphere, but instead they are destroying it. These short term rentals will eventually hurt the tourist industry that is so important to our economy.

Please enforce the laws and help small business owners like me, or soon there will not be any small businesses like me in the French Quarter.

Sincerely,

Louis Matassa

Matassa's Market

1001 Dauphine Street

*Sent on behalf of Mr. Louis Matassa.*

--

Carol Gniady  
Executive Director  
French Quarter Citizens, Inc.  
632 North Rampart Street  
New Orleans, Louisiana 70112  
Office: 504-588-2929  
Cell: 504-948-1859  
Email: [carolgniady@frenchquartercitizens.org](mailto:carolgniady@frenchquartercitizens.org)  
[www.frenchquartercitizens.org](http://www.frenchquartercitizens.org)

CPC Executive Director Robert Rivers, [rdrivers@nola.gov](mailto:rdrivers@nola.gov)  
City Planning Commission: [cpcinfo@nola.gov](mailto:cpcinfo@nola.gov)  
CM Nadine Ramsey, District C [districtc@nola.gov](mailto:districtc@nola.gov)  
CM Susan Guidry, District A [sgguidry@nola.gov](mailto:sgguidry@nola.gov)  
CM Latoya Cantrell, District B [lcantrell@nola.gov](mailto:lcantrell@nola.gov)  
CM Jared Brossett, District D [jcbrossett@nola.gov](mailto:jcbrossett@nola.gov)  
CM James Gray, II, District E [jagray@nola.gov](mailto:jagray@nola.gov)  
CM Stacy Head, At Large [shead@nola.gov](mailto:shead@nola.gov)  
CM Jason Williams, At Large [Jasonwilliams@nola.gov](mailto:Jasonwilliams@nola.gov)  
[jtharris@nola.gov](mailto:jtharris@nola.gov)  
[Kdhunter-lowery@nola.gov](mailto:Kdhunter-lowery@nola.gov)

September 23, 2015

Mr. Rivers, City Council Members:

I am writing to ask for your help. My name is Louis Matassa. I own and operate Matassa's Market on 1001 Dauphine Street, in the French Quarter. My grandfather, Giovanni Cosimo Matassa, opened this business in 1924 and, until the last few years, it has continued to thrive and operate in the same location. Matassa's is a neighborhood market that has been a part of, and served the residential community for over 91 years. However, things have changed drastically in the last few years due to the short term rentals. My business has fallen off and for the first time in almost a century, the future is uncertain. The community is my customer base, and the community is dying. The residents have been displaced and the small number of residents who are left are dwindling each day because they are being kicked out of their homes by their landlords who want to make more money by running short term rentals. Other properties have been bought by owners who don't live here and rent the homes out to short term renters instead of long term residents. Other residents have left because they don't want to live on a street full of short term strangers. The neighborhood has lost many people who worked in the service industry at hotels and restaurants.

The short term renters come in on "Check-in Thursday". These people have no interest in our neighborhood and are here to simply have a good time for a few days. They come to my store and they buy cigarettes and liquor. They don't buy staples like milk, eggs, butter, bread, fruit, or meat. They don't buy detergent, paper towels or fresh produce. I can't afford to stock merchandise that no one buys. I can't make a living selling cigarettes. It is becoming more and more difficult to stock items that the residents need and want because there are just not enough of them. There is nothing wrong with tourism, but the short term renters give nothing back to the community. They don't spend money in the neighborhoods. They come here to enjoy the culture and soak in our unique atmosphere, but instead they are destroying it. These short term rentals will eventually hurt the tourist industry that is so important to our economy.

Please enforce the laws and help small business owners like me, or soon there will not be any small businesses like me in the French Quarter.

Sincerely,

Louis Matassa  
Matassa's Market  
1001 Dauphine Street

## Nicholas J. Kindel

---

**From:** CPCinfo  
**Sent:** Tuesday, September 29, 2015 9:52 AM  
**To:** Nicholas J. Kindel  
**Subject:** FW: short-term rental comments: working class local makes ends meet partially through airbnb

**From:** Diné Butler [mailto:dine.butler@gmail.com]  
**Sent:** Wednesday, September 23, 2015 3:39 PM  
**To:** CPCinfo  
**Subject:** short-term rental comments: working class local makes ends meet partially through airbnb

I am from the ninth ward and was determined to come back and live here and own a home here in my old neighborhood. My parents still live here and I wanted to live in the neighborhood that everyone else loves so much, where I grew up, and where I double-ditched on Pauline, hopscothed down Burgundy, rollerbladed by the old hot dog warehouse, and picked four-leaf clovers in the field behind Fredrick Douglas High School.

When people ask me where I'm from I get to say "the Upper 9th" or "the Bywater" and people who live in this neighborhood are shocked. It is rare to find a born and raised local, but we exist. It's rare because we are being priced out and that has been going on since Hurricane Katrina. That is because of combined affects of the post-Katrina renovations, what it takes to get a mortgage these days, the cost of flood and home insurance, the sky high property taxes, which have made it so that working class people get priced out of homeownership. Renting has its own set of problems, but I can only speak right now as a homeowner.

If I hadn't had a partner that believed investing in this home was the right way to go, I would have ended up somewhere else outside of the neighborhood and probably still renting. Luckily, I was able to invest in a converted double shotgun with a mother-in-law cottage in the yard. This has allowed me to rent out the different units to cover my mortgage, homeowners insurance, property taxes, and repairs. I have always worked for non-profit organizations and knew that I would always need a way to make extra income if I was going to be able to be homeowner one day.

My house has been laden with termite problems since the moment I moved in. I have now spent **\$15,000** to remove the wood to ground beneath the mother-in-law cottage by a shoddy company called Southern Elevations only to find that they did not remove all the wood and that is why I have continued to have termite problems for the past four years. I will spend another \$1500 this year on termite removal, a bait system, and the repairs to the wooden floors.

My homestead exemption has also been decreased by 50% for the year of 2016 adding another \$6000 onto my yearly expenses. This has happened because I had to refinance last year in order to buy my partner out of the house. In order to do this I had to borrow my family's retirement money, but the bank required that they be on the title of my home, which therefore means I am unable to claim 100% homestead exemption.

So, now I will have an additional **\$7500** that I have to figure out how to cover. For this reason, I have been airbnb'ing my mother-in-law. In order to help me pay for the extra expenses that my current rental income and salary are unable to cover. Airbnb has allowed me to worry infinitely less about how I'm going to pay my bills every month and whether or not I can stay in my home. I am privileged to still be leaving here and I know

that. I just also know that it shouldn't just be non-local hoteliers and chains in and around the French Quarter that make money from our top economic driver: tourism.

I am a five star airbnb host and the reason is because I love this city and I get to share that love with my guests and I get to share this mother-in-law cottage that is in turn working to help pay for herself. I have had two listings and neither one perfectly falls into the categories listed on the airbnb website or the study that is being cited:

My #1 and main listing is a 350 sqf mother-in-law cottage that I am able to rent for \$70 - \$110/night. I don't have 100% occupancy and I wouldn't be able to have someone live in the cottage long-term for the amount I need to pay all of my bills previously mentioned.

The second listing was my primary home. My roommate and I have rented it just twice through Airbnb for Mardi Gras and Christmas. Surely this has counted towards the study done as if we rent our primary residence all of the time. This is a fault with that study.

I am not saying that Airbnb is not used by property owners with multiple listings that are truly displacing long-term rentals and residents, I am saying that my case is a perfect case for why working-class locals should be able to benefit off of the tourist economy. I send all of my airbnbers exclusively to local restaurants, shops, etc and I know that the money that they spend circulates within my local neighborhood way more than someone staying in a hotel in the French Quarter. I also know that I am able to employ a property manager to help me take care of the house who has a son with developmental disabilities that she is able to take care of by bringing him with her to work. Without work like mine she wouldn't have been able to buy a house with her husband this year and she wouldn't have been able to take care of her special needs son with the attention that is needed. He is constantly in and out of surgery and for her to be able to set a schedule the way she can with my work she is able to care for this son much better.

I say all of this to say, I keep an account where all of my expenses and income from my mother-in-law goes from Airbnb and I only make enough so that I am able to pay for my regular expenses, and all of the extraordinary expenses that come up. I don't use it to go on vacations, I use it because I need this extra income to pay for all the things that go wrong in our ancient homes in this city and to pay for the rising property tax and insurance expenses. My mortgage may be fixed every month, but it is the only thing that is.

Thank you

## Nicholas J. Kindel

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**From:** Patricia Meadowcroft <patmeadowcroft@aol.com>  
**Sent:** Wednesday, September 23, 2015 9:01 PM  
**To:** CPCinfo; Nicholas J. Kindel  
**Subject:** Concerns about STR

Dear City Planning Commissioners,

I'm writing to you today to express my concern for short term rentals taking over and destroying our residential neighborhoods. The intent of residential neighborhoods was to create communities for people to live, raise children, and participate in the community. Short term rentals that are used exclusively by vacationers are destroying the fabric of our city by their intrusion into our residential neighborhoods. These mini hotels should be banned from neighborhoods that are zoned residential.

This has nothing to do with so called "property rights" as people that bought houses in residential neighborhoods had a reasonable expectation that a hotel wouldn't be run next door. This is exactly what is happening in many areas of the city both in our historically protected residential areas as well as in those that do not have historic designation.

While I'm opposed to these mini-hotels, I think it is reasonable for people to rent out their properties a few times a year for special occasions that the city celebrates. Renting out a property all of the time or most of the time should not be allowed in residential neighborhoods.

With all my best regards,

Pat Meadowcroft

"Always do right. This will gratify some people and astonish the rest."  
- Mark Twain

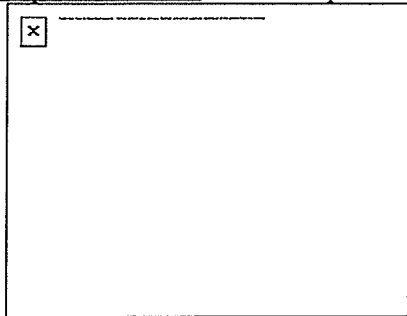
With all my best regards,

Pat Meadowcroft

*Vive le Vieux Carré Gala*



September 27th at the Napoleon House



Tickets and info: [vcpora.org/2015-gala-tickets](http://vcpora.org/2015-gala-tickets)

"Always do right. This will gratify some people and astonish the rest."

- Mark Twain

## Nicholas J. Kindel

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**From:** Robert D. Rivers  
**Sent:** Thursday, September 24, 2015 8:37 AM  
**To:** Nicholas J. Kindel  
**Subject:** FW: Opposition to Short-term Rentals by absentee homeowners

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**From:** Raabe, Phyllis H [<mailto:praabe@tulane.edu>]  
**Sent:** Wednesday, September 23, 2015 10:16 PM  
**To:** Robert D. Rivers  
**Cc:** Stacy S. Head; [sgguidry@nola.g](mailto:sgguidry@nola.g); LaToya Cantrell  
**Subject:** Opposition to Short-term Rentals by absentee homeowners

To: Robert Rivers, Executive Director, CPC

In the recent past, our neighborhood had a negative experience with short-term rentals at 533-535 Nashville Ave. The owners lived elsewhere in the city, and the rentals were advertised and arranged at the Home Away web site. Rentals were for as short as a weekend, and many renters showed disregard for neighbors and the neighborhood in noise during the nights and trashing of adjacent properties.

Viable neighborhoods result from residents who care about their neighbors and the neighborhood. Transient renters often do not have an investment or attachment to their location, and absentee landlords renting through the internet typically are not screening renters. Our neighborhood is attracting many families with young children who manifest an interest in being good neighbors and contributing to the social wellbeing of the city. They may not find localities with short-term rentals to be places where they would like to live.

I think if a residence is occupied by the owner for most of the year or the owner lives in half of a double, and this owner wants to rent his/her/their home for several weeks or a month to someone else, this situation could be workable since the owner is a resident of the property with a commitment to it and can screen the short-term renter. But, neighborhoods with a great deal of short-term, transient renters would be empty of commitment and would undermine the social fabric of New Orleans.

Thank you for your consideration, Phyllis Raabe, Ph.D. 525 Nashville Ave.; [praabe@tulane.edu](mailto:praabe@tulane.edu)

(Retired sociologist, University of New Orleans, now adjunct professor in the Tulane School of Public Health and Tropical Medicine)

## Nicholas J. Kindel

---

**From:** info@gvbb.com on behalf of Bonnie Rabe <bonnie@gvbb.com>  
**Sent:** Thursday, September 24, 2015 2:57 AM  
**To:** CPCinfo  
**Cc:** Nicholas J. Kindel; Stacy S. Head; Jason R. Williams; Susan G. Guidry; LaToya Cantrell; DistrictC; Jared C. Brossett; James A. Gray; Mayor Mitchell J. Landrieu  
**Subject:** Austin cracking down on Type 2 (non-owner-occupied) STRs and their raucous parties

CPC Staff,

Here is a recent article that describes how the Austin City Council is now back-tracking to try to "Get it Right" with regard to laws there that are not working. They appear to be having STR reform Council meetings regularly.

This relates directly to PIANO's issues already submitted on this topic:

1. uncontrolled activities in non-owner, non-operator **occupied** STRs
- 2 **density** issue with regard to how many people will now be allowed per bedroom and limiting the number of "unrelated"/unregistered guests

Bonnie Rabe, Innkeeper  
Grand Victorian Bed & Breakfast  
and President of PIANO  
[info@gvbb.com](mailto:info@gvbb.com)  
tel: 504-895-1104; toll free: 1-800-977-0008  
2727 St. Charles Avenue  
New Orleans, LA 70130

[http://www.mystatesman.com/news/news/local/austin-city-council-to-finish-shaping-new-rules-fo/nkklZ/?icmp=statesman\\_internallink\\_invitationbox\\_apr2013\\_statesmanstbtomystatesmanpremium](http://www.mystatesman.com/news/news/local/austin-city-council-to-finish-shaping-new-rules-fo/nkklZ/?icmp=statesman_internallink_invitationbox_apr2013_statesmanstbtomystatesmanpremium)

## Council to short-term rental owners: Don't even think of having a party

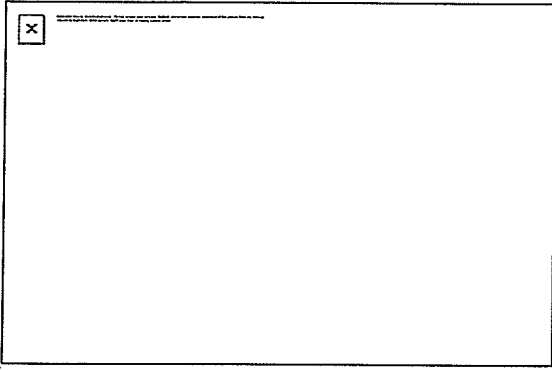
Updated: 4:14 p.m. Tuesday, Sept. 22, 2015 | Posted: 8:55 a.m. Tuesday, Sept. 22, 2015

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By [Lilly Rockwell](#) - American-Statesman Staff

The Beastie Boys rapped about fighting for the right to party.

But here in Austin, the City Council is fighting to shut down parties.



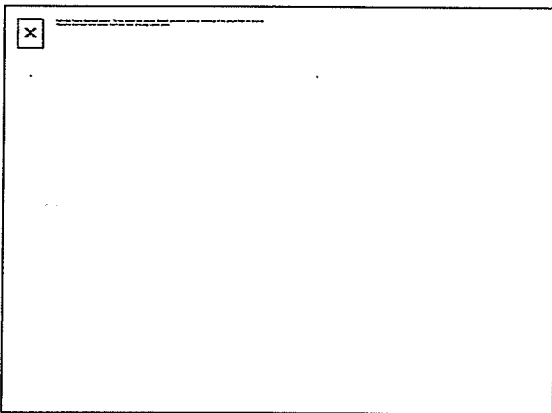
Laura Skelding

This house in East Austin has had multiple recorded violations of the short-term rental ordinance. Code department officials say their hands ... [read more](#)

On Tuesday the council continued its [months-long push](#) to tighten regulations of short-term rental housing in an attempt to quash the problem of [loud party houses in residential areas](#).

In particular, the council voted in favor of a detailed occupancy limit for short-term rentals that includes a ban on an “assembly” of more than six people outside. The council also voted to widely publicize this new rule. This follows on the heels of [a vote last week](#) to prohibit “large gatherings” at these vacation rentals.

“There is activity going on in these STRs that no one in a residential area should be forced to live next to,” said Mayor Steve Adler, who suggested the occupancy limits. “It’s inappropriate and it’s not right and we have to deal with that.”



The audience at Tuesday’s City Council meeting included neighborhood advocates who want to crack down on the “Type 2” short-term rentals, ... [read more](#)

The council also voted Tuesday on a raft of other mostly minor changes to the city’s short-term rental ordinance, including authorizing the code department to enforce the city’s noise ordinance, which is typically enforced by police; ensuring that photos and videos taken by neighbors can be used in an administrative hearing; and directing the staff to research how to require short-term rental listing sites to collect hotel and motel taxes.

City staffers will include all of those changes in a new draft of the short-term rental ordinance, which will go through additional hearings before the council takes a final vote within the next few months.

Council Member Kathie Tovo also secured support Tuesday for enacting a suspension of new “Type 2” short-term rental licenses as early as November. The council had [voted in support of a moratorium on new Type 2 licenses](#) last week; this vote was about Tovo ensuring the suspension would go in to effect soon, and before the rest of the short-term rental ordinance changes were ready for a final vote. A Type 2 license applies to short-term rental housing that is not occupied by its owner.

- [Austin City Council plans to wrap up new rules for short-term rentals](#)
- [Council inches toward new short-term rental rules but delays decision](#)
- [Council votes to amend short-term rental ordinance](#)

- After marathon hearing, short-term rental rules head to City Council

The basic message the council is sending to short-term rental owners is not too different from what parents tell their teenage children when going out of town for the weekend: Don't even think about having a party.

Even though the council has been working on changes to the short-term rental ordinance since August, they still are not finished with voting on reforms. Tovo still has a number of amendments she wants to offer, including a controversial one that would allow condominiums to only offer up to 3 percent of their housing as short-term rentals. The current cap is 25 percent, a level Tovo opposed when it was set in 2013.

The next council meeting on short-term rental reforms is set for Oct. 8.

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The council voted Tuesday in support of new occupancy limits for short-term rentals. Those include:

- No more than six unrelated guests
- No more than 10 guests total
- No more than two people per bedroom, plus two. The presumption is that a house has two bedrooms until an inspection is done.
- No assembly of more than six people outside, and no outside gatherings allowed after 10 p.m.

## Nicholas J. Kindel

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**From:** CPCinfo  
**Sent:** Tuesday, September 29, 2015 9:52 AM  
**To:** Nicholas J. Kindel  
**Subject:** FW: Short Term Rentals

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**From:** Marguerite L. Adams [<mailto:mladams@liskow.com>]  
**Sent:** Thursday, September 24, 2015 2:09 PM  
**To:** CPCinfo  
**Subject:** Short Term Rentals

I wanted to voice my opinion on the issue of short term rentals. Although I recognize that some regulation is appropriate, I believe that short term rentals can be a win/win for property owners and our visitors. I often book apartments through Airbnb when I travel and appreciate the opportunity to enjoy the fabric of the places I visit in a way that hotels cannot provide. I support allowing short term rentals subject to reasonable regulations. As a resident of uptown, living in a fun neighborhood, I have no issue with sharing my neighborhood with visitors, as long as disturbances and violations of regulations are addressed.

**Marguerite (Peggy) L. Adams**

537 Joseph St.  
New Orleans LA 70115

## Nicholas J. Kindel

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**From:** CPCinfo  
**Sent:** Tuesday, September 29, 2015 9:52 AM  
**To:** Nicholas J. Kindel  
**Subject:** FW: Short term rental study - council motion M-15-391  
**Attachments:** Signed letter to Planning C..pdf

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**From:** James Morrison [<mailto:jjmjr312@yahoo.com>]  
**Sent:** Thursday, September 24, 2015 12:24 PM  
**To:** CPCinfo  
**Subject:** Short term rental study - council motion M-15-391

Attached find written comments as to the short term rental study.

James J. Morrison, Jr  
Morrison Interests  
visit us at  
[www.morrisongrp.net](http://www.morrisongrp.net)  
101. Stella St.  
Metairie, LA 70005  
C 504-884-1177  
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**JAMES J. MORRISON, JR.**  
**PATRICIA P. MORRISON**

312 Walnut St.  
New Orleans, LA 70118

Tele: (504) 861-1177  
Cell JJ (504)-884-1177  
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FAX: (504) 830-2813  
jjmjr312@yahoo.com

September 23, 2015

City Planning Commission  
City of New Orleans  
Attn: Executive Director  
1300 Perdido St. 7<sup>th</sup> Floor  
New Orleans, LA 70112

RE: Short Term Rental Study  
City Council Motion M-15-391

To the Commission:

Short term rentals are purely and simply a business conducted out of a home. It does not matter if the short term renter is one person or ten, the simple fact is the receipt of money for the rendering of anything of value is a business. Wikipedia defines a business as "... trade of goods, services or both to consumers...." Merriam-Webster.com defines it as "the activity of ... providing services in exchange for money."

I am sure if you ask the average person on the street why do we have residential zoning, he/she will no doubt tell you it is to protect residential neighborhoods from business encroachment. Ask that same person why have Single Family, Two Family and Multi-Family districts, as we do in our zoning code, and he/she will no doubt also tell you it is to protect the areas involved from excessive density above that set by the zoning law.

In my single family neighborhood, and in fact within 5 houses of my house, there are three properties that have been used for short term rentals. A major problem is we have narrow streets requiring us to stagger open spaces across from parked cars, and as a result we have very limited parking. Short term renters are not provided parking spaces by the their lessors, and they overload our limited parking, park illegally anyway, and in fact in one instance caused an assault on a homeowner who complained about it. Another problem is overloading of houses with in one case 3 families and more than 15 people being crammed into a small house in our single family neighborhood. A third problem is noise and generally misbehavior. Noise, and loud and late parties have been complained



of across the city, with bachelor and bachelorette parties being the biggest culprits. We have had similar problems in our neighborhood with short term rentals.

With the precepts of 1) protecting residential neighborhoods from businesses and 2) limiting those businesses to the same density limits set out in the zoning code and 3) addressing the typical problems associated with short term rentals, in mind, this Commission should:

- A. To Protect Neighborhoods by insuring they have the right to be heard as to the imposition of these businesses on their neighborhoods and to provide them with regularly scheduled opportunities to stop such business in their neighborhoods, and to require these businesses to comply with the normal business requirements of other businesses operating in this city:
  - 1) No short term rentals should be allowed except as a conditional AND licensed use.
  - 2) No conditional use nor license should be issued or allowed except to the owner of a residence with a homestead exemption properly obtained.
  - 3) The conditional authorization for a property to have short term rental use should be limited to the term of the City Council when authorized plus six months, and must be renewed by the incoming Council or be terminated at the end of the six months.
  - 4) The zoning code should specifically say that a conditional use for short term rentals is not subject to non-conforming status for any reason.
  - 5) The zoning code should also specifically provide that on the suspension or revocation of a license to operate a short term rental business that the conditional use for that short term rentals at that property shall immediately terminate and that no appeal of such suspension or revocation shall have the effect of staying the termination of the conditional use.
  - 6) The zoning code should specifically provide that the City Council may on motion of the Council Member of the district in which a conditional use has been granted/authorized or on the motion of a Council Member At Large may vote to revoke a conditional use which shall then immediately terminate without right to appeal or be stayed.
  - 7) As other business are required to do in this city, the short term rental property should be required to provide onsite parking of one legally

conforming space per authorized bed, and the licensee should be required to require short term renters to use the onsite parking provided.

- 8) The license to operate should be issued in the name of the homeowner by the Safety and Permits Department after requiring from the homeowner the following information and limitations a) a detailed plan of the residence to be used b) a designation in the plan of the sleeping rooms and beds spaces to be allowed short term renters, c) the maximum number of short term rental occupants to be allowed d) a designation of required owner provided onsite legally sized parking spaces e) location of all required fire and safety routes, signage, etc., f) provision of a handicap bathroom for short term renters and such other handicap and safety facilities as are required for businesses by federal, state and local rules, regulations, statutes and ordinances g) proper licensing or other required compliance with the state and city revenue departments for the payment of sales and other taxes
- 9) The application for conditional use should have the information required for licensing as provided above and such other information as required by this Commission and the conditional use authorization should be limited to the uses and features so listed in the application.
- 10) Before issuance of the license the property shall be inspected by all appropriate regulatory authorities who shall verify the property's compliance with all federal, state and local rules, regulations, statutes and ordinances.
- 11) Anyone advertising or solicitation for short term rentals in this city in any medium should be required to provide in the advertising a) it's license number b) the number of beds, bedrooms and short term occupants authorized by its license c) a copy of the plan approved for the issuance of its license, d) a statement that it is against the law for more than the number of authorized occupants to inhabit the dwelling such other information as required by the Department of Safety and Permits.
- 12) No licensee should be allowed to advertise or solicit short term rentals in this city except in mediums for hire and in such mediums which agree with the city in such form as required by the City Attorney 1) to not allow the advertisement or solicitation of short term rentals in this city except by licensees and 2) to provide on request of the Bureau of Revenue of the City of New Orleans and the Treasury Department of the State of Louisiana such information or regular reports as they may

require, and if appropriate the withholding and payment of taxes and fees from proceeds payable to such licensees.

- 13) As to a licensed and conditionally authorized property there should be a fine of \$1,000 for the first offense of violating the advertising provisions of #8 above, \$2,000 for the second such offense and suspension of license for 6 months, and \$5,000 and revocation of licenses for 3 or more such violations. Fines should become a lien on the property collectable against the property.
- 14) There should be a fine of \$10,000 for each advertisement or solicitation in any medium for short term rentals in this city without a license and conditional use authorization. The fines should become a lien on the property collectable against the property and should be a personal obligation of the every individual in any way responsible for such advertisement or solicitation.
- 15) The licensed homeowner must reside in the property and may not vacate or sleep/spend the night away from the property during a short term rental.
- 16) The licensee shall keep a Renter's Log of all short term rentals to include the name of the renter, the number and name of all short term rental occupants, the period of the rental and the license plate number and description of all vehicles of the short term occupants whether owned or rented. A copy of the log shall be delivered monthly to the Department of Safety and Permits and shall be available there for inspection by the public. An additional Revenue Log shall be maintained by the licensee with the same information and in addition the amount of all income and revenue received by the licensee for each short term renter. The Revenue Log shall also be filed monthly with both the Department of Safety and Permits and the Bureau of Revenue of this city and shall not be subject to inspection by the public.
- 17) Each licensee shall pay on time and in the form and manner as required by law, rule and/or regulation a) all state and city sales taxes, and b) the hotel/motel and other taxes paid by hotels and/or motels operating in this city, c) all other taxes, and fees applicable to their business and failure to do so on time and in the amounts required shall result in immediate suspension of their license.
- 18) The license shall be issued only on payment of a licensing fee to be set annually by the Department of Safety and Permits in consultation with the Mayor's office and other departments of the City having regulatory authority or responsibilities, in an amount as is determined to be

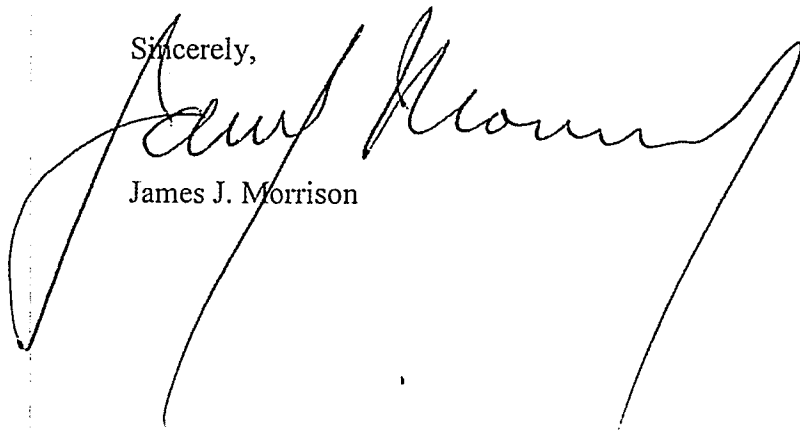
adequate to compensate the City for the expenses of regulating and supervising short term rental activities.

- 19) The license shall expire on December 31 of each year and is renewable only on a) payment of the license fee and b) proof of timely payment and reporting of all other taxes and fees.
- 20) The Department of Safety and Permits shall set up a complaint procedure for the public to file and it to resolve complaints about the violation of the rules, regulations and conditions of a license, and shall provide for the suspension and/or revocation of such license in the event of significant or repeated minor violations by the licensee.

B. To Protect Residential Neighborhoods as to their current zoning status in relation to density

- 1) No short term rentals should be allowed in areas zoned Single Family.
- 2) No short term rentals of more than a single bed room with no more than two occupants for that bedroom should be allowed in areas zoned Two Family.
- 3) In Multi-Family zoned areas the number of bedrooms allowed should not exceed the number of families allowed in the zoning area with a maximum of five bedrooms for such Multi-Family areas. No bed room shall allow more than 2 occupants of the bedroom. Beyond five bedrooms and ten occupants the property must conform to the rules, regulations and zoning required of hotels.

Sincerely,

A large, stylized handwritten signature in black ink, appearing to read "James J. Morrison". The signature is written in a cursive style with a large, sweeping flourish at the end.

James J. Morrison

## Nicholas J. Kindel

---

**From:** CPCinfo  
**Sent:** Tuesday, September 29, 2015 9:53 AM  
**To:** Nicholas J. Kindel  
**Subject:** FW: Short Term Rental written comment

-----Original Message-----

**From:** Lori Mentel [<mailto:lmentel123@icloud.com>]  
**Sent:** Thursday, September 24, 2015 3:01 PM  
**To:** CPCinfo  
**Subject:** Short Term Rental written comment

I wanted to voice my support for Stacy Head's proposed Short Term Rental regulations. I believe Short Term Rentals are good for tourism and good for the city. I am in favor of regulating them by a licensing procedure, limiting them to only owner-occupied structures, and regulating them to ensure corporate or absentee owners aren't taking over any neighborhood.

Thanks and I look forward to hearing what the CPC decides.

Sincerely,

Kathleen Lori Mentel  
3212-14 Palmyra Street  
New Orleans, LA 70119

## Nicholas J. Kindel

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**From:** CPCinfo  
**Sent:** Tuesday, September 29, 2015 9:53 AM  
**To:** Nicholas J. Kindel  
**Subject:** FW: CNO 2015-09 M 15-391 Short-term Rental Study ~ CPC Sep29 Hearing  
**Attachments:** CNO 2015-09 M 15-391 Short-term Rental Study ~ CPC Sep29 Hearing 092415.pdf

**From:** Calvin A Lopes [<mailto:clopesea@gmail.com>]  
**Sent:** Friday, September 25, 2015 2:36 AM  
**To:** CPCinfo  
**Subject:** CNO 2015-09 M 15-391 Short-term Rental Study ~ CPC Sep29 Hearing

(also attached as a PDF)

City of New Orleans Short-term Rental Study, Motion M-15-391 September 24, 2015

I first became aware of problems associated with short-term rentals several years ago when the Springlake subdivision in east New Orleans was experiencing weekly flash-mob parties at an unoccupied residence. My neighborhood, next door, was asked to help and with the cooperation of the NOPD Seventh District we were able to eliminate the problem; unfortunately it took several weeks to do so. Since then I have monitored and participated with other neighborhood associations in solving problems they have encountered.

The City Council has suggested new legislation for short-term rentals. While I do not believe any new legislation is required I'm willing to consider any proposal(s) that will help neighborhood associations and next-door neighbors maintain their desired quality of life and protect their property values.

The initial proposals by the City Council to change laws protecting the neighborhoods were unacceptable. Attempts to enforce existing laws by Safety and Permits through the adjudication procedures were ineffective when the hearings were canceled after a lawsuit by one of the accused. Changing the laws without evaluating enforcement potential and establishing reliable and effective procedures is a waste of time. The existing laws, if enforced, can and should be adequate.

Perhaps the City's definitions for short-term rentals could be separated into several categories for clarity. Conditional-use hotels and bed-and-breakfasts are lumped together when hotels can only exist in commercially zoned areas and bed-and-breakfasts exist only in residential areas. The laws cannot be the same or enforced equally when the business operations are not exactly the same.

Proposals to allow another category of short-term rentals with no clear definition, no public conditional-use hearings, no licensing, no taxation in every zoning category is nonsense.

Neighbors banded together and formed associations to work together to sustain a minimum quality of life that provided better security and protected their financial investments. In many cases they entered into agreements with each other that clearly stated actions required of each other. These covenants in many cases tracked City Code and promoted adherence to those sections they wished to emphasize. All of this effort and expense is now threatened by new City legislation that will invalidate those covenants.

Zoning was established to define what operations are appropriate in what areas. Residential zones were especially protected to provide a high degree of serenity and restrict business operations to a very low threshold, e.g. a home office with no associated street activity. The intrusion of a 100% business activity in a residence is inappropriate and violates every basic concept of residential zoning. There is no doubt that short-term rentals are businesses. Bed-and-breakfasts are also a business operation but they are highly regulated and undergo many inspections and public hearings before becoming licensed. The number of licensed operators are limited and not allowed to be clustered. The law requires a

full-time owner presence at every residence used for a bed-and-breakfast.

Every new proposal to allow short-term rentals provides no protection for neighbors, no right of action by neighborhoods with a covenant, no limitation on the number of licensed facilities in residentially zoned areas, no public hearing, no inspections, no minimum safety standards, no taxes, no operator on the premises full-time, all with a total disregard for protections provided by City Code.

Any study, consideration, or suggestion to change definitions, hearing procedures, licensing, or common-sense restrictions that do not fully protect the neighbors and tenants cannot be tolerated. Any law without enforcement is a waste of time.

Calvin A. Lopes  
east New Orleans  
Council District-E  
Planning District-9

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Any study, consideration, or suggestion to change definitions, hearing procedures, licensing, or common-sense restrictions that do not fully protect the neighbors and tenants cannot be tolerated. Any law without enforcement is a waste of time.

Calvin A. Lopes  
east New Orleans  
Council District-E  
Planning District-9



## Nicholas J. Kindel

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**From:** Mavis Early <mavisearly@gnohla.com>  
**Sent:** Friday, September 25, 2015 12:01 PM  
**To:** Nicholas J. Kindel  
**Subject:** Short Term Rentals - Letter from GNOHLA & NOCVB - CPC Public hearing Sept 30  
**Attachments:** STR -CPC Joint statement.5.3 9-25-25.FINAL.docx; ATT00001.htm

Nicholas, Attached please find a letter from the Greater New Orleans Hotel & Lodging Association and New Orleans CVB regarding our position on short-term rentals. We are happy to share information that we have gathered if you are interested. At the appropriate time, we would also like an opportunity to meet with you to discuss this issue further. Should you have any questions about the attached, please do not hesitate to contact me.

With best regards, I am

Sincerely,



September 25, 2015

Dear Members of the City Planning Commission,

As a brand steward of the City of New Orleans for visitors, group leisure travel and conventions the New Orleans Convention and Visitors Bureau (NOCVB) has serious concerns about the swift and substantive changes that short-term rentals pose to the city. New Orleans competes with major destinations across the country like Orlando and Las Vegas and does so using far fewer resources than those cities. While visitors come to New Orleans for many reasons such as our cuisine, music, convention facilities and compact geography, our prominence as a *destination* is due to our unique culture and authenticity. If getting an artificial experience were all the traveling public was seeking, New Orleans would get only a fraction of the market share we currently enjoy. We are concerned that the proliferation of short-term rentals will change neighborhoods from local-owned homes to investment, rental properties for travelers.

The **safety of visitors** is the primary concern of the members of the Greater New Orleans Hotel & Lodging Association (GNOHLA), the NOCVB, and our hospitality partners. Hotels are businesses, located in commercial zones, and operated with numerous safety design and security features as well as procedures to provide the safest possible environment for guests.

- These often include fire and sprinkler systems; smoke detectors; security systems; three locking devices, including electric locks with deadbolts and night latches; closed-circuit television and secured access control; and the availability of safe deposit boxes.
- Hotel guests also benefit from the knowledgeable response capabilities of a hotel team, including medical, fire, and security response, evacuation assistance, and in many cases a direct link to local emergency services.
- Hoteliers also work to ensure their properties meet Americans with Disability Act design requirements, along with providing such added security as swimming pools with anti-entrapment features and exceeding balcony railing standards.
- Guests have the added security of knowing that hotels are covered by substantial commercial liability insurance, unlike many short-term rentals that do not carry such insurance.

Some might say that hotels are just afraid of competition from short-term rentals. Short-term rentals are competition for hotels and lodging establishments. But the hotel and lodging industry is not afraid of competition. In fact, the industry thrives on competition.

Competition has always been a hallmark of the lodging industry. However, it is important that **all players are treated fairly by the law.**

- Ensuring that short-term online rental companies adhere to the same city, state, and federal laws as hotels is crucial.
- At the end of the day, while we may quibble over the equal application of the law, we have to remember that – first and foremost – these laws and regulations were put into effect for the **safety and security of our guests.**
- Hotels must comply with fire and safety laws and regulations, adhere to ADA accessibility requirements, and pay hotel and occupancy taxes to local governments.
- In the present environment, short-term online rental companies do not always comply with the laws established.
- It is not acceptable to ignore the laws and regulations that are on the books, nor should the government pick winners and losers in the marketplace.

Ensuring equal application of existing laws is a **collaborative approach.**

- The hospitality industry is just one of many concerned parties involved in this debate.
- The issue of a level playing field with short-term rental companies, where they are held accountable to local, state, and federal laws, is one which holds significant ramifications for many groups.
- Tax associations, organized labor, disability advocates, affordable housing proponents – all have a stake in ensuring the equal application of existing laws.

While these rentals present a new channel of competition for hotels, bed and breakfasts, inns and guest houses in the city, a major threat is to new hotel and accommodation development in the city. Hotel companies or developers that are considering New Orleans may be swayed away from investing in a market where so many short-term rentals exist. If so, the city will *lose additional taxes* and *additional jobs* for its residents. Moreover, the evisceration of the New Orleans experience may weigh more heavily in a company's decision to invest in the city.

The 2014 Cultural Economy report produced by Mayor Landrieu cites the hospitality community as contributing 44% of the city's general fund. While these numbers are impressive considering the extraordinary circumstances that the city has experienced during the past decade following Hurricane Katrina, it is important to note that this percentage could be even higher because there is tax revenue that is not being collected from those who are staying in short-term rentals.

It is worth noting that thousands of jobs and revenue for the city could be jeopardized if the New Orleans experience changes and becomes less attractive. Additionally, the current hotel tax structure provides over \$300 million in taxes for the New Orleans area. These tax revenues for the city fund education, transportation, and infrastructure in addition to supporting two of the largest facilities in the state: the Ernest N. Morial New Orleans Convention Center and the Mercedes-Benz Superdome. These two facilities are also the largest revenue-generating venues in the city.

GNOHLA and NOCVB support and promote an industry that employs more than 80,000 people and is an industry that is well suited to all education and experience levels. To these workers, short-term rentals pose significant concerns. Increased housing prices push workers further and further from their jobs, the proliferation of short-term rentals deplete our housing stock and makes housing unaffordable for a large number of our residents. And, as we look to staff our new hospitals and other entities, the reduction in affordable housing stock from the traditional inventory caused by illegal short-term rental activity supplies no benefit to our community. Housing prices have risen dramatically in neighborhoods like the Faubourg Marigny, Bywater, Treme Irish Channel, Mid-City and Riverbend. We see that trend continue in St. Roch, St. Claude, Freret Street corridor and Central City. Short-term rentals may not be the only reason for this rise in housing prices, but it absolutely is a major factor in the displacement of residents and a rise in housing affordability.

Short-term rentals threaten a growing market in the hospitality industry and the thousands of future jobs that are commensurate with increased hotel development. This opportunity for more jobs should not be overlooked.

In summary, neighborhoods and its residents are what make New Orleans New Orleans. Our culture is what attracts people to the city. We do a disservice to our residents, our hospitality workers, our future workers, our businesses and our visitors by proceeding on a path that threatens the visitor experience in the city. We have too much riding on it. The revenue from allowing short-term rentals is a pittance compared to (a) the loss of jobs and tax revenues to the city if people are not able to find housing near their workplaces, (b) the loss of future jobs if there is little housing for employees, (c) the significant losses that could befall the entire industry and thus the community and the municipality, (d) the unraveling and ultimate destruction of neighborhoods as we know them, (e) the risk of the safety of our visitors due to insufficient regulation, and (f) the benefits of the lodging industry that are now attracting new investment and revenue to the city and will continue to do so IF there is a continuation of a level playing field and fair competition in the lodging and hospitality industry.

Illegal short-term rentals are illegal. Illegal short-term rentals have been existent in the City of New Orleans, and the French Quarter in particular, for decades. However, there has been scarce enforcement of these illegal short-term rentals. Resources must be allocated to secure enforcement of those businesses operating in violation of the law.

If short-term rentals are to be sanctioned and regulated by the City of New Orleans, those regulations must be reasonable and fair to others similarly situated. Short-term rentals must be regulated and held to the same standards as legal and licensed hotels, bed and breakfasts, inns and guest houses, including requirements for occupational licenses, compliance with zoning, health, fire, and safety laws, the requirement of adequate commercial insurance, payment of hotel taxes to the city and state, and compliance with federal laws such as the American with Disabilities Act. Enforcement of the laws and regulations that apply to other lodging establishments must also apply to short-term rentals with the same priority and in the same manner as other lodging establishments.

We ask that you take the concerns of our industry very seriously. New Orleans has been riding on the crest of an economic wave in recent years. A large contributor to that economic advancement and the jobs it supports is the hospitality industry. Let us not threaten the hospitality industry's productivity by treating those who offer lodging for compensation disparately.

Sincerely,



Stephen Perry  
President and CEO, New Orleans Convention & Visitors Bureau



Mavis Early  
Executive Director, Greater New Orleans Hotel & Lodging Association

## Nicholas J. Kindel

---

**From:** CPCinfo  
**Sent:** Tuesday, September 29, 2015 9:54 AM  
**To:** Nicholas J. Kindel  
**Subject:** FW: My airbnb/str experience as a host

**From:** Joseph Henson [<mailto:josephh@bentmedia.com>]  
**Sent:** Friday, September 25, 2015 4:15 PM  
**To:** CPCinfo  
**Subject:** My airbnb/str experience as a host

I noticed in the video from the Community Development meeting on August 19th that there weren't really any people coming forward with their stories as STR hosts.

Well, I am a recent Airbnb host in the St. Roch and I wanted to tell you a little bit about my story and why I am utilizing airbnb.

I know that it is currently illegal and I promise if there were currently a mechanism for me to pay taxes for my STR i certainly would love to. I love New Orleans, I chose it as my home, and I want to do everything I can to pay my fair share and give back to the city. I even tried to get a legitimate bed and breakfast license for a small one room rental but the costs for the conditional use process were just so high and there was no guarantee that I would get a license after spending \$1,000+ just to try and acquire one. The ROI just wasn't there.

My partner and I recently bought our home ( a converted double) in St. Roch. Last year to be exact. At the time, we moved in with two roommates/friends so that we could generate a little bit of income and help pay for bringing the house up to code (needed new wiring) and to do some other more cosmetic remodeling.

Well, one of our roommates, Justin, got lung cancer and unfortunately lost his battle in December. While he was fighting, my partner and I made the decision to ease his burden and give him significantly reduced room and board (we cut the amount by 75%) so that he could go do some travel as he had never really been outside of Louisiana. After his death, there were some family issues due to Justin being gay and to cut it short we ended up paying for his funeral services (cremation, secondline, and permits) because his mother did not agree with his sexuality and refused to release any of his remaining capital for funeral expenses.

We took a pretty big hit financially and taxes and insurance payments don't pay themselves so we had to think of something and that is where airbnb came in.

It just made sense as it would allow us to gain back some of our losses more easily than other options. And hopefully, in the future, it would allow us to address those cosmetic issues that we never got around to.

We don't have crazy room prices (usually around \$50 a night) and we only allow two guests in the room so we aren't using this as a means to get rich. It just helps us pay our bills.

During the short time that we have been running the airbnb (only since June after fixing some floor issues with the room) we have had many young and thoughtful travelers that otherwise would not have been able to visit New Orleans. For example we recently had a couple stay with us for 4 days. They teach at a school for the blind in Austin and we were able to give them a much needed vacation. It meant a lot to us that by staying with us, they were able to afford a trip to New Orleans.

I understand that this a multifaceted issue. It isn't just about me. There are a lot of strong feelings surrounding this issue. I just wanted to share my story.

I'm not trying displace anyone, we just can't replace Justin with another full time roommate. Last year took a lot out of us in that regard.

I'm not trying to disrespect my neighbors, we informed them and told them to call us if there were ever any problems and we make sure that all of our guests are aware of appropriate noise levels. Also,we only have three immediate neighbors on our block. The rest are blighted, unoccupied homes.

I don't really know where I am going with this story but I just wanted to provide some info on my personal experience with short term rentals as a host. I just hope that it can provide some further insight into why this issue does not need to be railroaded by elite, wealthy individuals

that have the funds to get things their way. At the same time, I hope significant tax revenue can be made off of STRs for New Orleans. I want the opportunity to pay the city \$600+ a year for allowing me to rent a room in my house. I want an opportunity to help lessen the city's tax burden. I feel like we can do some real good for the city if we responsibly harness the power of STRs to add to city funds.

I want to help. Please, just find a way to let me do so.

All the best,

Joseph D. Henson

## Nicholas J. Kindel

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**From:** CPCinfo  
**Sent:** Tuesday, September 29, 2015 9:54 AM  
**To:** Nicholas J. Kindel  
**Subject:** FW: Short Term Rental Study

-----Original Message-----

**From:** Tony Fennelly [<mailto:tfennelly@earthlink.net>]  
**Sent:** Friday, September 25, 2015 5:54 PM  
**To:** CPCinfo  
**Subject:** Short Term Rental Study

Dear Council Members:

Please vote against short-term-rentals. Unlike with licensed and regulated hotels and Bed & Breakfasts, the casual short-term renters can not be regulated and their guests can't be protected, even nominally, on nights and weekends. The police can't help. They always have more they can do with the violent crimes around the tourist areas.

Tony Fennelly  
2615 Governor Nicholls St.  
NOLA 70119



## Nicholas J. Kindel

---

**From:** CPCinfo  
**Sent:** Tuesday, September 29, 2015 9:54 AM  
**To:** Nicholas J. Kindel  
**Subject:** FW: Short Term Rental Hearing (M-15-391) for September 29

-----Original Message-----

**From:** Kris Anderson [<mailto:kris94109@gmail.com>]  
**Sent:** Friday, September 25, 2015 5:58 PM  
**To:** CPCinfo  
**Subject:** Short Term Rental Hearing (M-15-391) for September 29

I am a property owner that lives full-time in the French Quarter.

On my property are 4 units that I rent for 3 - 4 days at a time. When I purchased the property, STR had already been going on for many years. Each of my units has 5 out of 5 star rating, and many glowing reviews. Many of our guests have returned year after year, and many of our guests are referrals.

I live here because I love the FQ, and the neighborhood. I have neighbors that purchased as a second home, and rent short-term when they are out of town. When I purchased, I could walk outside almost any time of day and see a neighbor and have a friendly conversation. As these properties are changing hands, there are more unfamiliar faces, and less neighborhood.

Also, with absentee landlords, there is no accountability. One very large property across the street specializes in bachelor parties, and they can get quite rowdy late at night. As I live on my property, I have been known to go out to my courtyard late at night and politely shush my guests (for myself as well as my neighbors).

I pay state and federal taxes on every penny of my rental income. I would pay local tax were I legal. If regulations for STR's were created and enforced, and registration required, this would be an excellent revenue generator.

I encourage creation and enforcement of regulations and mandatory registration, with the stipulation that landlords live on site.

Best Wishes,  
Kris



## Nicholas J. Kindel

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**From:** CPCInfo  
**Sent:** Tuesday, September 29, 2015 9:55 AM  
**To:** Nicholas J. Kindel  
**Subject:** FW: short term rentals

**From:** New Orleans Rebuilding Emails [<mailto:neworleanscandles@gmail.com>]  
**Sent:** Saturday, September 26, 2015 10:03 AM  
**To:** CPCInfo  
**Subject:** short term rentals

. Personally, I don't like the idea of short term rentals, mostly because it removes housing stock for residents and makes it part of the Tourism industry. I think we have given more than enough of our city over to tourism and not having housing for our people is going to have profound effects on us being able to grow our population, which is vitally important to our long term survival as city.

However, I do see that some people might need the extra income to maintain themselves in the city where costs like insurance and taxes are rising every year.

So, here is my attempt to split the baby, so to speak. I want those who need AirBNB to help them survive in the city to be able to access it without providing incentives for deeper pockets to come in and convert entire neighborhoods into defacto second home enclaves/AirBNB hotels (and I think we should find a way to discourage the "second home" thing for the same reason)

So my proposals look like this.

- 1- No more than 5 days of short term rentals per month for non-owner occupied units. This includes the second apartments in doubles.
- 2- No more than 10 days of short term rentals per month for owner occupied units.
- 3- All participating in short terms rentals will be subject to the hotel tax and have to have an occupational license for their short term rental business, as well as carry liability insurance.
- 4- All non-owner occupied units need to conform to any applicable regulations regulating bed and breakfast establishments.

Anthony Favre

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It's better to light a candle  
Than curse the darkness..

<http://progress.8principlesforneworleans.com/>

## Nicholas J. Kindel

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**From:** CPCInfo  
**Sent:** Tuesday, September 29, 2015 9:55 AM  
**To:** Nicholas J. Kindel  
**Subject:** FW: ENOCA 2015-09 eMail Re James Morrison Short-Term Rental Hearing Comments 092615  
**Attachments:** ENOCA 2015-09 eMail Re James Morrison Short-Term Rental Hearing Comments 092615.pdf

**From:** Calvin A Lopes [<mailto:clopesea@gmail.com>]  
**Sent:** Saturday, September 26, 2015 3:10 PM  
**To:** CPCInfo  
**Subject:** ENOCA 2015-09 eMail Re James Morrison Short-Term Rental Hearing Comments 092615

--- On Sat, 9/26/15, Eastern New Orleans Civic Association [EnolaCivic@gmail.com](mailto:EnolaCivic@gmail.com) wrote:

From: Eastern New Orleans Civic Association [EnolaCivic@gmail.com](mailto:EnolaCivic@gmail.com)  
Subject: (CPC Hearing Tuesday) FYI: Planning Commission Short Term Rental Study 09-29-15  
To: Date: Saturday, September 26, 2015, 2:41 PM

The message below is forwarded for information purposes only. The author identifies himself as James Morrison, residing at 312 Walnut Street and is submitting his comments and suggestions for regulating short-term rentals in New Orleans.

City Planning is conducting a public hearing on Tuesday night in the Council Chambers by request of the City Council in Motion M-15-391,  
[http://Cityofno.Granicus.com/MetaViewer.php?view\\_id=3&event\\_id=520&meta\\_id=295688](http://Cityofno.Granicus.com/MetaViewer.php?view_id=3&event_id=520&meta_id=295688)

Regardless of your position on this matter, you should seriously consider sending in your own ideas; I've submitted mine but will have to find a way to condense it to fit the allowed 2-minutes to speak on Tuesday.

I do have one very important comment about the following. Mr. Morrison is under the erroneous impression that ALL short-term rentals are Bed-and-Breakfasts.

The term "short-term rental" (STR) is a legal title and currently refers only to licensed hotels and licensed bed-and-breakfasts. These legally operating businesses were required to apply to operate as a "conditional-use" by both the City Planning Commission and the City Council.

The type of rentals we all should be worried about are those that do not following any of the rules.

In general, these are advertised and booked over the internet. As with any internet business there are those that are nothing more than scams; there are those that (un)intentionally misrepresent the properties they are renting.

No one has found an effective mechanism to define or regulate (hourly, daily, weekly) short-term rentals.

Legislation has been enacted throughout the United States (and overseas) but has failed miserably

It is up to every concerned resident of New Orleans to make your voices known. Don't assume that the problem will go away.

City Planning will hold a public hearing Tuesday, September 29, 2015 05pm, in the Council Chambers at City Hall. A special webpage was created for announcements and reference documents:  
<http://NOLA.gov/city-planning/major-studies-and-projects/short-term-rental-study/>

Consideration by City Planning remains open for comment until the Council's final deadline. Written comments may be sent to: Robert Rivers, Executive Director [CPCinfo@NOLA.gov](mailto:CPCinfo@NOLA.gov), by mail: 1300 Perdido St, 7W03, New Orleans, LA 70112-2125, or by fax: 504-658-7032

Anyone requiring more information may reply to this message.

Calvin A. Lopes  
Eastern New Orleans Civic Association

----- Forwarded Message -----  
From: <[nobnbinno@aol.com](mailto:nobnbinno@aol.com)>  
Date: Fri, Sep 25, 2015 at 2:27 PM  
Subject: Planning Commission Short Term Rental study 9-29-15

via email Fri, Sep 25, 2015 at 2:27 PM from: [nobnbinno@aol.com](mailto:nobnbinno@aol.com) James J. Morrison, Jr 312 Walnut St  
Planning Commission [sic] Short Term Rental study 9-29-15

I am writing each of you in regards to the Short Term Rental study hearing scheduled by the Planning Commission for September 29, 2015 at 5:00 p.m. in the City Council Chamber.

Stacy Head appears to be intent on legalizing B & B s in every residential neighborhood in this city. Her justification stated to my neighborhood was that the city could not enforce the prohibitionis [sic] on short term rentals. The proposed ordinance she showed us answered non-enforcement by simply authorizing them across the city, with few limits and tiny fees. When we objected she withdrew her proposal and asked the Planning Commission to study the issue.

B & B's have been a serious problem in residential neighborhoods across the country bringing noise, parking problems, over loading of houses with raucous parties and even becoming brothels (google air bb brothels).

If B & B's are going to be allowed in residential neighborhoods - and we do not think they should be - they should be protected with stringent regulations. I have by letter and email proposed the following regulations to the Planning Commission and would ask that you and your neighbors attend the hearing and support them too.

#### Short Term Rental Regulations

A. To Protect Neighborhoods by insuring they have the right to be heard as to the imposition of these businesses on their neighborhoods and to provide them with regularly scheduled opportunities to stop such business in their neighborhoods, and to require these businesses to comply with the normal business requirements of other businesses operating in this city:

- 1) No short term rentals should be allowed except as a conditional AND licensed use.
- 2) No conditional use nor license should be issued or allowed except to the owner of a residence with a homestead exemption properly obtained.
- 3) The conditional authorization for a property to have short term rental use should be limited to the term of the City Council when authorized plus six months, and must be renewed by the incoming Council or be terminated at the end of the six months.
- 4) The zoning code should specifically say that a conditional use for short term rentals is not subject to non-conforming status for any reason.
- 5) The zoning code should also specifically provide that on the suspension or revocation of a license to operate a short term rental business that the conditional use for that short term rentals at that property shall immediately terminate and that no appeal of such suspension or revocation shall have the effect of staying the termination of the conditional use.
- 6) The zoning code should specifically provide that the City Council may on motion of the Council Member of the district in which a conditional use has been granted/authorized or on the motion of a Council Member At Large may vote to revoke a conditional use which shall then immediately terminate without right to appeal or be stayed.
- 7) As other business are required to do in this city, the short term rental property should be required to provide onsite parking of one legally conforming space per authorized bed, and the licensee should be required to require short term renters to use the onsite parking provided.
- 8) The license to operate should be issued in the name of the homeowner by the Safety and Permits Department after requiring from the homeowner the following information and limitations a) a detailed plan of the residence to be used b) a designation in the plan of the sleeping rooms and beds spaces to be allowed short term renters, c) the maximum number of

short term rental occupants to be allowed d) a designation of required owner provided onsite legally sized parking spaces e) location of all required fire and safety routes, signage, etc., f) provision of a handicap bathroom for short term renters and such other handicap and safety facilities as are required for businesses by federal, state and local rules, regulations, statutes and ordinances g) proper licensing or other required compliance with the state and city revenue departments for the payment of sales and other taxes

9) The application for conditional use should have the information required for licensing as provided above and such other information as required by this Commission and the conditional use authorization should be limited to the uses and features so listed in the application.

10) Before issuance of the license the property shall be inspected by all appropriate regulatory authorities who shall verify the property's compliance with all federal, state and local rules, regulations, statutes and ordinances.

11) Anyone advertising or solicitation for short term rentals in this city in any medium should be required to provide in the advertising a) it's license number b) the number of beds, bedrooms and short term occupants authorized by its license c) a copy of the plan approved for the issuance of its license, d) a statement that it is against the law for more than the number of authorized occupants to inhabit the dwelling) such other information as required by the Department of Safety and Permits.

12) No licensee should be allowed to advertise or solicit short term rentals in this city except in mediums for hire and in such mediums which agree with the city in such form as required by the City Attorney 1) to not allow the advertisement or solicitation of short term rentals in this city except by licensees and 2) to provide on request of the Bureau of Revenue of the City of New Orleans and the Treasury Department of the State of Louisiana such information or regular reports as they may require, and if appropriate the withholding and payment of taxes and fees from proceeds payable to such licensees.

13) As to a licensed and conditionally authorized property there should be a fine of \$1,000 for the first offense of violating the advertising provisions of #8 above, \$2,000 for the second such offense and suspension of license for 6 months, and \$5,000 and revocation of licenses for 3 or more such violations. Fines should become a lien on the property collectable against the property.

14) There should be a fine of \$10,000 for each advertisement or solicitation in any medium for short term rentals in this city without a license and conditional use authorization. The fines should become a lien on the property collectable against the property and should be a personal obligation of the [sic] every individual in any way responsible for such advertisement or solicitation.

15) The licensed homeowner must reside in the property and may not vacate or sleep/spend the night away from the property during a short term rental.

16) The licensee shall keep a Renter's Log of all short term rentals to include the name of the renter, the number and name of all short term rental occupants, the period of the rental and the license plate number and description of all vehicles of the short term occupants whether owned or rented. A copy of the log shall be delivered monthly to the Department of Safety and Permits and shall be available there for inspection by the public. An additional Revenue Log shall be maintained by the licensee with the same information and in addition the amount of all income and revenue received by the licensee for each short term renter. The Revenue Log shall also be filed monthly with both the Department of Safety and Permits and the Bureau of Revenue of this city and shall not be subject to inspection by the public.

17) Each licensee shall pay on time and in the form and manner as required by law, rule and/or regulation a) all state and city sales taxes, and b) the hotel/motel and other taxes paid by hotels and/or motels operating in this city, c) all other taxes, and fees applicable to their business and failure to do so on time and in the amounts required shall result in immediate suspension of their license.

18) The license shall be issued only on payment of a licensing fee to be set annually by the Department of Safety and Permits in consultation with the Mayor's office and other departments of the City having regulatory authority or responsibilities, in an amount as is determined to be adequate to compensate the City for the expenses of regulating and supervising short term rental activities.

19) The license shall expire on December 31 of each year and is renewable only on a) payment of the license fee and b) proof of timely payment and reporting of all other taxes and fees.

20) The Department of Safety and Permits shall set up a complaint procedure for the public to file and it [sic] to resolve complaints about the violation of the rules, regulations and conditions of a license, and shall provide for the suspension and/or revocation of such license in the event of significant or repeated minor violations by the licensee.

B To Protect Residential Neighborhoods as to their current zoning status in relation to density

1) No short term rentals should be allowed in areas zoned Single Family.

2) No short term rentals of more than a single bed room with no more than two occupants for that bedroom should be allowed in areas zoned Two Family.

3) In Multi-Family zoned areas the number of bedrooms allowed should not exceed the number of families allowed in the zoning area with a maximum of five bedrooms for such Multi-Family areas. No bed room shall allow more than 2 occupants of the bedroom. Beyond five bedrooms and ten occupants the property must conform to the rules, regulations and zoning required of hotels.

James J. Morrison, Jr  
312 Walnut St  
New Orleans

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----- Original Message -----

From: [nobnbinno@aol.com](mailto:nobnbinno@aol.com)

Date: Fri, 25 Sep 2015 15:27:00 -0400

Subject: Planning Commisison Short Term Rental study 9-29-15

To:



## Nicholas J. Kindel

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**From:** CPCinfo  
**Sent:** Tuesday, September 29, 2015 9:55 AM  
**To:** Nicholas J. Kindel  
**Subject:** FW: Short Term Rental Hearing (M-15-391) for September 29.

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**From:** Kenneth Witkowski [mailto:kwitkow3@cox.net]  
**Sent:** Sunday, September 27, 2015 2:11 PM  
**To:** CPCinfo  
**Subject:** Short Term Rental Hearing (M-15-391) for September 29.

ATTENTION: Mr. Robert Rivers, Executive Director

Dear Mr. Rivers,

I have the following observations to make about the issue that will be discussed on 9/29/15:

- 1. Rules separated for different treatment.** It is one thing for a homeowner to rent a room out during Mardi Gras or Jazz Fest. It is an entirely different thing for the homeowner of a 4-plex to run the year-round business of weekend tourist rentals in 3 of his 4 units. Even worse is a part-time resident or an absent investor who isn't even present as the transients come and go weekend-after-weekend. The advocacy group Alliance for Neighborhood Prosperity ("ANP") is committed to lumping all types of short-term rentals into one bucket and calling it "Private Home Rentals" even though many (and perhaps most) of its members are not living in the rented premises. This confusion is dangerous and leads to the worst examples of bad regulation.
- 2. Each neighborhood's residents and voters deserve the largest voice in how their neighborhood should develop.** The distinctive attraction of New Orleans culture comes organically from within its different neighborhoods, and each neighborhood is different. One size does not fit all. A city-wide rule for short term rentals may be the easiest thing for politicians to do, but it may not be the best thing for every neighborhood.
- 3. Enforcement in New Orleans must be completely restructured.** Without enforcement nothing happens. Rampant illegal rogue hotels without city enforcement is not from a lack of city will or a lack of city resources. It is due to an enforcement structure that is fatally defective and flawed. In July the attorneys who represent ANP demonstrated this unfortunate reality in court filings. As a result, the city stopped the few enforcement proceedings that it had begun. Adding more resources to the existing process will not create more enforcement

Thank you for your consideration.

Kenneth S. Witkowski  
725 Franklin Avenue  
NOLA 70117

504-943-7340

## Nicholas J. Kindel

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**From:** Paul Cramer  
**Sent:** Monday, September 28, 2015 9:06 AM  
**To:** Nicholas J. Kindel  
**Subject:** FW: Short term Rentals - Comments

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**From:** Kenneth Witkowski [<mailto:kwitkow3@cox.net>]  
**Sent:** Sunday, September 27, 2015 2:13 PM  
**To:** Paul Cramer  
**Subject:** Short term Rentals - Comments

Dear Mr. Cramer:

I have the following observations to make about the issue that will be discussed on 9/29/15:

- 1. Rules separated for different treatment.** It is one thing for a homeowner to rent a room out during Mardi Gras or Jazz Fest. It is an entirely different thing for the homeowner of a 4-plex to run the year-round business of weekend tourist rentals in 3 of his 4 units. Even worse is a part-time resident or an absent investor who isn't even present as the transients come and go weekend-after-weekend. The advocacy group Alliance for Neighborhood Prosperity ("ANP") is committed to lumping all types of short-term rentals into one bucket and calling it "Private Home Rentals" even though many (and perhaps most) of its members are not living in the rented premises. This confusion is dangerous and leads to the worst examples of bad regulation.
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Thank you for your consideration.

Kenneth S. Witkowski  
725 Franklin Avenue  
NOLA 70117

504-943-7340

## Nicholas J. Kindel

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**From:** CPCinfo  
**Sent:** Tuesday, September 29, 2015 9:56 AM  
**To:** Nicholas J. Kindel  
**Subject:** FW: City Planning Commission Meeting 9/29 Short-term rentals in Touro Boligny disturb the peace and violate city ordinance and governing condominium documents  
**Attachments:** Public comment for City Planning Commission meeting 9.docx

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**From:** [ssm@jgmclaw.com](mailto:ssm@jgmclaw.com) [<mailto:ssm@jgmclaw.com>]

**Sent:** Sunday, September 27, 2015 2:47 PM

**To:** CPCinfo

**Subject:** City Planning Commission Meeting 9/29 Short-term rentals in Touro Boligny disturb the peace and violate city ordinance and governing condominium documents

Despite having been cited in a letter by the City, our condominium association has an out-of-town owner who persists in renting his condos for short-term hotel rental despite our Condo documents specifically forbidding it. He openly advertises his condos on the website leaving the other owners with a steady stream of strangers violating our security, safety, peaceful possession and potentially causing a loss of insurance. These unknowing hotel guests come to party and feel they've paid good money to do so. The person renting his condos to these strangers laughingly reminded us the news reported that the City Council has not penalized a single lawbreaker. The Zoning Administrator sent a warning letter to cease and desist which was ignored. Our Association's Attorney has sent a Cease & Desist Order to no avail.

There is talk about changing the laws allowing some short-term rental. Short-term rentals should not be allowed in residential, non-tourist areas. We are concerned that any revised ordinances may conflict with current Condominium documents that forbid it and that any revisions will be directly at odds with the expectations of the property owners when they purchased their properties. If any changes are made, they should not affect residential, non-tourist areas. Further, any violations should carry high fines for violators, and penalties should be enforced. In addition, Owners should have to live on the premises to control their boisterous guests. Owners should fear the consequences of breaking the law. At present, the current laws leave citizens whose safety and peaceful possession are being violated with little or no ammunition with which to fight. Thank you and please contact us with any questions.

MARYFLYNN THOMAS  
504-421-8484

SUZIE MAHONEY  
504-388-3511

Public comment for City Planning Commission meeting 9/29/15:

**RE: Short-term rentals in the Touro Boligny disturb the peace and violate city ordinance and governing condominium documents.**

Despite having been cited in a letter by the city, our condominium association has an out-of-town owner who persists in renting his condos for short-term hotel rental despite our Condo documents specifically forbidding it. He openly advertises his condos on the website leaving the other owners with a steady stream of strangers violating our security, safety, peaceful possession and potentially causing a loss of insurance. These unknowing hotel guests come to party and feel they've paid good money to do so. The person renting his condos to these strangers laughingly reminded us the news reported that the City Council has not penalized a single lawbreaker. The Zoning Administrator sent a warning letter to cease and desist which was ignored. Our Association's Attorney has sent a Cease & Desist Order to no avail.

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MARYFLYNN THOMAS  
504-421-8484

SUZIE MAHONEY  
504-388-3511

## Nicholas J. Kindel

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**From:** CPCinfo  
**Sent:** Tuesday, September 29, 2015 9:57 AM  
**To:** Nicholas J. Kindel  
**Subject:** FW: Opposed to short term housing-comments

-----Original Message-----

**From:** Amy Yeostros [<mailto:amyyeostros@yahoo.com>]  
**Sent:** Sunday, September 27, 2015 9:50 PM  
**To:** CPCinfo  
**Subject:** Opposed to short term housing-comments

To Whom it may concern:

I would like to express my opposition to allowing short term rentals in our neighborhoods. While I share the same concerns as many with regards to safety, preserving our neighborhoods and preventing them from turning into tourist districts, etc., a recent event on my block really crystallized for me why I want to live next to neighbors rather than tourists.

Recently, after a long illness, my elderly next door neighbor passed away in her home. When the men from the funeral home came to take the body away, the tourists who were renting my neighbor's property directly across the street were out partying on the porch. The hearse pulled up and the men in black suits came up to the door where my neighbor and I waited. I will never forget the horrible memory of watching our friend's body taken away. My neighbor and I stood at the door crying as the men slowly carried her body down the high front steps. Meanwhile, the "short-term renters" across the street carried on with their party. They laughed and shouted with no regard for what was happening in front of them.

If any other neighbor on my block saw what was happening they would have acted with respect because they live there and knew our neighbor was sick.

Neighbors care for neighborhoods. Tourists do not.

The neighbor who rents out this property to tourists short-term, told me one of her "rules" was that she doesn't allow her renters to hang out on the porch. But she lives in California so she cannot possibly enforce a rule like this or monitor any of her renters' behavior. It's just up to those of us who do live here to put up with it.

While I'm against short-term rentals being allowed at all. If the City Council does approve them, I strongly believe they should be subject to the same taxes and regulations that commercial B&Bs. Also, at the very least, the property owner should inhabit the property being rented.

Thank you for your consideration.

Sincerely,  
Amy Yeostros

Sent from my iPhone

## Nicholas J. Kindel

---

**From:** CPCinfo  
**Sent:** Tuesday, September 29, 2015 9:57 AM  
**To:** Nicholas J. Kindel  
**Subject:** FW: Against full time short rentals

**From:** Constantinos Constantinou [<mailto:costasnola@yahoo.com>]  
**Sent:** Sunday, September 27, 2015 10:18 PM  
**To:** CPCinfo  
**Subject:** Against full time short rentals

I would like to voice my opposition to full time short term rentals. If people would like to enter the hospitality industry then they should compete on equal footing hotels and B&B owners. They need to buy appropriately zoned and licensed properties that abide by all the safety and health requirements.

Bywater is getting overrun by houses that are exclusively used for Airbnb driving permanent residents and renters away. This will create a shell of a neighborhood driving more homeowners away and turning what used to be homes to Airbnb rentals.

Although we welcome tourists many of us work in other industries, like engineering in my case, that require a good nights sleep. Having tourists roaming the streets at any time of the night making noise and being disrespectful is not the reason I invested in my home which I plan living for the rest of my life.

Occasional use for the house while the owners are away for couple of weeks a year is not a big deal. Having full time hospitality business everywhere is not the way to go. If the city wants people like myself around long term that work and pay our taxes and believe create stability and social cohesion it should not allow full time AirBnB

Costas Constantinou  
710 Piety st

Sent from Yahoo Mail for iPad

**Nicholas J. Kindel**

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**From:** info@gvbb.com on behalf of Bonnie Rabe <bonnie@gvbb.com>  
**Sent:** Monday, September 28, 2015 3:42 AM  
**To:** CPCinfo  
**Cc:** Nicholas J. Kindel; Stacy S. Head; Jason R. Williams; Susan G. Guidry; LaToya Cantrell; DistrictC; Jared C. Brossett; James A. Gray; Mayor Mitchell J. Landrieu  
**Subject:** STR Study - Raleigh's last bed-and-breakfast to close, blaming Airbnb

CPC Staff,

Here is another example of how another city is experiencing the same hardships that your New Orleans B&Bs face everyday while our City allows for unfair business practices to coexist with the fully licensed and regulated small businesses that we run. The unlevel playing field makes it extremely difficult to compete.

As licensed small businesses, we spent a lot of money to comply with the City's regulations before we're allowed to open our doors for business. We pay our taxes which supports the infrastructure here, we fit into neighborhoods unobtrusively, and we occupy our buildings as our homes.

New Orleans is supported by small business. Most of the B&Bs here helped to bring our struggling tourism industry back when many businesses closed after 911 and Hurricane Katrina. Yet we are insulted daily by the lack of enforcement for laws on STRs that already exist. Should the City continue along this path, you might be eliminating B&Bs from the New Orleans footprint as well.

Bonnie Rabe, Innkeeper  
Grand Victorian Bed & Breakfast  
and President of PIANO  
[info@gvbb.com](mailto:info@gvbb.com)  
tel: 504-895-1104; toll free: 1-800-977-0008  
2727 St. Charles Avenue  
New Orleans, LA 70130  
New Orleans -- Better Way to Stay advertising campaign

**WAKE COUNTY**

APRIL 19, 2015

# Raleigh's last bed-and-breakfast to close, blaming Airbnb

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## RALEIGH

The city's last registered bed-and-breakfast will shut its doors, and its owners are blaming new competition from a less-regulated Internet service.

The Oakwood Inn Bed & Breakfast will see its last guest on June 1, according to owner Doris Jurkiewicz. Business has plummeted since local homeowners began renting out rooms on the Airbnb service, she said.

"We've been really, very severely impacted for about two years now," said Jurkiewicz.

There are at least nine people renting rooms or homes through Airbnb within blocks of The Oakwood Inn, which sits in the historic Oakwood neighborhood. The Internet service often lists more than 150 rentals throughout Raleigh.

Almost all of the new competition is cheaper than The Oakwood Inn, which charges between \$129 and \$179 for a night in a richly decorated home built in 1871, plus breakfast.

By comparison, an Airbnb user within blocks rents out a "granny flat" apartment for \$123 nightly. A two-bedroom house on East Franklin Street goes for \$126. A single room on Polk Street is \$59, with dinner.

"We've got a lot of competition, but they don't have to play by the same rules," Jurkiewicz said.

She argues that a lack of regulation allows homeowners on Airbnb to undercut her prices. She and her husband, Gary, had to file for a city special-use permit, ensure



the building meets specific design standards and pay taxes on their rental income. They live on the premises.

Their registration as a business also drives up money borrowing costs, she said.

Jurkiewicz has lobbied the Raleigh City Council to enforce some restrictions on Airbnb users. City staffers agree that the Internet rentals are subject to the same rules as The Oakwood Inn. Airbnb's name is short for Air Bed and Breakfast.

The city has cited only one Airbnb user for renting a room, and even that action is frozen as the council works out a plan to potentially legalize the service here.

Business at The Oakwood Inn first declined in 2013, Jurkiewicz said. While the couple previously had 50 percent occupancy in a typical January, that figure dropped to 13 percent last year and 22 percent this year, she said.

The last comparable bed-and-breakfast in Raleigh, the Cameron Park Inn, closed last year as its owners retired.

Gary and Doris Jurkiewicz tried to sell their business last year, but revenues were too low to justify the price they wanted.

They have run the inn since 2001, and the building has been a bed-and-breakfast since 1984. The business will close 31 years after the day it opened.

*Kenney: 919-829-4870;*

Read more here: <http://www.newsobserver.com/news/local/counties/wake-county/article18917151.html#storylink=cpy>

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## Nicholas J. Kindel

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**From:** CPCinfo  
**Sent:** Tuesday, September 29, 2015 9:57 AM  
**To:** Nicholas J. Kindel  
**Subject:** FW: Public Hearing on Short Term Rentals

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**From:** Beverly Fulk [<mailto:beverlyfulk@yahoo.com>]  
**Sent:** Monday, September 28, 2015 12:47 PM  
**To:** CPCinfo  
**Cc:** Patricia Meadowcroft; Meg Lousteau; Bob Simms; Ted Young; Carolyn Dunn Goodwin; Carol Allen  
**Subject:** Public Hearing on Short Term Rentals

Dear Executive Director,

I would like to comment on two detrimental effects with which I'm personally associated.

In my capacity as an Election Commissioner in a French Quarter precinct over the past four years, I've had opportunity to view the voter register. Every year I've watched the number of registered voters dwindle, reflecting fewer residents actually living here. This can only mean the eventual eradication of that crucial balance of citizens needed to provide guidance about so many issues important to a city.

Secondly, as more and more lovely properties are chopped into tiny condos for short term inhabitation, it's reducing the number of apartments available for responsible rental residents. I don't see how simply requiring that a property owner live in one of the units could much improve that number. It still closes the door on a whole sector of valuable renters who want to be involved with improving the community and contributing to the City. Like me. I'm a renter. A single retiree on fixed income.

I'm a big believer that a person shouldn't be a complainer unless he's part of the solution, so I'm embarrassed to say I don't have one. But this Commission is made up of people far smarter than I am, so please, can't you put your heads together to find a way to stop the erosion one of this City's most prized possessions - **AMAZING NEIGHBORHOODS**.

Thank you,  
Beverly Fulk  
1018 Bienville St.

## Nicholas J. Kindel

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**From:** Paul Cramer  
**Sent:** Monday, September 28, 2015 2:10 PM  
**To:** Nicholas J. Kindel  
**Subject:** FW: Short Term Rental Hearing (M-15-391) - Comments  
**Attachments:** Short Term Rental Hearing-Louisiana Landmarks Society Comments 09-29-15.pdf

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**From:** Walter Gallas [<mailto:wgallas@louisianalandmarks.org>]  
**Sent:** Monday, September 28, 2015 12:40 PM  
**To:** CPCinfo  
**Cc:** Paul Cramer; Sandra Stokes  
**Subject:** Short Term Rental Hearing (M-15-391) - Comments

Attached please find the comments from the Louisiana Landmarks Society ahead of tomorrow's CPC hearing on short term rentals in the city.

We appreciate the opportunity to add these comments to the public record.

Walter W. Gallas, AICP  
Executive Director, Louisiana Landmarks Society  
1440 Moss Street, New Orleans, LA 70119  
Ph. 504-482-0312

*Join us for our "Fete du Jardin," Sunday, October 25, 4:00 - 7:00 pm at the Pitot House, 1440 Moss St. Enjoy food and music and help us celebrate our 65<sup>th</sup> anniversary by recognizing all of the Harnett T. Kane Award winners over the years for their lifetime contributions to historic preservation.*

*Visit [www.louisianalandmarks.org](http://www.louisianalandmarks.org) for more information and to purchase tickets for the event.*



# Louisiana Landmarks Society & Pitot House

1440 Moss Street, New Orleans, LA 70119

Ph. 504-482-0312. [www.louisianalandmarks.org](http://www.louisianalandmarks.org)

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**EXECUTIVE DIRECTOR**

Walter W. Gallas, AICP

Robert Rivers,  
Executive Director  
City Planning Commission  
1300 Perdido St., 7W03  
New Orleans, LA 70112

**RE: Short Term Rental**

Dear Mr. Rivers:

Louisiana Landmarks Society appreciates the efforts that the City Council and the City Planning Commission are making to understand and seek to regulate the rental of property on a short-term basis by owners to visitors to New Orleans. We all know that this is an issue faced by cities around the country—in fact, around the world—due to the rapid growth of internet-based listing services, which allow bookings to fly beneath the radar of traditional regulatory controls set up for hotels and registered owner-occupied B & B's .

While engaging in this activity can be financially lucrative to a property owner, it opens up a range of impacts and consequences for the neighborhood in which it takes place. Disruption is caused by the frequent comings and goings of visiting "clients," ongoing parties, and noise. Moreover, living space which could be used by a long-term resident is removed from the housing inventory, housing choices are curtailed and become less affordable, and residents, who would normally be present and committed to improving and stabilizing the neighborhood, disappear. Homes are no longer homes, but cash cows.

You, the city's planners, and its commission have a huge challenge before you. It will not be enough to identify and attempt to codify this particular land use, because it is so closely tied to enforcing any resultant definition.

Entrepreneurial endeavors of this kind need strictly enforced limits and regulations. Without them, this whole effort is wasted and our neighborhoods – one of our City's most important assets—will cease to be livable places.

Sincerely yours,

Walter W. Gallas, AICP  
Executive Director  
Louisiana Landmarks Society

Sandra Stokes  
2nd Vice President  
Chairman of Advocacy

cc: Paul Cramer

## Nicholas J. Kindel

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**From:** CPCinfo  
**Sent:** Tuesday, September 29, 2015 9:57 AM  
**To:** Nicholas J. Kindel  
**Subject:** FW: Comments for public hearing on Short term rentals

-----Original Message-----

From: [dmaiorana@columbus.rr.com](mailto:dmaiorana@columbus.rr.com) [<mailto:dmaiorana@columbus.rr.com>]  
Sent: Monday, September 28, 2015 1:44 PM  
To: CPCinfo  
Subject: Comments for public hearing on Short term rentals

Hello, I am writing to voice my support for legal, regulated, short term rentals in the greater NOLA area. I cannot attend the meeting tomorrow.

I own a house in New Orleans containing one large and one small apartment. For several years we have rented the small (1-bedroom) apartment as an STR. The income from this has enabled us to provide better upkeep on the house overall, which makes ours one of the nicest houses on our street. We purchased the home shortly after Katrina from out of state because we love New Orleans and wanted to have a stake in the city and help it to continue to improve.

We have done so. The home has more curb appeal and a vast array of updates inside and out since we bought it. It's a nicer rental than it was before. Our short term rentals in the smaller unit range from two nights to several months at a time.

Our long-term tenants have already written the city to voice their preference for having the STR attached. Their family stay in the unit when they visit. Other benefits include "not having noise in the neighboring unit every single day" like you would with a regular tenant.

Our neighbors in surrounding houses have been welcoming and friendly. Neighboring businesses benefit by the added foot traffic and \$\$ from our guests, and have been helpful sharing contacts with us for plumbing, HVAC, and electrical work to be done. We employ more than one person who lives in the neighborhood to help with the house.

I am concerned that only a vocal minority and a few "difficult locations" are making this seem like a huge issue for the city, whereas many of us have always been willing and ready to pay fees, taxes etc. to make this operation legal.

Reasonable limits, such as limiting the number of STR units in a given area or how many STR units may be owned by the same entity make sense to me. Likewise, enactment of a pathway for complaints and enforcement should be addressed. I do not think there is any good reason that the owner needs to live on site.

New Orleans is not like other cities -- In some ways it's like a less-developed country. Without tourism, NOLA might cease to exist as we know and love it. That's a fact that residents need to accept. It's what draws investment to the city. And studies have shown that STRs are not cutting into hotel business. It's a different niche. When my husband and I travel to NOLA, we typically stay in hotels. But when we visit with our children, we typically stay in STRs.

NOLA is not like San Fran or NYC. NOLA needs legal STRs, at least for the time being. I encourage you to work to legalize STRs and use the fees from this to boost city infrastructure.

Thank you for your consideration,  
Dina Maiorana

## Nicholas J. Kindel

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**From:** CPCInfo  
**Sent:** Tuesday, September 29, 2015 9:58 AM  
**To:** Nicholas J. Kindel  
**Subject:** FW: Short-Term Rental hearing (M-15-391)

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**From:** Claire McIntire [<mailto:clmcintire@att.net>]  
**Sent:** Monday, September 28, 2015 1:50 PM  
**To:** CPCInfo; CPCInfo  
**Cc:** Paul Cramer  
**Subject:** Short-Term Rental hearing (M-15-391)

Dear Mr. Rivers and the CPC:

All cities, including New Orleans, have zoning laws. Our new CZO took much work to craft. Yet how are buyers to know where to safely buy a home zoned "residential" in New Orleans? They cannot, according to Councilmember Head's arguments (per the 1/22/15 Uptown Messenger) for allowing short term rentals: *property owners should be allowed to use their property as desired as long as it does not negatively impact neighbors*. In that same online news article, Ms. Head outlines her ideas on how legal STRs would be legislated and regulated. I **strongly oppose** this change and have some thoughts in response:

- It seems incredibly naive to think that people renting out units short-term, who have a demonstrated disregard for the laws of our city, would suddenly sign up to pay fees to do what they are already doing.
- Should we be changing laws to the detriment of taxpayers just to collect fees?
- **How can a new law be easier to enforce than an old one?**
- Having a homestead exemption on one's property doesn't mean one is always at home...especially if a hefty fee can be made by temporarily renting out your home.
- People are buying properties for the sole purpose of renting them out short-term. This undermines what makes our neighborhoods in NOLA so wonderful.
- A nearby STR unit leaves the neighbors calling a phone number ringing in an empty room and calling City Hall on the weekday, when the renter has already left town...and waking up tired children to go to school after they've listened to taxicab horns blasting and noisy visitors coming and going at vacationers' hours.

**There is a difference between residents and visitors that necessitates they live in different places in town: residents need to be up early for work and school,**

**while visitors are on vacation hours.** Even visitors who aren't living the bachelor-party lifestyle are leading a different life than they do while they are at home. **We should be allowed to live our lives as residents while we are at home.** Let visitors stay in obvious hotels when they visit our city. Then we can choose to buy a home by a hotel or to not.

Until one has had a parked car hit by STR visitors or cabs blaring and people coming and going at all hours, as we have had on our block, it is impossible for one to imagine the impact this change of laws would have on residents. **Difficult to enforce or not, let the current law prohibiting STRs in residential neighborhoods stand.**

Stacy Head and the City Council need to rethink the direction they are headed with this situation. I have faith that their main motivation and efforts will be to enhance quality of life for the hard-working taxpayers of New Orleans. That hope is all that makes our increasing taxes and fees bearable.

Claire McIntire  
4819 Carondelet Street



## Nicholas J. Kindel

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**From:** CPCInfo  
**Sent:** Tuesday, September 29, 2015 9:58 AM  
**To:** Nicholas J. Kindel  
**Subject:** FW: CPC Short-Term Rental Study: Initial and Preliminary Submission by the Short-Term Rental Committee  
**Attachments:** Memo CPC re study process.docx

**From:** brfurness@aol.com [mailto:brfurness@aol.com]  
**Sent:** Monday, September 28, 2015 2:12 PM  
**To:** CPCInfo  
**Subject:** CPC Short-Term Rental Study: Initial and Preliminary Submission by the Short-Term Rental Committee

Below (and attached) is the initial and preliminary submission by the Short-Term Rental Committee with respect to the study of short-term rental issues as called for in City Council Motion M-15-391.

Respectfully submitted,

Brian R. Furness,  
Chair, Short-Term Rental Committee

[info@noshort-term.org](mailto:info@noshort-term.org)  
504-525-4433 (personal/business)  
202-374-8905 (cell)

Short-Term Rental Committee  
New Orleans, Louisiana  
[info@noshort-term.org](mailto:info@noshort-term.org)

September 25, 2015

## MEMORANDUM

**TO:** Robert Rivers  
Executive Director, City Planning Commission

**FROM:** Brian R. Furness  
Chair, Short-Term Rental Committee (STRC)

**SUBJECT:** Short-Term Rentals: Study Required by Council Motion M-15-391

Short-term rentals are an issue important to New Orleans's residents and neighborhoods, just as the issue has been important to the residents of other cities around the world. The issue arouses strong feelings and concerns that have been expressed by residents and neighborhood representatives at Council committee hearings and Council proceedings. We expect that these concerns and feelings will be expressed at the CPC's September 29 meeting.

We agree that a major emphasis of the September 29 meeting should be to identify key land use issues to be addressed in the report to the Council. The STRC's initial and preliminary contribution to this effort, using the framework set out in the Council Motion, is as follows (and is set out in the attachment). Briefly, the STRC:

1. Sees no need to change the definition approved by the Council in 2013.
2. Concurs that limitations on size, and other restrictions, are appropriate and could largely be covered under General, Primary, and/or Accessory Use standards. Those particularly important include requiring that the owner be on-site during the rental and limitations on density and intensity of use;
3. Considers that short-term rentals are basically a commercial use, and recommends no expansion as a "permitted" use in residential and mixed-use districts;
4. Suggests that "supplementary use standards" applicable to specific districts be discussed after consideration of General, Principal, and Accessory Uses;
5. Recommends caution in considering a permitting regime to accommodate temporary and specific event usages;
6. Supports the Motion's admonition to analyze the experience of other jurisdictions. This should begin with an understanding of the situation in New Orleans, which has been described in *independent* studies; and
7. Endorses strongly the proposition that there should be a "level playing field," and looks to lodging industry representatives particularly to make recommendations in this respect.

The STRC believes further that the CPC must address, or be informed by, issues not explicitly set out in the Council Motion. These issues include:

- Resident displacement, housing availability, and housing affordability; issues supremely important to the preservation of New Orleans's neighborhoods;
- Enforceability and enforcement, especially in view of the City's unwillingness or inability to enforce current short-term rental law and regulation;
- Role of internet platforms, especially recognizing that internet platforms facilitate the use and fuel the expansion of short-term rentals, and must thus assume responsibility for divulging information designed to help City authorities identify, monitor, and discipline short-term rentals.

We note with approval your indication that the September 29 meeting will be followed by staff-stakeholder meetings to flesh out and further explore responses to the issues identified. The Short-Term Rental Committee, which has worked on short-term rental issues for the last 20 or so years, looks forward to participation in these meetings.

The CPC study can, we believe, make an important contribution to the discussion of short-term rental issues. We hope the Council will be similarly diligent in its consideration of possible companion legislation. We look forward to participating further, and are prepared, of course, to respond to any questions that you or your staff may have.

Attachment – as noted  
**ATTACHMENT**

## **SHORT-TERM RENTALS**

### **KEY ISSUES**

Short-term rentals pose many concerns for residents, especially when operated as businesses by absentee landlords, many of whom are corporate investors with no stake in the neighborhood beyond profit. Amplified through

internet platforms such as AirBnB, HomeAway, and VRBO, the issues become complex and are no longer addressed by existing regulation of fixed-facility hotels.

The Council mandate identifies issues including the desirability of consistency between the City Code and the CZO, and to include in its report recommendations as to:

1. Whether there could be a more appropriate definition of the of use currently referred to as “Short-Term Rentals”:

In 2013, the City Council considered and approved changing the definition to that currently in use. The definition is appropriately broad, generally consistent with Federal practice<sup>[1]</sup>, and consistent with the definition used in elsewhere in the City’s ordinances.

2. Whether such definition should include a limitation on the size ... such as a limitation on the number of bedrooms or dwelling units.

The CZO establishes use standards for many categories: B&Bs, for instance, have General (applied to all B&Bs), Principal (large B&Bs) and Accessory Use (smaller B&Bs) standards, which provide limitations specifically geared to each category.

Short-term rentals currently have no defined use standards. The STRC understands the logic of applying use standards to short-term rentals.<sup>[2]</sup> Keeping in mind that land use regulation is particularly aimed at preserving and protecting neighborhood character and quality-of-life, particularly relevant standards include owner-occupancy (see below), limitations on the number of units available for overnight occupancy, density (i.e., number permitted per blockface or other measurement of the number of lodging establishments in a particular area), intensity of use (including the number of nights allowed, occupancy), traffic and parking, and other conditions designed to mitigate the impact of short-term rentals on residential and mixed-use districts. Account must also be taken of the need to minimize resident displacement and preserve housing affordability, as set out in more detail below.

*Owner-occupancy.* The STRC believes that owner-occupancy is a key issue. Evidence points to occupancy as a key factor in mitigating the impact of short-term rentals on neighbor/neighborhood quality-of-life and indeed, owner presence is required for currently permitted B&Bs and other lodging establishments. Simple availability, such as having an on-call presence and/or defining a response time, is completely and demonstrably inadequate. The STRC strongly *supports* that short-term rentals must have an on-site presence.

*Density and intensity of use.* Neighbor/neighborhood concerns regarding degradation of neighborhood comity and quality-of-life sharply increase with density and intensity of use — as with other commercial usages. Density, the number of units available per blockface (the limitation currently in the CZO for B&Bs), is particularly important; in many cases neighborhood character is undermined when streets and sidewalks are frequented by non-residents with no stake in the neighborhood, or in being neighborly. The impact of short-term rentals also depends, in part, on the frequency of commercial usage, the number of guests accommodated, and the number of nights occupied. These issues can, and should be addressed in use standards, and include limitations on the number of days and/or events.

3. Where the use should be prohibited, a conditional use, or a permitted use.

The primary purpose of zoning is to segregate different usages, particularly those that are thought to be incompatible. Most relevant in the case of short-term rentals is the difference between commercial and residential, and, in mixed-use districts, maintaining a balance between the two. It must be clear that short-term rental is a *commercial* use, as is any activity in which services are provided for remuneration. This is

consistent with federal, state and city tax and other laws regarding commercial activity, and with any commonsense consideration.

In New Orleans, short-term rentals are currently permitted as a matter of right only in a limited number of districts generally consistent with their commercial character. They are a conditional use in a small number of districts, and thus subject to a review process.

B&Bs, by contrast, are permitted in some residential and commercial districts as a matter of right, and as a conditional use in others. B&Bs, however, are subject to General Standards, and to Accessory or Principal Use standards.

The STRC *opposes* expanding the coverage of short-term rentals as a permitted or conditional use in residential and in mixed-use commercial/residential (most historic districts, such as those in the Faubourg Marigny where B&Bs are either a permitted or conditional use). This applies especially in the absence of standards as applied to B&Bs with similar lodging capacity (including the owner-occupancy requirement) and in the absence of a review mechanism (as applied to conditional uses) that mandates notification of neighbors and establishes a public review process.

The STRC *supports* continuing to ban short-term rentals in areas under particular stress, including those areas in which B&Bs are currently prohibited in the CZO (e.g., French Quarter and Garden District).

4. Whether any supplemental use standards are necessary.

Most necessary restrictions can likely be included in general, principal, and accessory use standards. Supplemental use standards may appropriately reflect particular conditions in particular districts, and should grow out of the dialog on a district-by-district basis.

5. If it is appropriate to create a temporary use or any additional specific requirements.

*One-time or exceptional usage.* The STRC would be prepared to consider an interpretation of “temporary use” if such would encompass some kind of one-time or occasional, extraordinary occasion permit (similar, perhaps, to the use of Mayoralty Permits to permit the one-time sale of goods at special events), provided that the issuance is subject to stringent conditions, including limitations on the frequency and consultation with/notification of neighbors.

6. Best practices based on a study of recently enacted regulations elsewhere in the United States.

A further contribution from the study will be a better understanding of the extent of short-term rentals in New Orleans, and *independent* studies — we urge caution in the use or citation of studies commissioned by stakeholders — of the effect of short-term rentals. We note that the Council resolution calls for a review of the experience in other cities; we commend particularly Austin, San Francisco, Portland, San Antonio, New York, and Key West to your attention. A lodging industry website ([www.skift.com](http://www.skift.com)) has commissioned several studies on AirBnB’s practices and penetration. Councilmember Head has mentioned Charleston’s short-term rental policies as a model for the French Quarter.

7. Amendment of the City’s bed-and-breakfast regulations.

The STRC has long maintained that there should be a “level playing field”; that is, that short-term rentals be subject to permitting and regulation substantially similar to permitted/licensed B&Bs and other like uses. We would look to lodging industry representatives, such as the Professional Innkeepers Association of New Orleans (PIANO) to take the lead in this area. We are open-minded on the issue of whether changes, if any, should reduce the burden on establishments permitted under current law and regulation as long as any short-term

rentals permitted under any changes be subject to substantially the same requirements. We note that many of the use standards contain provisions particularly aimed at the safety of visitors.

## Other issues

The STRC further recommends that the CPC's consideration of short-term rental land use issues include:

1. *Resident Displacement, Housing Availability, Housing Affordability.* The STRC strongly advocates that whole house short-term rentals should be prohibited in residential and in mixed-use districts. As stated by the Office of Economic Analysis, Office of the Controller, City and County of San Francisco in May 2015: "If short-term renting results in the withdrawal of a housing unit from the residential market, then the reduced supply would lead to higher housing costs. The citywide economic harms associated with higher housing costs are fairly severe. . . [It] exceeds the annual total economic benefit from visitor spending, host income, and hotel tax, given prevailing short-term rental rates. On a net basis, then, *a housing unit withdrawn from the market to be used for short-term rentals produces a negative economic impact on the city, even if the unit generates host income, visitor spending, and hotel tax every day of the year.*" (emphasis added)
2. *Enforceability.* The STRC believes strongly that the CPC must address the issue of enforcement; that is, will any recommendations for change be enforceable or enforced. The existing enforcement mechanism is, apparently, fatally flawed. The defendants in *Page vs the City of New Orleans* raised Constitutional due process and administrative issues, casting into doubt both short-term rental enforcement actions and all CZO enforcement actions. Although the judge denied the request for a temporary restraining order, the City continued the pending cases and has proffered neither a rationale for its refusal to proceed or a cure for the legal issues identified. The STRC believes strongly that redress for violations must be quick, cheap, easy and effective, and that any changes to existing rules must adhere to these criteria.

Some posit that City ordinances already address many quality-of-life effects (noise, unruly behavior, public safety, public urination, etc.) on neighbors and neighborhoods. Even if City authorities actively enforced quality-of-life ordinances — which they do not do now and give no indication that they will in the future —, such enforcement occurs only *after* the neighborhood-damaging event has already occurred.

3. *Internet Platforms.* Key to the recent expansion of short-term rentals is the internet, which greatly facilitates contacts between renter and rentee. Specialized internet platforms, such as VRBO, AirBnB, Craig's List and HomeAway, serve as intermediaries or agents (AirBnB). Thus far, however, internet platforms have declined (except in some cases under court order) to provide information on rentals that would help city taxing and assessment authorities identify and monitor short-term rentals. The STRC believes strongly that internet platforms should be required to provide timely information to City authorities with respect to beneficial ownership, property location, and usage, at least on a par with the requirements on permitted/licensed establishments that report such usage monthly (Form 8010, which collects applicable sales and occupancy taxes). The STRC further agrees with those who believe that listings, such as those on the internet, include the City permit number (keeping in mind that City ordinance, currently unenforced, makes illegal the act of offering accommodations contrary to the 30- and 60-day rules).

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[1] The U.S. Department of Housing and Urban Development, citing Sec. 513(a) of the National Housing Act, defines “transient or hotel purposes” to be “any rental for a period less than 30 days.” Form HUD-92561.

[2] The STRC hopes that the CPC will at least address the possibility that use standards for short-term rentals are unnecessary. Short-term rentals, in many cases, are inseparable from B&Bs and we see no per se reason that possible use standards would be markedly different.

Short-Term Rental Committee  
New Orleans, Louisiana  
info@noshort-term.org

September 25, 2015

MEMORANDUM

TO: Robert Rivers  
Executive Director, City Planning Commission

FROM: Brian R. Furness  
Chair, Short-Term Rental Committee (STRC)

SUBJECT: Short-Term Rentals: Study Required by Council Motion M-15-391

Short-term rentals are an issue important to New Orleans's residents and neighborhoods, just as the issue has been important to the residents of other cities around the world. The issue arouses strong feelings and concerns that have been expressed by residents and neighborhood representatives at Council committee hearings and Council proceedings. We expect that these concerns and feelings will be expressed at the CPC's September 29 meeting.

We agree that a major emphasis of the September 29 meeting should be to identify key land use issues to be addressed in the report to the Council. The STRC's initial and preliminary contribution to this effort, using the framework set out in the Council Motion, is as follows (and is set out in the attachment). Briefly, the STRC:

1. Sees no need to change the definition approved by the Council in 2013.
2. Concurs that limitations on size, and other restrictions, are appropriate and could largely be covered under General, Primary, and/or Accessory Use standards. Those particularly important include requiring that the owner be on-site during the rental and limitations on density and intensity of use;
3. Considers that short-term rentals are basically a commercial use, and recommends no expansion as a "permitted" use in residential and mixed-use districts;
4. Suggests that "supplementary use standards" applicable to specific districts be discussed after consideration of General, Principal, and Accessory Uses;
5. Recommends caution in considering a permitting regime to accommodate temporary and specific event usages;
6. Supports the Motion's admonition to analyze the experience of other jurisdictions. This should begin with an understanding of the situation in New Orleans, which has been described in *independent* studies; and

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The Short-Term Rental Committee is composed of people from across New Orleans who advocate for the protection of neighborhoods from the intrusion of illegal short-term rentals, which introduce commercial uses into residential areas, displace actual residents, and undermine the very building blocks of our city.

7. Endorses strongly the proposition that there should be a “level playing field,” and looks to lodging industry representatives particularly to make recommendations in this respect.

The STRC believes further that the CPC must address, or be informed by, issues not explicitly set out in the Council Motion. These issues include:

- Resident displacement, housing availability, and housing affordability; issues supremely important to the preservation of New Orleans’s neighborhoods;
- Enforceability and enforcement, especially in view of the City’s unwillingness or inability to enforce current short-term rental law and regulation;
- Role of internet platforms, especially recognizing that internet platforms facilitate the use and fuel the expansion of short-term rentals, and must thus assume responsibility for divulging information designed to help City authorities identify, monitor, and discipline short-term rentals.

We note with approval your indication that the September 29 meeting will be followed by staff-stakeholder meetings to flesh out and further explore responses to the issues identified. The Short-Term Rental Committee, which has worked on short-term rental issues for the last 20 or so years, looks forward to participation in these meetings.

The CPC study can, we believe, make an important contribution to the discussion of short-term rental issues. We hope the Council will be similarly diligent in its consideration of possible companion legislation. We look forward to participating further, and are prepared, of course, to respond to any questions that you or your staff may have.

Attachment – as noted



## ATTACHMENT

## SHORT-TERM RENTALS

## KEY ISSUES

Short-term rentals pose many concerns for residents, especially when operated as businesses by absentee landlords, many of whom are corporate investors with no stake in the neighborhood beyond profit. Amplified through internet platforms such as AirBnB, HomeAway, and VRBO, the issues become complex and are no longer addressed by existing regulation of fixed-facility hotels.

The Council mandate identifies issues including the desirability of consistency between the City Code and the CZO, and to include in its report recommendations as to:

1. Whether there could be a more appropriate definition of the of use currently referred to as “Short-Term Rentals”:

In 2013, the City Council considered and approved changing the definition to that currently in use. The definition is appropriately broad, generally consistent with Federal practice<sup>1</sup>, and consistent with the definition used in elsewhere in the City’s ordinances.

2. Whether such definition should include a limitation on the size ... such as a limitation on the number of bedrooms or dwelling units.

The CZO establishes use standards for many categories. B&Bs, for instance, have General (applied to all B&Bs), Principal (large B&Bs) and Accessory Use (smaller B&Bs) standards, which provide limitations specifically geared to each category.

Short-term rentals currently have no defined use standards. The STRC understands the logic of applying use standards to short-term rentals.<sup>2</sup> Keeping in mind that land use regulation is particularly aimed at preserving and protecting neighborhood character and quality-of-life, particularly relevant standards include owner-occupancy (see below), limitations on the number of units available for overnight occupancy, density (i.e., number permitted per blockface or other measurement of the number of lodging establishments in a particular area), intensity of use (including the number of nights allowed, occupancy), traffic and parking, and other conditions designed to mitigate the impact of short-term rentals on residential and mixed-use districts. Account must also be

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<sup>1</sup> The U.S. Department of Housing and Urban Development, citing Sec. 513(a) of the National Housing Act, defines “transient or hotel purposes” to be “any rental for a period less than 30 days.” Form HUD-92561.

<sup>2</sup> The STRC hopes that the CPC will at least address the possibility that use standards for short-term rentals are unnecessary. Short-term rentals, in many cases, are inseparable from B&Bs and we see no per se reason that possible use standards would be markedly different.

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taken of the need to minimize resident displacement and preserve housing affordability, as set out in more detail below.

*Owner-occupancy.* The STRC believes that owner-occupancy is a key issue. Evidence points to occupancy as a key factor in mitigating the impact of short-term rentals on neighbor/neighborhood quality-of-life and indeed, owner presence is required for currently permitted B&Bs and other lodging establishments. Simple availability, such as having an on-call presence and/or defining a response time, is completely and demonstrably inadequate. The STRC strongly *supports* that short-term rentals must have an on-site presence.

*Density and intensity of use.* Neighbor/neighborhood concerns regarding degradation of neighborhood comity and quality-of-life sharply increase with density and intensity of use — as with other commercial usages. Density, the number of units available per blockface (the limitation currently in the CZO for B&Bs), is particularly important; in many cases neighborhood character is undermined when streets and sidewalks are frequented by non-residents with no stake in the neighborhood, or in being neighborly. The impact of short-term rentals also depends, in part, on the frequency of commercial usage, the number of guests accommodated, and the number of nights occupied. These issues can, and should be addressed in use standards, and include limitations on the number of days and/or events.

3. Where the use should be prohibited, a conditional use, or a permitted use.

The primary purpose of zoning is to segregate different usages, particularly those that are thought to be incompatible. Most relevant in the case of short-term rentals is the difference between commercial and residential, and, in mixed-use districts, maintaining a balance between the two. It must be clear that short-term rental is a *commercial* use, as is any activity in which services are provided for remuneration. This is consistent with federal, state and city tax and other laws regarding commercial activity, and with any commonsense consideration.

In New Orleans, short-term rentals are currently permitted as a matter of right only in a limited number of districts generally consistent with their commercial character. They are a conditional use in a small number of districts, and thus subject to a review process.

B&Bs, by contrast, are permitted in some residential and commercial districts as a matter of right, and as a conditional use in others. B&Bs, however, are subject to General Standards, and to Accessory or Principal Use standards.

The STRC *opposes* expanding the coverage of short-term rentals as a permitted or conditional use in residential and in mixed-use commercial/residential (most historic districts, such as those in the Faubourg Marigny where B&Bs are either a permitted or conditional use). This applies especially in the absence of standards as applied to B&Bs with similar lodging capacity (including the owner-occupancy requirement)

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and in the absence of a review mechanism (as applied to conditional uses) that mandates notification of neighbors and establishes a public review process.

The STRC *supports* continuing to ban short-term rentals in areas under particular stress, including those areas in which B&Bs are currently prohibited in the CZO (e.g., French Quarter and Garden District).

4. Whether any supplemental use standards are necessary.

Most necessary restrictions can likely be included in general, principal, and accessory use standards. Supplemental use standards may appropriately reflect particular conditions in particular districts, and should grow out of the dialog on a district-by-district basis.

5. If it is appropriate to create a temporary use or any additional specific requirements.

*One-time or exceptional usage.* The STRC would be prepared to consider an interpretation of “temporary use” if such would encompass some kind of one-time or occasional, extraordinary occasion permit (similar, perhaps, to the use of Mayoralty Permits to permit the one-time sale of goods at special events), provided that the issuance is subject to stringent conditions, including limitations on the frequency and consultation with/notification of neighbors.

6. Best practices based on a study of recently enacted regulations elsewhere in the United States.

A further contribution from the study will be a better understanding of the extent of short-term rentals in New Orleans, and *independent* studies — we urge caution in the use or citation of studies commissioned by stakeholders — of the effect of short-term rentals. We note that the Council resolution calls for a review of the experience in other cities; we commend particularly Austin, San Francisco, Portland, San Antonio, New York, and Key West to your attention. A lodging industry website ([www.skift.com](http://www.skift.com)) has commissioned several studies on AirBnB’s practices and penetration. Councilmember Head has mentioned Charleston’s short-term rental policies as a model for the French Quarter.

7. Amendment of the City’s bed-and-breakfast regulations.

The STRC has long maintained that there should be a “level playing field”; that is, that short-term rentals be subject to permitting and regulation substantially similar to permitted/licensed B&Bs and other like uses. We would look to lodging industry representatives, such as the Professional Innkeepers Association of New Orleans (PIANO) to take the lead in this area. We are open-minded on the issue of whether changes, if any, should reduce the burden on establishments permitted under current law and regulation as long as any short-term rentals permitted under any changes be subject to substantially the same requirements. We note that many of the use standards contain provisions particularly aimed at the safety of visitors.

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## Other issues

The STRC further recommends that the CPC's consideration of short-term rental land use issues include:

1. *Resident Displacement, Housing Availability, Housing Affordability.* The STRC strongly advocates that whole house short-term rentals should be prohibited in residential and in mixed-use districts. As stated by the Office of Economic Analysis, Office of the Controller, City and County of San Francisco in May 2015: "If short-term renting results in the withdrawal of a housing unit from the residential market, then the reduced supply would lead to higher housing costs. The citywide economic harms associated with higher housing costs are fairly severe. . . [It] exceeds the annual total economic benefit from visitor spending, host income, and hotel tax, given prevailing short-term rental rates. On a net basis, then, *a housing unit withdrawn from the market to be used for short-term rentals produces a negative economic impact on the city, even if the unit generates host income, visitor spending, and hotel tax every day of the year.*" (emphasis added)
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## Nicholas J. Kindel

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**From:** CPCInfo  
**Sent:** Tuesday, September 29, 2015 9:58 AM  
**To:** Nicholas J. Kindel  
**Subject:** FW: Recommendation: Short Term Rental Legislation

**From:** M. BButler [<mailto:bethbutler.south@gmail.com>]  
**Sent:** Monday, September 28, 2015 2:32 PM  
**To:** CPCInfo  
**Subject:** Recommendation: Short Term Rental Legislation

To: Planning Commission Members and Staff:

Please consider these recommendations for the Short Term Rentals Legislation:

Historic/Higher Income Neighborhoods -- Owners must reside on properties in Air BnB, SRO's - monthly rentals, Bed n Breakfasts, etc.

Low to Moderate income neighborhoods - Owner must reside within the same community as their rental property.

The fees need to reflect the income from the properties, ie, sliding scale fees.

The actual enforcement is key too, and the crime needs to fit the punishment. Non residential ownership would be highest punishable factor, so it would be the steepest fine, such as \$1000/per month.

Thanks,

Beth Butler  
A Community Voice  
2221 St. Claude  
New Orleans, LA 70117

## Nicholas J. Kindel

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**From:** CPCinfo  
**Sent:** Tuesday, September 29, 2015 9:58 AM  
**To:** Nicholas J. Kindel  
**Subject:** FW: vacation rental support letter

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**From:** [2groove2@cox.net](mailto:2groove2@cox.net) [<mailto:2groove2@cox.net>]  
**Sent:** Monday, September 28, 2015 2:54 PM  
**To:** CPCinfo  
**Subject:** vacation rental support letter

To whom it may concern on the city planning committee,

I write in regards to the vacation rental regulations, which are being drafted by your group, to voice my SUPPORT for a legal vacation rental market. I will be brief as I know your hearing from a lot of citizens this week regarding the matter. The following are a list of ideas that may find a negotiable common ground between the supports and those against.

- 1) Limit 2 or 3 registered properties per owner so that no landlord can exclusively rent vacation rentals, drastically limiting any damage the vacation rental market may cause in regards to limiting apartments for rent.
- 2) Limit the total number of vacation rental units to 2500 city wide, and have them evenly distributed between sections of the city.
- 3) \$750 a year registration fee per house will not only generate money for the city but also cut the number down in regards to those houses that don't stay rented.
- 4) 1 inspection per property per year but city the city official running the program.
- 5) Limiting based on any sort of homestead exemption is unfair because many people, like my family, have our 2<sup>nd</sup> home (which at one time was our first home) in New Orleans and we now rent it out when we are out of town which allows us to still enjoy the city. We had to move out after the storm but were very glad we could keep a house to use part of the year and cover the expenses with rental. Taxes, utilities, and other property expenses have gotten out of control in the city across the board.

Thanks

James Harding

504-232-5618

## Nicholas J. Kindel

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**From:** CPCInfo  
**Sent:** Tuesday, September 29, 2015 9:58 AM  
**To:** Nicholas J. Kindel  
**Subject:** FW: Discussion/debate on short term rentals  
**Attachments:** Industrial Chic Creole Cottage VRBO Listing.docx

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**From:** Cynthia Scott [<mailto:cynthiascott2000@bellsouth.net>]  
**Sent:** Monday, September 28, 2015 3:46 PM  
**To:** CPCInfo  
**Subject:** Discussion/debate on short term rentals

Dear City Planning Commission,

I am writing to make a plea for the sanctity of the "ordinary" neighborhoods and full time residents of New Orleans. The proliferation of illegal short term rentals throughout the city threatens to turn every neighborhood into a commercial tourist zone populated by transients. Affordable housing is a thing of the past for hardworking residents because landlords are finding it more attractive to rent short term to visitors.

This protest does not include people who need to rent space in the house they personally inhabit in order to make ends meet. I am speaking of the absentee owners and even renters who freely rent their spaces to all comers and are not present to ensure that neighbors are not disturbed. I live on a small one-way street, formerly residential, which has been invaded by an upscale illegal hotel specializing in renting to groups and parties. Many times we have been awakened by loud partying or people returning drunk from the French Quarter in the wee hours, but the owners don't answer the phone at that point.

Of course we can't ban all short term rentals, that cow is out of the barn. But we can use best practices from other cities to regulate them so that only people living on the premises can participate. Absentee owners and people who have turned multiple properties into illegal gold mines should be prohibited from exploiting our residential neighborhoods.

I realize that all laws come down to enforcement and we are a city with slim resources (which would improve if short term rentals were regulated and taxed!). If you will allow neighbors to do the research on illegal properties (see attached) and present this to the city, this will leave paid manpower free for enforcement.

Yours sincerely,

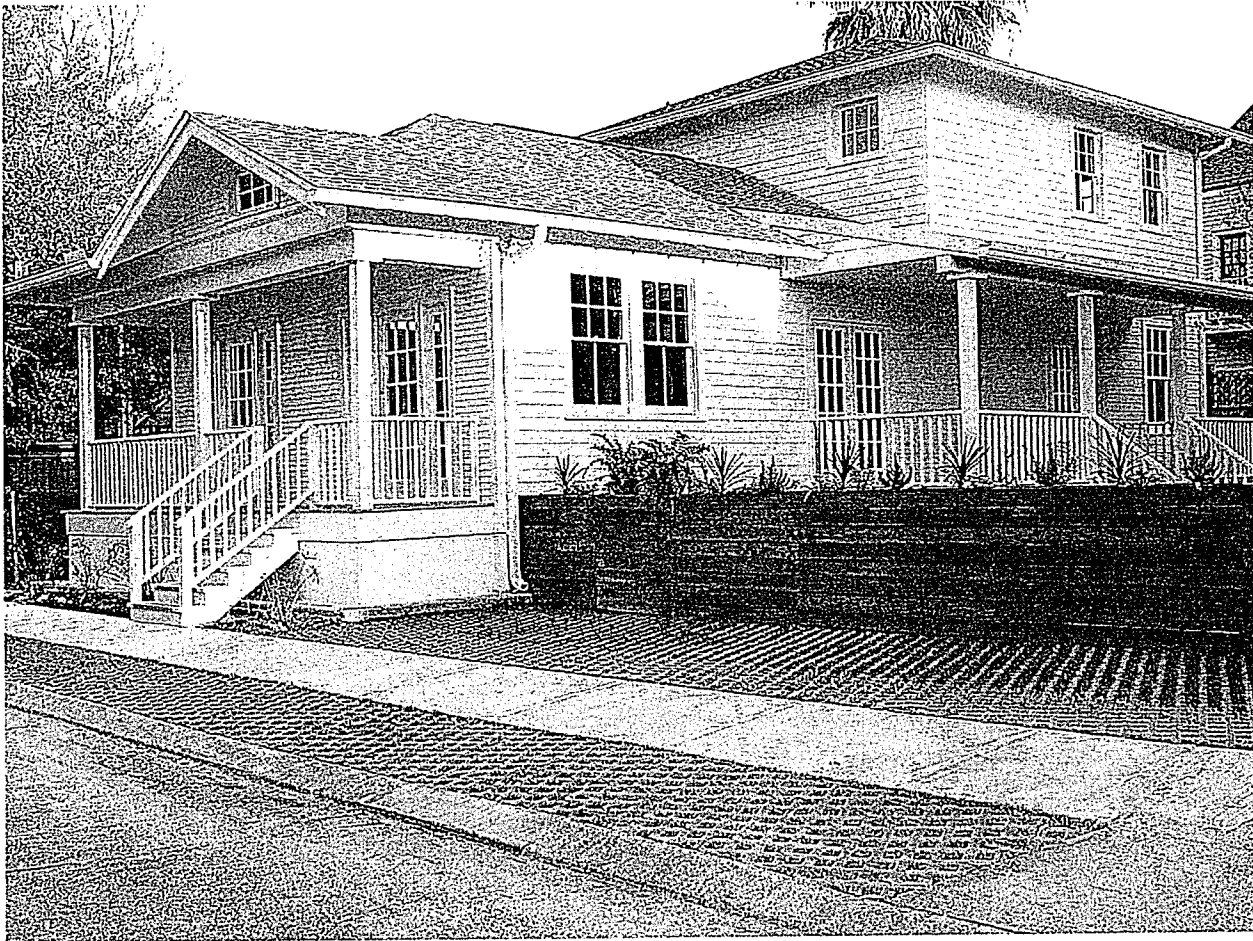
Cynthia



# Industrial Chic Creole Cottage

VRBO Listing #574517

*2864 Ponce de Leon St., NOLA 70119. No mail is received here. No one actually lives here. It is an unlicensed hotel.*



- **Minimum stay:**3-6 nights
- **Internet:**Yes
- **Pets considered:**No
- **Wheel chair accessible:**N/A

## Property description

Southern luxury at its best! The property features high ceilings with exposed beams, beautiful reclaimed hardwood floors, stunning industrial lighting, brand new kitchen, all new stainless steel appliances, wash/dryer, two porches, incredible master suite with walk in closet and private bathroom with gorgeous moroccan tile and polished cement floors. The decor and furnishings were perfectly curated with the esthetic mix of modern industrial chic. This esthetic includes, Eames chairs, interesting antiques, leather cigar chair's, beautifully restored vintage rod iron beds, and much more. The property also includes 2 flat screen tv's with cable and netflixs, high speed internet and a salt water pool. All linens and toiletries are include as well.

## Property Type

- House
- 2200 sq. ft.

## Accommodation Type

- Vacation Rental

## Meals

- Catering Available
- Breakfast - Booking Possible
- Lunch - Booking Possible
- Dinner - Booking Possible

## Onsite Services

- Housekeeper Optional
- Massage
- Private Chef

## Suitability

- Minimum Age Limit For Renters:  
*25 years and older*
- Children Welcome
- Non Smoking Only
- Pets Not Allowed

## Bedrooms: 4 Bedrooms, Sleeps 9, Beds for 7-9

- Master bedroom: 1 king  
*Gorgeous Private bath with Moroccan tile and luxury linens*
- Spacious queen room: 1 queen  
*Walk in closet, lots of windows*
- Studio (next door): 1 queen
- Buddy room, it's always fun to share: 1 double, 1 twin/ single  
*Original cast iron twin & double bed with luxurious bedding*
- Beautiful reclaimed wooden floors, walk in closet, flat screen tv and French doors to side porch

## Bathrooms: 2 Bathrooms, 1 Half Bathroom

- Fit for a Master: toilet, shower  
*Double sinks, sealed cement floors spacious, lots of light*
- Guest Bathroom : toilet
- Bathroom for a Queen: toilet, combination tub/shower  
*Brand new and all white with lots of natural light*

## Other Amenities

- A true live like a local experience... If you need additional space I also have a beautiful studio that sleeps 2 next door. Vrbo#554804

## Dining

- Child's Highchair
- Dining
- Dining Area
- Seating for 6 people

## General

- Air Conditioning
- Clothes Dryer
- Hair Dryer

- Heating
- Internet
- Iron & Board
- Linens Provided
- Living Room
- Parking
- Towels Provided
- Washing Machine

#### Kitchen

- Coffee Maker
- Dishes & Utensils
- Dishwasher
- Kitchen
- Microwave
- Oven
- Pantry Items
- Refrigerator
- Stove
- Toaster

#### Outside

- Bicycles
- Deck / Patio
- Lawn / Garden
- Outdoor Grill

#### Pool / Spa

- Communal Pool
- Heated Pool

#### House Cleaning

- Housekeeper Optional

#### Rates

**Rental basis:** Per property

Rental rates quoted in: USD

Dates	Nightly	Weekend Night	Weekly	Monthly	*Event
<b>Late Spring</b>					
May 7 - Jun 14, 2015	\$799				
3 night min stay					
<b>Summer</b>					
Jun 15 - Aug 12, 2015	\$599				
6 night min stay					
<b>Labor Day Weekend</b>					
Sep 4 - Sep 7, 2015	\$899				
3 night min stay					
<b>Columbus Weekend</b>					
Oct 9 - Oct 12, 2015	\$899				
3 night min stay					
<b>Winter Holiday</b>					
Dec 18 - Jan 3, 2016	\$899				

Dates	Nightly	Weekend Night	Weekly	Monthly	*Event
5 night min stay					
<b>Martin Luther King Weekend</b>					
Jan 15 - Jan 18, 2016	\$899				
3 night min stay					
<b>Mardi Gras 1st weekend</b>					
Jan 28 - Jan 31, 2016	\$1,400				
3 night min stay					
<b>Mardi Gras week w/Fat Tue</b>					
Feb 4 - Feb 10, 2016	\$1,400				
6 night min stay					
<b>Jazz Fest 2nd weekend</b>					
Apr 27 - May 2, 2016	\$1,600				
5 night min stay					
<b>Jazz Fest</b>					
May 26 - May 30, 2016	\$1,600				
4 night min stay					
<b>My Standard Rate</b>					
3 night min stay	\$799				

### Additional information about rental rates

#### *Fees and Rental Conditions:*

- Property Damage Protection \$99
- Refundable Damage Deposit \$5,000
- Cleaning fee \$190
- Taxes Included

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#### *Cancellation policy:*

100% refund if canceled at least 30 days before arrival date.

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#### Customer review:

##### **Lovely home, perfect for large Family**

We recently stayed at this home + the studio unit during a family vacation to NOLA. We were a large group of 2 families + Grandmother, so the house and studio accommodated 5 adults and 5 children very comfortably. The house and studio are amazing; completely renovated inside out with modern amenities will all the comforts at home. The owner is very gracious and welcoming, but also allowed us our privacy during our stay. We had a few young children and the house is very family-friendly (just have to watch out for the pool). Our stay wasn't long enough! Would love to come back again soon!

- **Stayed:** November 2014
- **Submitted:** December 4, 2014
- **Source:** VRBO

## Nicholas J. Kindel

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**From:** Paul Cramer  
**Sent:** Monday, September 28, 2015 5:14 PM  
**To:** Nicholas J. Kindel  
**Subject:** FW: Short term rentals

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**From:** [pobrien1313@gmail.com](mailto:pobrien1313@gmail.com) [<mailto:pobrien1313@gmail.com>]  
**Sent:** Monday, September 28, 2015 4:07 PM  
**To:** CPCinfo; Paul Cramer  
**Cc:** Jared C. Brossett; Jared Brossett; Miles L. Granderson; Stacy S. Head  
**Subject:** Short term rentals

An issue that must be addressed is enforcement: - how will it be conducted.

1. Safety and Permits has 4 zoning inspectors
2. HDLC has 2 inspectors for all historic districts
3. NOPD is already hurting for manpower, and should not be counted on for enforcement

There are many New Orleans homeowners who rent property short term that do not abuse the system. Many short term rentals are advantageous to the city, as they accommodate many people who would not come otherwise.

Perhaps a limit to the number of people renting a property would be appropriate.

Obviously there are always property owners who disregard their neighbors right to peace and quiet and rent to numerous groups who party all night, play loud music, etc. But not all. Where is the line going to be drawn?

Thank you for addressing this issue.

Pat O'Brien

Sent from Windows Mail

## Nicholas J. Kindel

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**From:** CPCInfo  
**Sent:** Tuesday, September 29, 2015 9:59 AM  
**To:** Nicholas J. Kindel  
**Subject:** FW: Regulation of short-term rentals in New Orleans/ Public Comment  
**Attachments:** Public hearing on short-term rentals Public Comment.pdf

**Importance:** High

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**From:** [ssm@jgmclaw.com](mailto:ssm@jgmclaw.com) [<mailto:ssm@jgmclaw.com>]  
**Sent:** Monday, September 28, 2015 4:09 PM  
**To:** CPCInfo  
**Subject:** Regulation of short-term rentals in New Orleans/ Public Comment  
**Importance:** High

Please see the attached written comment. Thank you, Suzanne Mahoney

S. Suzanne Mahoney  
Johnson Gray McNamara LLC  
650 Poydras St.; Suite 1201  
New Orleans, LA 70130  
(504) 525-4649 (main line)  
[ssm@jgmclaw.com](mailto:ssm@jgmclaw.com)



JOHNSON GRAY MCNAMARA, LLC

NEW ORLEANS 650 Poydras Street, Suite 1201 · New Orleans, LA 70130 · Phone: (504) 525-4649 · Fax: (504) 525-4653  
NORTH SHORE 21357 Marion Lane, Suite 300 · Mandeville, LA 70471 · Phone: (985) 246-6544 · Fax: (985) 246-6549  
LAFAYETTE PO Box 51165 · Lafayette, LA 70505 · Phone: (337) 412-6003 · Fax: (337) 412-6037

New Orleans, Louisiana  
September 28, 2015

VIA EMAIL (CPCINFO@NOLA.GOV)

New Orleans City Planning Commission  
City Council Chambers, City Hall  
1300 Perdido Street  
New Orleans, La 70112

Re: REGULATION OF SHORT TERM RENTALS IN NEW ORLEANS

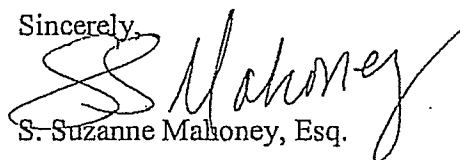
Dear Sir or Madam:

This letter is not as eloquent as I would like, but I just received notice of the CPC meeting over the weekend and would like to make a public comment. I understand that at the request of the New Orleans City Council, the CPC is conducting a study on the regulation of short-term rentals in New Orleans. It is my hope that the City Ordinance prohibiting short-term rentals in the Touro Boligny area will not be amended and that, in fact, the City will begin enforcing the Ordinance.

I purchased a condominium in the Touro Boligny area in 2011 for my parents with the understanding that short-term rentals would not be allowed. The governing condominium documents (Master Deed) likewise prohibit short-term rentals. The condominium I purchased is part of a house. The house has five condominium units. Since my purchase, a local realtor has purchased two condominium units, and he uses them as mini-hotels (three-night minimum). He does not even live on the premises; rather he lives in another city. He puts advertisements on websites indicating he is a realtor and that he has a luxurious condominium for rent to out-of-town guests. In order to rent one of his units, he provides a gate key and key to a private entrance to the out-of-town renter. The out-of-town renter therefore has access to the private courtyard and common area that is designated for three of the units. My elderly father lives in my Unit. Almost each weekend he is subject to strangers from out-of-town who are renting one of the units in violation of the governing condominium documents and in violation of the City Ordinance. Another owner who is over 70-years-old also lives on the second floor of the house. Her unit is within the private gate and private entrance that is designated for three of the units. She is also now subject to strangers entering the private gate and the private entrance and staying in the unit above her unit that she has owned for decades.

The Zoning Administrator for the City has sent a written warning to the realtor/unit owner to cease and desist. The Condominium Association has hired an attorney who also sent the realtor/unit owner a cease and desist letter. The realtor/unit owner has ignored all warnings and directives with impunity. The Association's insurance for the building and common elements may be adversely affected by the commercial use of this property. Action will be taken through the court system to address this ongoing violation of the condominium documents, but I am personally frustrated with the lack of enforcement by the City. If a Louisiana resident does not pay a traffic ticket, his or her car can be booted and impounded. But a property owner can violate a City Ordinance and not have to pay a dime because the Ordinance is not enforced. I understand that tourism is a lucrative industry for our City, but there are numerous hotels and properly zoned B&Bs where out-of-town guests can stay and enjoy our City. Private residences in residential neighborhoods should not be used for short-term weekend rentals. Please contact me at 504-388-3511 if you have any questions or would like additional information.

Sincerely,

A handwritten signature in cursive script that reads "S. Mahoney". The signature is written in black ink and is positioned above the typed name.

S. Suzanne Mahoney, Esq.



## Nicholas J. Kindel

---

**From:** Paul Cramer  
**Sent:** Monday, September 28, 2015 5:13 PM  
**To:** Nicholas J. Kindel  
**Subject:** FW: Short term rentals

-----Original Message-----

**From:** Carin Baas [<mailto:cbaas504@gmail.com>]  
**Sent:** Monday, September 28, 2015 4:11 PM  
**To:** [info@NOLA.gov](mailto:info@NOLA.gov); Paul Cramer  
**Subject:** Short term rentals

Mr. Rivers,

I'm writing to you regarding short term rentals in New Orleans. My stance is that I feel home owners who LIVE ON & manage their property should be allowed to rent out rooms/apartments for less than 30 days. And Homestead exemption should be mandatory in order to participate in using sites such as Home Away, VRBO or Airbnb.

Conversely I think that people buying multi unit buildings and renting out to large parties with out someone there to manage is a huge problem. No one wants to stay next to shrieking parties of bachelorettes/bachelors at all hours. Plus a lot of these "small hotels" are owned by people who live out of town, so there is no one checking in on the premises 24/7 whereas a homeowner would be keeping much tighter tabs on things.

I work in the tourist industry, so I know that there is a supply and demand issue here as well. People are looking to stay outside the French Quarter and private homes offer this. There is also a huge demand for housing for festivals and Mardi Gras, where if these homes were not available people would not visit the city and therefore the city loses the revenue of these guests spending money in the restaurants and bars.

I know many in the city are divided on this issue and some are just rallying to get rid of short term rentals entirely. I don't think this is the solution. I hope there is a way to grant a short term license to those who qualify and find a way to weed out the ones who are abusing the idea with mini hotels.

Thank you for taking the time to work on this issue.

Best,  
Carin Baas

Sent from my iPhone

## Nicholas J. Kindel

---

**From:** CPCinfo  
**Sent:** Tuesday, September 29, 2015 9:59 AM  
**To:** Nicholas J. Kindel  
**Subject:** FW: Short Term Rental Statement from the Urban Conservancy  
**Attachments:** Short Term Rental Ltr Sept2015.pdf

**From:** [noladana@gmail.com](mailto:noladana@gmail.com) [<mailto:noladana@gmail.com>] **On Behalf Of** Dana Eness  
**Sent:** Monday, September 28, 2015 5:06 PM  
**To:** CPCinfo  
**Cc:** Amy Stelly; David Zalkind; Lindsay Pick; Marla K Nelson; Marli K; Rahn Broady; Sean Gerowin; shelene roumillat; [ssorton@bellsouth.net](mailto:ssorton@bellsouth.net); Felice Lavergne; [meredith@staylocal.org](mailto:meredith@staylocal.org); Charlotte Gill; Abigail Septon  
**Subject:** Short Term Rental Statement from the Urban Conservancy

September 28, 2015

City Planning Commission

Planning and Special Projects Committee

1300 Perdido St.

New Orleans, LA 70112

Dear Members of the Planning and Special Projects Committee:

As Executive Director, on behalf of the Urban Conservancy's constituents and board of directors, I give kudos to the City Council for directing the City Planning Commission to conduct a public hearing on the regulation of Short Term Rentals in the City of New Orleans.

We urge the City Planning Commission to seek a policy solution to the short term rental issue that is *equitable, responsible, and mindful of neighborhood cohesion and quality of life issues for all residents, through a process that is transparent and fair.*

We are hoping that the following issues (and others identified by many stakeholders) will be discussed:

- limiting the number of occupants and frequency of occupancy of short term rentals;
- limiting the number of districts allowing short term rentals;

- determining conditional use or permitted use requirements;
- supplemental use standards,
- temporary use standards, and national best practices;
- considering changes to bed-and-breakfast regulations.

Please keep us in mind as a resource towards helping create opportunities for constructive public dialogue in the coming months.

Sincerely,

Dana Eness, Executive Director

Urban Conservancy

[dana@urbanconservancy.org](mailto:dana@urbanconservancy.org)

--

Dana Eness, Executive Director  
The Urban Conservancy + Stay Local!  
1307 Oretha Castle Haley Boulevard  
Suite 309  
New Orleans, LA 70113

[www.urbanconservancy.org](http://www.urbanconservancy.org) [www.staylocal.org](http://www.staylocal.org)  
Tel 504.232.7821 (C) 504.617.6618 (O)  
[dana@urbanconservancy.org](mailto:dana@urbanconservancy.org)

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See us on Vimeo: [vimeo.com/staylocal](https://vimeo.com/staylocal)  
Youtube: <http://www.youtube.com/user/UrbanConserv>  
Facebook: [www.facebook.com/UrbanConservancy](https://www.facebook.com/UrbanConservancy) and [www.facebook.com/staylocalnola](https://www.facebook.com/staylocalnola)



1307 Oretha Castle Haley Blvd.  
Suite 309  
New Orleans LA 70113  
504.232.7821  
urbanconservancy.org

September 28, 2015

City Planning Commission  
Planning and Special Projects Committee  
1300 Perdido St.  
New Orleans, LA 70112

Dear Members of the Planning and Special Projects Committee:

As Executive Director, on behalf of the Urban Conservancy's constituents and board of directors, I give kudos to the City Council for directing the City Planning Commission to conduct a public hearing on the regulation of Short Term Rentals in the City of New Orleans.

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We are hoping that the following issues (and others identified by many stakeholders) will be discussed:

- limiting the number of occupants and frequency of occupancy of short term rentals;
- limiting the number of districts allowing short term rentals;
- determining conditional use or permitted use requirements;
- supplemental use standards,
- temporary use standards, and national best practices;
- considering changes to bed-and-breakfast regulations.

Please keep us in mind as a resource towards helping create opportunities for constructive public dialogue in the coming months.

Sincerely,

A handwritten signature in black ink that reads "Dana Eness". The signature is fluid and cursive, with the first name "Dana" being more prominent than the last name "Eness".

Dana Eness, Executive Director  
Urban Conservancy  
dana@urbanconservancy.org

## Nicholas J. Kindel

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**From:** CPCinfo  
**Sent:** Tuesday, September 29, 2015 9:59 AM  
**To:** Nicholas J. Kindel  
**Subject:** FW: Short Term Rentals

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**From:** Dan and Diane [<mailto:harrislease@yahoo.com>]  
**Sent:** Monday, September 28, 2015 5:43 PM  
**To:** CPCinfo  
**Cc:** Paul Cramer  
**Subject:** Short Term Rentals

Dear City Planning:

The strength of this city is not found in increasing numbers of tourists, but in its people, in its neighborhoods. And it is the very character of our neighborhoods that attract visitors and serves to retain long-term residents that is being undermined by the current policy in regard to short-term rentals. We are losing the true wealth of this city, the repository of history, of cultural memory, when we lose our long-term residents.

We are losing homeowners who can't absorb the steadily rising taxes, insurance and utilities, while enduring further erosion of their quality of life and threats to their safety. due to the lack of enforcement of the laws governing businesses.

We are losing much needed housing stock to conversion into illegal short-term rentals.

We are losing renters, also our good and valued neighbors, who relied on the affordability of those rentals in order to fill the jobs that make this city work.

We moved to Marigny 18 years ago to live in a neighborhood, not a colony. We need our neighbors, those who have our backs when there are problems, when the next storm occurs, those who clean the drains, and look out for the kids, and look in on the old folks.

In our neighborhood on some blocks, every other house has become a party house, with strangers piling in for a day or two, with long-term residents priced out for good.

Please continue to bear in mind that we live in interdependent relationships in our historic neighborhoods. It is these relationships that are imperiled. The task of the city in regard to Short Term Rentals is to enforce the laws for the good of the majority of citizens, not to enable scofflaws to benefit the few.

Thank you for your attention.

Sincerely,

Diane Lease and Dan Harris  
726 Franklin Avenue

## Nicholas J. Kindel

---

**From:** The Stockade Bed and Breakfast <stay@thestockade.com>  
**Sent:** Monday, September 28, 2015 7:16 PM  
**To:** Mayor Mitchell J. Landrieu; Stacy S. Head  
**Cc:** CPCinfo; Nicholas J. Kindel; Jason R. Williams; Susan G. Guidry; LaToya Cantrell; DistrictC; Jared C. Brossett; James A. Gray  
**Subject:** Short Term Rental Position  
**Attachments:** PAII Short-Term Rental Position 2015.pdf

Good Evening Mr. Mayor, Ms. Head and esteemed members of the city council and planning commission of New Orleans:

Attached is the Position Statement of the Professional Association of Innkeepers International (PAII) of which I am the current Co-Chair. I am also the president of the Louisiana Bed and Breakfast Association (LBBA) which regulates our member properties according to the same guidelines that PAII espouses. Please consider our position in your decision to regulate the short term rentals (STR's) in New Orleans, the city in which I was raised. I now live in Baton Rouge, but as a representative of innkeepers nation-wide, it is my duty to speak up for fairness in the marketplace. We are assisting our members with similar municipal struggles across the United States.

As a quick summary of PAII's position as stated in our attached Position Paper:

Short Term Rentals should be treated the same as established lodging properties which must be **licensed** and **collect sales and/or hotel tax** according to the city and state tax code. They must comply with current standards of **zoning**, follow established **safety** regulations, and be adequately **insured** to protect visiting guests. These regulations must be **enforced** in order to protect the visiting guests as well as the industry comprised of law-abiding properties. All internet booking platforms which act on behalf of their member properties must be held to the same legal standards that exist in the community in which it is doing business.

Both PAII and LBBA are happy to assist any STR within the state of Louisiana comply with the current B&B ordinances for the municipal/rural area in which the STR is located, including the city of New Orleans. We stand united with Professional Innkeepers Association of New Orleans (PIANO), Greater New Orleans Hotel & Lodging Association (GNOHLA), New Orleans Convention & Visitors Bureau (NOCVB), American Hotel & Lodging Association (AHLA) and Louisiana Travel Promotion Association (LTPA) for enforcement of current New Orleans laws. What affects New Orleans, Louisiana's flagship city, affects our entire tourism family and economy in Louisiana.

Thank you for your consideration of leveling the playing field for New Orleans' tourism accommodations.

Yours in hospitality,  
Janice DeLerno  
LOUISIANA BED AND BREAKFAST ASSOCIATION, PRESIDENT  
PROFESSIONAL ASSOCIATION OF INNKEEPERS INTERNATIONAL, CO- CHAIR

---

**Janice DeLerno**  
Innkeeper/Owner



The Stockade Bed & Breakfast  
8860 Highland Road  
Baton Rouge, LA 70808  
Telephone: (225) 769-7358  
Toll Free: 1 (888) 900-5430  
[www.thestockade.com](http://www.thestockade.com)



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[www.avast.com](http://www.avast.com)



## **Professional Association of Innkeepers International (PAII)**

### **Position Statement on Short-Term Rental Legality, Fairness and Safety**

The leadership of the Professional Association of Innkeepers International (PAII), the trade association for owners and operators of bed and breakfasts and inns, believes in a vibrant travel and lodging marketplace, and recognizes the emergence of in the short-term rental market over the past few years. The PAII leadership is concerned about matters of fairness and safety which need to be addressed by many businesses and individuals involved in the short-term rental market.

#### **Following the Law**

Local laws and regulations that address the existence and allowance of short-term rentals in residential properties (i.e. apartments, houses, condos, etc.) vary greatly from city to city in North America and beyond. Above all, PAII believes property owners, managers and tenants involved in the leasing or subleasing of their property to the traveling public should abide by all local laws and agreed-upon covenants and restrictions with regard to short-term tenancy. If the laws are overly restrictive with regard to short-term rental permissions, rather than circumventing law, property owners, managers or tenants should seek to change the law. PAII encourages governmental authorities to allow reasonable alternative use of residential properties for the purpose of offering lodging to the traveling public.

#### **Marketing Intermediaries**

Websites which market short-term lodging opportunities should take reasonable measures to encourage compliance with local laws and regulations related to renting rooms, apartments or houses. At minimum, these websites should make those seeking to rent rooms on their sites aware of their obligation to abide by local laws. We advise all short-term rental intermediaries give property owners or managers the ability to publicly acknowledge they are in compliance with local laws on their property listings, have been inspected by proper authorities, and carry liability insurance. Travelers should have confidence they will be staying in legal establishments, and marketing companies can help travelers choose such properties.

#### **Taxation Fairness**

Nearly every hotel and B&B is required to collect sales taxes or occupancy taxes (or both). These taxes often support numerous efforts to recruit additional commerce and well-being in the province, state or city (i.e. transportation infrastructure, tourism marketing, etc.). Short-term rental owners benefit financially from the influx of both leisure and business travelers, and therefore should contribute in the same or similar manner as other lodging businesses. Because of the size and scope of these properties,



we believe taxation on short-term rentals should be similar to the taxation on B&Bs and small inns in their markets. Related to this, if online intermediaries are collecting room revenue from travelers on behalf of the property owners or managers, they should collect and dispense the proper taxes.

### **Safety**

When inviting the traveling public to stay in homes, apartments and rooms, greater safety standards and requirements should be in place and followed by short-term rental owners and managers. We encourage local authorities to put fire, health and safety standards in place for short-term rentals that are commensurate with the economic feasibility and potential volume of room rentals, such as annual fire inspections, working fire suppression equipment, egress management, food safety, etc. We are concerned about awareness and adherence to safety and security when people, who are not formally in the lodging business or haven't been properly educated and trained on safety and security matters, invite the traveling public to stay in their rooms, condos and homes. The onus is on the property owner or manager to follow all the proper inspections and reporting to authorities. In addition, property owners should secure ample liability insurance to protect themselves and their guests.

Adopted by the PAII Board of Directors February 5, 2013

Reaffirmed by the PAII Board of Directors April 29, 2015

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## Nicholas J. Kindel

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**From:** CPCinfo  
**Sent:** Tuesday, September 29, 2015 10:00 AM  
**To:** Nicholas J. Kindel  
**Subject:** FW: Short term rental hearings

**From:** Michael Gallacher [<mailto:gallacherrealty@gmail.com>]  
**Sent:** Monday, September 28, 2015 7:52 PM  
**To:** CPCinfo  
**Subject:** Short term rental hearings

Dear City Planning Commission,

Please accept our email in FULL SUPPORT of REGULATED, legalized short term rentals in the city and specifically in the French Quarter. For over a decade prior to becoming a property owner, we rented, short term from owners in the quarter and always appreciated the experience much more than staying in even the finest local hotels.

We found it to be more genuine, more "local" and well quite frankly more quiet and laid back. We became property owners a while back and when we are not in residence appreciate the opportunity and flexibility to share our condo via short term rentals.

This not only allows us extra income to then put back into building improvements, but also allows us to share out home with families that are looking for more than a hotel stay.

Our renters have been families and couples, very respectful of our building, our neighbors and our personal property too. We treat them like family and they respect our home the same.

Our neighbors are supportive of our renting our condo and our property manager is available, in the quarter within minutes if there were ever to be a problem.

We are very careful who we rent to as this is our 2nd HOME, not a rental property.

PLEASE regulate but do not ELIMINATE short term private home rentals in the city or French Quarter. We all greatly benefit from these opportunities and the vacationers really love the experience.

By the way, we have NEVER experienced any of the crazy, overzealous party animals that the opposition would like you to believe, well actually we did, staying at the bourbon orleans and Maison Dupree, not in any of the short term rentals and never in our building or the surrounding buildings.

Sincerely,

Michael Gallacher and Randal Baker  
421 Burgundy Street #2  
New Orleans, LA 70112

## Nicholas J. Kindel

---

**From:** CPCInfo  
**Sent:** Tuesday, September 29, 2015 10:00 AM  
**To:** Nicholas J. Kindel  
**Subject:** FW: NOLA Short term rentals

-----Original Message-----

**From:** Bonnie King [mailto:[bking111@gmail.com](mailto:bking111@gmail.com)]  
**Sent:** Monday, September 28, 2015 8:38 PM  
**To:** CPCInfo  
**Subject:** NOLA Short term rentals

Our condo association recently changed the by laws to exclude short term rentals, with no grandfather clause, and without any input or discussion with me. The decision had been made amongst the other 9 owners and since we are the only owners who rent short term there was no reasoning with them. There has never been a problem with any short term guest but as the saying goes "don't confuse me with facts, my mind's made up" and that's what happened in our building. As a result we will be selling our condo. This will have no impact on anyone except the guests who found the condo, the people, the neighborhood conveniences and pretty much everything about the area welcoming, affordable and very enjoyable. Oh and us, the owners, who bought the unit specifically for short term rentals so it would be affordable for us to come to NOLA every chance we had when it wasn't being used.

The negative impact, in my opinion, is significant! New Orleans loses a former resident who loves the city and has tried to maintain a 2nd home there since leaving involuntarily years ago (me) AND all that I bring to city! We have repeatedly encouraged all of our friends and family to use the condo, free of charge, and they have occupied the unit for 15 nights YTD. I give everyone pages and pages of things to do and places to go. We have only rented our unit for 75 nights this year and the income has paid for the condo, including all expenses. Imagine how many more people we could bring in if we didn't have an association that was short sighted and uninformed. I suspect the same will be true for any number of other owners in a similar situation as us.

It's a shame and breaks my heart but we have to be financially responsible. TRUST me this isn't all about money, our goal has always been to breakeven and then spend as much time as possible in NOLA and sending our friends and family to visit. My next email will be to let our friends know we are selling and encourage them to get down there while it's free!

Hopefully something in this email is helpful to someone.

Best of luck tomorrow,

Bonnie

## Nicholas J. Kindel

---

**From:** CPCinfo  
**Sent:** Tuesday, September 29, 2015 10:00 AM  
**To:** Nicholas J. Kindel  
**Subject:** FW: Short term rentals- vote to legalize

**From:** Sam Sporer [<mailto:spsporer@gmail.com>]  
**Sent:** Monday, September 28, 2015 8:43 PM  
**To:** CPCinfo  
**Subject:** Short term rentals- vote to legalize

Dear New Orleans City Council,

Please vote in favor of legalization and limited regulation. It's clear that a ban or an overtly restrictive system would simply be ignored as it is now, and the city could use the cash infusion from a reasonable registration fee. Do not listen to the small but vocal minority that calls for a full ban, the people of New Orleans want the money this brings to neighborhoods other than the French Quarter. Thanks

Sam Sporer  
70115

## Nicholas J. Kindel

---

**From:** CPCinfo  
**Sent:** Tuesday, September 29, 2015 10:01 AM  
**To:** Nicholas J. Kindel  
**Subject:** FW: Short term rentals/ Airbnb/ VRBO

-----Original Message-----

From: Erik Schulz [<mailto:erikschulz@aol.com>]  
Sent: Monday, September 28, 2015 9:01 PM  
To: CPCinfo  
Cc: Paul Cramer  
Subject: Short term rentals/ Airbnb/ VRBO

Dear CPC and Mr. Cramer:

I'm a native New Orleanian and homeowner in the French Quarter.

With the advent of these short term rentals it has become a real issue here in the French Quarter. The condo upstairs has become an air bob/ VRBO weekend rental and it has really impacted our quality of life on our block. The owner lives in Chicago and the weekenders are very rowdy, 6-7 people staying in a one bedroom condo, giving away our front gate code to random strangers all weekend as they party loudly all night Vegas style!

This has got to stop as I'm sure my personal story is not unique.

Let these people go to a large hotel on Canal street or elsewhere - that's a better fit for them rather than invading the intimate confines of our small condo complex in the French Quarter.

I sincerely appreciate your attention to this matter and preserving our wonderful neighborhoods in New Orleans!

Best regards,  
Erik Schulz  
1022 Toulouse Street  
NOLA 70112  
504-756-9115 - cell

## Nicholas J. Kindel

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**From:** CPCInfo  
**Sent:** Tuesday, September 29, 2015 10:01 AM  
**To:** Nicholas J. Kindel  
**Subject:** FW: SHORT TERM RENTAL HEARING

---

**From:** mari kornhauser [<mailto:kaynine82@hotmail.com>]  
**Sent:** Monday, September 28, 2015 10:38 PM  
**To:** CPCInfo  
**Cc:** Paul Cramer  
**Subject:** SHORT TERM RENTAL HEARING

MARI KORNHAUSER 926 ORLEANS AVENUE NEW ORLEANS LOUISIANA 70116

Mr. Robert Rivers  
Executive Director, City Planning Commission  
New Orleans, La.

September 28, 2015

RE: Short Term Rental Hearing

Dear Mr. Rivers:

I am a full time resident at 926 Orleans Avenue, in a fully zoned residential neighborhood in the French Quarter. My building is a multiplex and I only rent to full time tenants.

I have lived at my home for twenty five years and in the last few years, have seen properties on my block bought up by LLC's (some LLC's with multiple – and I mean very multiple – individuals in the LLC), most of whom do not live on the premises AND illegally rent out these properties as short term rentals. Also, second home condo owners illegally rent out short term as well when they are not there.

My block has gone from a diverse and family friendly neighborhood to a hollow neighborhood with about four to five full time residents, therefore gutting the neighborhood and artificially raising rents so full time individuals cannot move in. I find this to be a predatory and illegal change of use.

This current situation, by my reading of the definition, is turning my purely residential neighborhood (zoned purely residential, no mixed use, no commercial) into a commercial zone as running short term rentals is a business venture, particularly when run through sites such as VPRBO or Airbnb by the owners of these properties, owners who do not live in the buildings and bought them as investment properties to rent out as short term rentals. That is their intended business model and that does not belong in a purely residential zone.

I am asking you to respect residential zoning as residential zoning and not allow commercial enterprises to exist in it. I am asking you to please save our city from becoming unaffordable and vacant of its voting citizenry. I am asking you to safe keep our residential neighborhoods through out the city.

Thank you for allowing me this input and thank you for all your hard work.

Best regards,

Mari

Mari Kornhauser

[kaynine82@hotmail.com](mailto:kaynine82@hotmail.com)

## Nicholas J. Kindel

---

**From:** CPCInfo  
**Sent:** Tuesday, September 29, 2015 10:01 AM  
**To:** Nicholas J. Kindel  
**Subject:** FW: Video

---

**From:** Lisa Pulitzer [<mailto:Lisapulitzer@yahoo.com>]  
**Sent:** Monday, September 28, 2015 11:42 PM  
**To:** CPCInfo  
**Subject:** Video

Dear City Council Members,  
This is a You tube video which states the position of Pro Short Term Rentals.  
Please watch and the end is the best!  
Many Thanks,  
Lisa Pulitzer Zoller

[http://youtu.be/8l\\_YoyhYdsQ](http://youtu.be/8l_YoyhYdsQ)



## Nicholas J. Kindel

---

**From:** CPCinfo  
**Sent:** Tuesday, September 29, 2015 10:01 AM  
**To:** Nicholas J. Kindel  
**Subject:** FW: Illegal Air BnB at 2718 Chartres St. New Orleans, LA  
**Attachments:** CeaseAndDissist.pdf; reviews of 2718 Chartres st NO, LA.docx; mike's ad on air bnb 9-28-2015.docx

---

**From:** pete abbruscato [mailto:pabbruscato@hotmail.com]  
**Sent:** Tuesday, September 29, 2015 1:49 AM  
**To:** CPCinfo; Lauren R. Hotard; lisa suarze; aubrey edwards; legal team air bnb; dlp847@charter.net  
**Subject:** Illegal Air BnB at 2718 Chartres St. New Orleans, LA

Dear Stacey Head and to all City Council Members:

How do I get to speak before the City Council tomorrow? Maybe one of you City Council members could read my letter tomorrow if I cannot speak?

**Our neighbors illegal Air BnB at 2718 Chartres St New Orleans, LA is ruining our lives and our neighborhood! It is changing the entire character and safety of our neighborhood! It is owned by Amy Kern and Mike Imborne.**

I know the meeting tomorrow evening will be mobbed but this illegal rental is the **Poster child** of why this activity is SO HORRIBLE for us, our neighborhood and our City as a whole and many other cities Nation wide! **Should we really be forced out of our home of over 7 years because of this illegal, unchecked, unenforced activity?**

I have a copy of the cease and desist order issued May 15, 2015 attached as a PDF.

I have also attached a copy of some of the reviews posted on Air BnB's website, (attesting to the fact that 10 or more people rent this unit often) as a Word file.

Also attached is the current ad for this property from Air BnB's website, (suited for 10 people occupancy), also a word file. This is the proof I have that they have not stopped their illegal activity!

Both units are still being rented almost daily and yet the city issued the attached cease and desist order over 4 months ago as well as pulling the CO on the back unit in January.

**I want very much to be able to present my evidence/case to the City Council tomorrow evening.**

The cottage in the back of this 4 bedroom Air BnB rental (making it a double rental property for Air BnB) had it's CO pulled and yet there are people renting it constantly, even as I write this letter. One of the attached reviews from a renter called it "The Slaves Quarters" in his review.

We sometimes have as many as 18 people in our adjacent backyard. The Noise, traffic, lack of parking and trash is unbelievable! Not to mention the people coming back from the French Quarter VERY drunk and loud at all hours of the night!

We have had to call 911 on several occasions. Once in January two of their (male) renters were urinating on our home and I was forced to call 911 as they were so combative about the incident. The house has 3 and 1/2 bathrooms, why use our home to relieve yourself?

Mike told me he has the house rented for Mardi Gras 2016 for \$5,000 just for the week, 16 people total. I understand that money is a great motivator but this has gotten ridiculous. The Bible says, "The love of money is the root of all evil". I never understood that so well as I do now!

There are times when we are afraid to go out our own front door to get to our car or come home and get out of our car. It is a scary situation at times. Our neighbor (Jackie) two doors down has had cameras installed (connected to the NOPD). She works for the show "The First 48 Hours" and she works closely with the NOPD on cases. We are working on getting camera's installed.

This property is not just an issue of being a nuisance, it is a hazard. I have had two bricks from their brick wall between our yards fall on me. The second one was only days ago! The owners only have homeowner's insurance and homeowner's insurance only covers you if you live there and of course they do not. MY pleas to fix the wall and hanging shutters just fall on deaf ears.

Mike, Amy and children all moved in early December 2014 and started this lucrative business of renting on Air BnB. Even Leaving their dog "Honey" behind. I believe a woman I spoke to on the street in front of my home reported it to the SPCA. She told me that was her intention as she had seen "Honey" with her head stuck out under the metal gate just looking for attention for weeks. I don't know Honey's whereabouts at this point. All I can say is "SAD and Despicable".

Mike and Amy even illegally applied for the homeowners exemption again this year. Their mortgages say it cannot be open to the public. There are so many issues and violations with this property that I feel this is a **PRIME** example of why our laws need to be ENFORCED, not changed to allow such disruptive activity!

**If you modify our laws to allow Air BnB's they need, They MUST, be owner occupied!**

**If this property was owner occupied many of the issues and problems we and our neighbors experience almost daily, would not be issues at all!**

I have spent many hours at City Hall looking up records and documents. I have spent a lot of time calling zoning, code enforcement and Quality of life officers. It has gotten me no where. I have also spent many hours on the phone with Air BnB's complaint line! All Air BnB will say is that, "**Your City needs to enforce their own laws. We are just an agent for Mike Imborne and Amy Kern**". Amy Kern (owner) is a lawyer and has stated to me in the past that "**she knows how to make the laws work for her! How arrogant! These flagrant violations cannot go unchecked any longer!**

**Mike and Amy applied for a Bed and Breakfast license in January 2015 and were denied due to code violations! The CO for the small servant's quarters in the back yard was pulled due to**

code violations after the inspection! Prior to December 2014 Mike, Amy and their 3 children lived in the 4 bedroom house, the small unit in their back yard was rented monthly. We never had a problem, for over 6 years! Even when they got a drum set for their youngest "Will" to practice on in their backyard.

Mike has been working on the property lately, to bring it up to code I guess but he has no permit to do so...yet another violation of our GREAT City's laws. Mike is a self-proclaimed contractor!

Without your help we will be forced to move out of the Great City of New Orleans! We have endured for 10 months now. **How long could you live under these conditions?**

PLEASE, PLEASE, PLEASE, HELP US! **You are our only hope!**

**Please call me or write back to me before the meeting tomorrow evening. We and the entire city desperately need your help.**

**Thank you;**

Frank Abbruscato  
2716 Chartres St.  
New Orleans, LA 70117  
(504)298-0061

DEPARTMENT OF SAFETY AND PERMITS  
**CITY OF NEW ORLEANS**

MITCHELL J. LANDRIEU  
MAYOR

JARED E. MUNSTER, PH.D.  
DIRECTOR

Friday, May 15, 2015

Amy C Kern  
2718 Chartres St  
New Orleans, LA 70117

**RE: 2718 CHARTRES ST, 15-03867-ZONG**

Dear Amy C Kern:

An inspection of the above referenced property revealed the following violation(s) of the Comprehensive Zoning Ordinance of the City of New Orleans, Ordinance 4,264 MCS, as amended:

Code Section	Title	Description
CZO 9.3.3	HMR-3 Permitted Uses	Timeshare buildings and transient vacation rentals are prohibited.

Transient Vacation Rentals are defined as rentals of a premises or any portion thereof for dwelling, lodging or sleeping purposes with duration of occupancy of less than sixty (60) consecutive days in the Vieux Carre and less than thirty (30) consecutive days outside the Vieux Carre. Hotels, motels, bed and breakfasts, and other land uses explicitly defined and regulated in this ordinance separately from transient vacation rentals.

Our records indicate that you are the owner or person responsible for this property and, as such, you must take the following corrective action no later than 5/29/2015.

**Recommended Action:**

Cease operation of short term transient vacation rental.

This office is seeking your cooperation and voluntary compliance. However, please be advised that failure to correct the violations by the date specified above will cause the Department of Safety and Permits to initiate appropriate legal action to secure compliance. The penalty for failure to comply is a maximum fine for each and every day the violation continues plus court cost as prescribed by law.

Please call this office and request a re-inspection as soon as you have taken the corrective action specified above. Should you have any questions concerning these violations, please call between 8:00a.m and 9:00a.m., Monday through Friday, at (504) 658-7125.

Sincerely,

Edward Horan  
Zoning Administrator

1300 PERDIDO STREET | ROOM 7E05 | NEW ORLEANS, LOUISIANA 70112  
TELEPHONE: 504.658.7125 | FACSIMILE: 504.658.7209



This property is simply amazing in every way. If you have the opportunity to reserve this property jump on it. The location is perfect, the house is well kept and charming. This is a true gem- and was the perfect house for my group of 9.

+ More

From Dallas, TX · August 2015

Teresa

August 2015

Michael was awesome. He was incredibly friendly right from the start and his introduction about the house and neighbourhood was amazing. This house is also stunning, my group couldn't get over it. We had a large group of about 10 people and there was plenty of space for everyone to hang out without stepping on somebody else. The neighbourhood was fine, our group didn't have any problems walking around, especially to Frenchman Street. I would definitely stay here again if I came back with a big group!

+ More

From Ottawa, Canada · August 2015

Brian

Stayed at this incredible house in the Marigny/Bywater area of New Orleans for a long weekend in June. The house is stunning; exposed brick walls, beautiful wooden doors and details, backyard with bench swing and grill. We were 10 adults and the house slept us all comfortably.

Wenrong

Staying at Michael's cottage was the smoothest experience ever! We were a party of 8 people and we had no trouble getting into the cottage and found everything perfect. Michael's place was very spacious, well equipped, and quite clean. We enjoyed his book collections on the shelf, big living room, cute backyard and kitchen which had everything available. If we come to New Orleans with a big party again, we will definitely choose Michael's place!

Harriet

Wonderful place for a big group! Michael was an excellent host and gave us lots of recommendations! Would book here again!

Andrew

The Slave Quarters were great- very cozy and a fantastic location. The courtyard was beautiful and we all loved the setting. Michael was very accommodating, and provided everything we needed and more

Jonathon

The house is beautiful and had all the amenities needed for a comfortable stay. We had a group of 8 and there was more than enough room for all of us.

Andrew

We had a great time staying at the Creole Cottage. There were 7 of us and we all fit comfortably.

Teresia

Michael is simply amazing. He was accommodating to the changes in our arrival schedule and was super helpful if we needed anything. The perfect host and super informative about the history of the home. The house is BEAUTIFUL! I wish i could have stayed forever. We were a group of 10+ and everyone fit comfortably with a lot of room.

Lindsey

Michael's Creole cottage was everything the pictures promised and more. There are so many amazing little things about this house and it's history is very interesting. The location is perfect for walking to the French Quarter and there are plenty of great spots to eat/drink nearby. Would definitely recommend to anyone coming with a group of people who want more of a neighborhood vacation experience versus the crazy atmosphere of the French Quarter.

Elizabeth

WOW!! This was my first experience with airbnb and this will be hard to top! Michael was really helpful in checking in, giving local advice and showing the house, then he left and we had the whole place to ourselves. We had a group of 10 ladies for a bachelorette party- everything was over the moon on how cool this place was!

Neil

Our group had an awesome time in New Orleans. The house was as expected and had plenty of room for 7 guys.

Murphy

This house was great. Michael was a great host. 100% recomend staying here. Great for big groups.

Matthew

Absolutely amazing house! Good location not too far from the French quarter. Easily walkable. There is a great breakfast place called the cake cafe just down the street to start your day. There was only six people in our group which made for plenty of space (more than enough) in the house. Easily sleeps 8-10 people.

Morgan

This house was awesome! Great location - easy walks to Frenchman st, Bourbon st with plenty of bars and restaurants in between. Michael was super accommodating while not overbearing at all. He was a quick phone call/text message away. This really is a perfect house for a group!

Megan

My group of 10 stayed at Michael's home during Mardi Gras and we loved it! Plenty of space,

Christopher

The place was perfect for our large group and Michael was very responsive and friendly.

Lindsay

This house is great!! We came as a group of 8 for my husbands 30th birthday and this house was absolutely perfect.

Bradley

Michael was absolutely GREAT. He is very welcoming, friendly and knowledgeable about New Orleans. The place is absolutely perfect! If you are going to New Orleans with a group of people, this IS the PLACE YOU NEED to rent!!!!!!

Megan

My group of 10 stayed at Michael's home during Mardi Gras and we loved it! Plenty of space, perfect location, free (and safe) street parking for our 3 cars. Check in/out was very smooth. My only regret is that I couldn't stay longer. I'll definitely be booking this place again next time I come to NOLA!

- 
- 

#### Verified ID

- Email Address

Verified

- Phone Number

( ) - 49

- Reviewed

50 Reviews

- Offline ID

Personal Info



## Hey, I'm Michael!

US · Member since December 2014



\$ 300

Wishlist



### Stunning (4) bedroom Creole Cottage

Entire home/apt ·

· 41 reviews



## Nicholas J. Kindel

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**From:** CPCinfo  
**Sent:** Tuesday, September 29, 2015 10:01 AM  
**To:** Nicholas J. Kindel  
**Subject:** FW: Written Comments for Short Term Rental Study and Hearing  
**Attachments:** Short Term Rental Inputs to CPC -- R White.pdf

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**From:** Rob White [mailto:goliad@prodigy.net]  
**Sent:** Tuesday, September 29, 2015 2:37 AM  
**To:** CPCinfo  
**Subject:** Written Comments for Short Term Rental Study and Hearing

TO: Robert Rivers, Executive Director of the City Planning Commission

Please include the attached in the CPC materials relating to the Short Term Rental Study and the hearing on September 29.

In case the attachment does not make it through the e-mail system, I have reprinted it below.

Thank you.

Robert White  
Resident  
1218 Bourbon St

----- Begin -----

### Big Picture

What does the City Planning Commission do when a hotel comes to New Orleans? What issues are typically considered – Location and zoning? Parking? Wear and tear on streets? Crime and public safety? Transportation? Traffic congestion and traffic patterns? Proximity to residents? Strain on the electric grid, on the natural gas lines and on the sewerage and water system? Synergy with the bigger development strategy for the city? Ensure property taxation at commercial rates? Obtain commitments for public improvements such as urban parks, green space, interactive cultural centers, streetcar spurs and other benefits for local citizens?

Were these and other issues considered in 1977 for the Riverside Hilton? Of course they were. Were they considered in 2015 for the Four Seasons World Trade Center (350 rooms, 225 parking spots)?<sup>[i]</sup> Of course they were. In every case was the hotel operator selected and approved after inputs from the public, the administration and all affected parties? Of course it was.

According to Wikipedia the largest hotel in New Orleans has 1669 rooms.<sup>[ii]</sup> Wikipedia is wrong. New Orleans has a hotel with two thousand six hundred and forty-six rooms – that's right, a 2,646-room hotel in our city.<sup>[iii]</sup> This 2,646-room hotel has not been before the City Planning Commission, the Board of Zoning Adjustment, the City Council, any Neighborhood Participation Plan, or any process followed by every other New Orleans hotel. This 2,646-room hotel receives the same monetary rewards from the tourism economy as New Orleans' other hotels -- but this hotel incurs almost none of the costs; it makes no reciprocal commitments to the city; it seeks no approval from neighbors; it pays residential property taxes (not commercial rates); it pays residential utility rates (not commercial rates); it has un-certified food preparation

facilities; it receives no fire inspection; it receives none of the occupant safety inspections; it meets no federal standards to accommodate the disabled; and provides no defense against racial discrimination.<sup>[iv]</sup>

To complicate matters, over 2/3 of this hotel's rooms have no desk clerk, no check-in, and essentially nobody present to monitor the activities or provide support to the guests.<sup>[v]</sup> Furthermore, unlike other New Orleans hotels, almost 70% of this 2646-room Leviathan (at least 1823 rooms) have permanently displaced or deprived New Orleans residents from living in neighborhoods.<sup>[vi]</sup> Although some may claim that there are not yet enough statistics to prove this fact beyond a shadow of a doubt, the studies from early adopters (*viz.*, early regretters) confirm on the large scale what the residents have experienced at the neighborhood level.<sup>[vii]</sup>

The challenge is more complex. This enormous hotel has a fluctuating number of rooms, located at a fluctuating number of physical locations, with a multitude of different innkeepers. Every other New Orleans hotel has a single person or entity responsible for all aspects of operation, ownership, management and interfacing with the city and the neighbors. The earlier description of this new, 2646-room hotel as a "Leviathan" is too simple; it is more like a Leviathan with the multiple heads of a Hydra. When one approaches this hotel it selects a mask, and all of the absentee owners, entire house/apartment investors, Las Vegas LLC's dress up like a small homeowner trying to pay its mortgage. They wear the badge of "Private Home Rental" even though most of the listings are not anybody's actual home. Neither the size nor the complexity of the issue will excuse the CPC and the City of New Orleans from doing whatever is necessary to get its hands around short term rentals. The impact of short term rentals on the city of New Orleans is at least as great as the impact of a 2646-room hotel, and there is no justification for not dealing with the matter in those terms.

J'accuse

The fact that the City Planning Commission staff has been deprived of making cost/benefit analysis of this hotel (equivalent to 1.6 Riverside Hiltons, and equivalent to 7.56 Four Season World Trade Centers) stands today as a great failure of New Orleans city government. Many reasons and many excuses have been offered. Some may be legitimate, but it does not matter. The City Council now bifurcates its march toward city-wide legalization of short term rentals and asks the CPC to consider a few of the issues that the subject drives.<sup>[viii]</sup> The Council allows the staff to take up to 120 days to identify, analyze, make a recommendation and prepare a report on the "land use issues."<sup>[ix]</sup> Although citizen participation is expected,<sup>[x]</sup> the very short schedule in which CPC staff must complete its task creates considerable concern. Adding to the faint sense of foreboding is the fact that the two parallel paths (CZO and permitting ordinance) must function together seamlessly, but the non-CPC path is opaque to the public at the drafting stage. Logically, the city should spend seven and a half times more effort to address short term rentals than it did to work through the Four Seasons project, but that is not likely to happen. Still, one must continue to assume good faith for so long as possible, and optimistically offer useful observations and constructive suggestions in the hope that the city's stated desire to "Get It Right" is sincere. After all, who but a chronic optimistic could be a New Orleans resident?

Issues and Best Practices from Other Cities

If New Orleans gets this right, it will be the first city in the nation to do so. "Best Practices" in many cases really means "don't copy failures." That is, some of the early adopters have recognized that their legalization did not achieve their goals in critical ways, and are now beginning to amend their ordinances to try to fix them. The CPC should adopt anti-failure at the outset.

Enforcement – Nothing happens without enforcement. The mystery ordinance that gestates in the depths of City Council is to address both permitting and enforcement. However, the CZO also has an entire section on enforcement. These two structures must be reconciled and support each other. Also, current enforcement is defective – it is not curable by adding resources, but must be completely restructured.<sup>[xi]</sup> Some of the necessary restructuring may require cooperative effort between the city and the state legislature,<sup>[xii]</sup> which is one of the best practices exhibited by New York. Specific suggestions have been made, and will continue to be made to the CPC staff as it works on its study.

Internet Platform Accountability – Given the lack of a single contact for all short term rental issues from this 2646-room hotel, one of the few focal points is the middle-man market maker. Cities that have legalized short term rentals and that failed to impose strict legal accountability (including equal transparency of data with other hotels) have now gone back to amend their ordinances to try to fix that. Without building in tight reporting and compliance obligations on internet platforms, any attempt to regulate short term rentals will fail. Specific examples will continue to be provided to the CPC staff as it works on its study.

No Whole-House Rentals or Absentee Landlords – This is an absolute necessity in Residential Zones. The difference between a Private Home Rental (where a resident is present while the guest is renting) and an absentee or whole-house rental is a big bright-line issue. Cities that failed to distinguish between the two have essentially destroyed their zoning plans. Cities that did distinguish, but tried to implement restrictions (e.g., x number of days per year for a whole-house rental) have: (1) failed to figure out how to monitor and enforce the limited permission; and (2) have learned that they are essentially allowing rogue hotels into residential neighborhoods with no countervailing benefit. The only solution is a total prohibition on whole-house and absentee landlords. Note – the pro-short term rental Leviathan will adopt the resident head and put on the mask of “But I just want to go out of town for Mardi Gras and rent my home.” This is a uniquely New Orleans issue, and may be legitimate. To the extent that it is legitimate, then the permitting and enforcement ordinance might contain a provision that allows the mayor to declare an enforcement abstinence once a year, coinciding with Mardi Gras. However, that would not be an issue for the CPC.

Neighborhood Inputs – If the CPC decides that some short term rental in residential neighborhoods will be somehow allowed under the parallel permitting scheme (which is difficult to reconcile, in the absence of visibility to any draft ordinance from City Council), then in addition to requiring the homeowner to be present, there should be a process by which neighbors have a voice. The CPC must take care to ensure that any procedure does not result in the transferability of a short term rental capability with the transfer of property – i.e., a subsequent owner of a property that was licensed and permitted as an STR must begin again from scratch if it wants to seek such a permitted use.

Transition to new regime – There can be no “grandfathering” or converting existing operations that are illegal under current law into legal operations under the new law, merely because they exist. This is a difficult issue and will require much discussion and neighbor input to the CPC staff as it prepares its report.

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[i] “A Guide to the Four Seasons World Trade Center plan, from design to dollars,” *New Orleans Times-Picayune*, March 24, 2015.

[ii] Article in Wikipedia, [https://en.wikipedia.org/wiki/List\\_of\\_largest\\_hotels\\_in\\_the\\_world](https://en.wikipedia.org/wiki/List_of_largest_hotels_in_the_world).

[iii] “Inside AirBnB” <http://insideairbnb.com/new-orleans/#>, data as of 9:20 PM, September 27, 2015.

[iv] Edelman, B. and Luca, M., *Digital Discrimination: The Case of Airbnb.com*, HARVARD BUSINESS SCHOOL, January 10, 2014; Todisco, M., *Share and Share Alike? Considering Racial Discrimination in the Nascent Room-Sharing Economy*, 67 STANFORD LAW REVIEW 121 (March 14, 2015).

[v] 68.9% of the New Orleans Airbnb listings are entire house/apartments. “Inside AirBnB” <http://insideairbnb.com/new-orleans/#>, data as of 9:20 PM, September 27, 2015. Also, see <https://pando.com/2013/12/08/airbnb-says-this-man-does-not-exist-so-i-had-coffee-with-him/>, cited as “The Myth of the Spare Bedroom,” at <http://nolarentalreport.com/#/>.

[vi] The Office of Economic Analysis, Office of the Controller, City and County of San Francisco reported in May 2015 regarding the effect of entire house/apartment short term rentals:

“If short-term renting results in the withdrawal of a housing unit from the residential market, then the reduced supply would lead to higher housing costs. The citywide economic harms associated with higher housing costs are fairly severe. . . [It] exceeds the annual total economic benefit from visitor spending, host income, and hotel tax, given prevailing short-term rental rates. On a net basis, then, a housing unit withdrawn from the market to be used for short-term rentals produces a negative economic impact on the city, even if the unit generates host income, visitor spending, and hotel tax every day of the year.” (emphasis added)

Applying the New Orleans figures for entire house/apartment rentals (see note 5) under the very conservative assumption that one AirBnB house or apartment represents only one bedroom, the city neighborhoods have lost almost 2000 permanent residents from this activity. Of course if a house has more than one bedroom, the number of displaced residents would be proportionately magnified.

[vii] In addition to the San Francisco studies from the Office of the Controller and Board of Auditors, Los Angeles and Austin are replicating this unpleasant reality about absentee short-term landlords. See the article *Short-Term Rentals Take Affordable Housing Off the Market*, citing the study by the Los Angeles Alliance for a New Economy, <http://www.overnightoversight.com/short-term-rentals-take-affordable-housing-off-the-market/>; and “Council to short term renters – don’t even think of having a party,” *Austin American-Statesman*, September 22, 2015, reporting on a moratorium on Austin’s recently permitted entire house/apartment short term rentals.

[viii] Motion No. M-15-391, August 20, 2015.

[ix] Remarks of Councilmember-at-Large Stacy Head, Community Development Committee meeting, August 17, 2015.

[x] <http://www.nola.gov/city-planning/major-studies-and-projects/short-term-rental-study/>

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<sup>[x]</sup> Demonstrated quite convincingly by attorneys for short term renters who defeated the city's most serious effort to date to enforce its laws about short term renters. Page v. City of New Orleans, Petition for Temporary Restraining Order , Preliminary Injunction, & Permanent Injunction (Louisiana Civil District Court, No. 15-5626), filed by Canlas Ellis, LLC (by R. Ellis) and James E. Uschold, PLC (by J. Uschold)

<sup>[xi]</sup> See letter from B. Furness, on behalf of the Short Term Rental Committee, to Ms. Lauren Hotard, et al., Sept. 22, 2015, re: Short-Term Rentals – Enforcement.

TO: City Planning Commission

RE: Short Term Rental Study, Hearing on September 29, 2015 and subsequent inputs

FR: Robert C White, Resident, 1218 Bourbon St. New Orleans, LA

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No Whole-House Rentals or Absentee Landlords – This is an absolute necessity in Residential Zones. The difference between a Private Home Rental (where a resident is present while the guest is renting) and an absentee or whole-house rental is a big bright-line issue. Cities that failed to distinguish between the two have essentially destroyed their zoning plans. Cities that did distinguish, but tried to implement restrictions (e.g., x number of days per year for a whole-house rental) have: (1) failed to figure out how

to monitor and enforce the limited permission; and (2) have learned that they are essentially allowing rogue hotels into residential neighborhoods with no countervailing benefit. The only solution is a total prohibition on whole-house and absentee landlords. Note – the pro-short term rental Leviathan will adopt the resident head and put on the mask of “But I just want to go out of town for Mardi Gras and rent my home.” This is a uniquely New Orleans issue, and may be legitimate. To the extent that it is legitimate, then the permitting and enforcement ordinance might contain a provision that allows the mayor to declare an enforcement abstinence once a year, coinciding with Mardi Gras. However, that would not be an issue for the CPC.

Neighborhood Inputs – If the CPC decides that some short term rental in residential neighborhoods will be somehow allowed under the parallel permitting scheme (which is difficult to reconcile, in the absence of visibility to any draft ordinance from City Council), then in addition to requiring the homeowner to be present, there should be a process by which neighbors have a voice. The CPC must take care to ensure that any procedure does not result in the transferability of a short term rental capability with the transfer of property – i.e., a subsequent owner of a property that was licensed and permitted as an STR must begin again from scratch if it wants to seek such a permitted use.

Transition to new regime – There can be no “grandfathering” or converting existing operations that are illegal under current law into legal operations under the new law, merely because they exist. This is a difficult issue and will require much discussion and neighbor input to the CPC staff as it prepares its report.

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<sup>1</sup> “A Guide to the Four Seasons World Trade Center plan, from design to dollars,” *New Orleans Times-Picayune*, March 24, 2015.

<sup>2</sup> Article in Wikipedia, [https://en.wikipedia.org/wiki/List\\_of\\_largest\\_hotels\\_in\\_the\\_world](https://en.wikipedia.org/wiki/List_of_largest_hotels_in_the_world).

<sup>3</sup> “Inside AirBnB” <http://insideairbnb.com/new-orleans/#>, data as of 9:20 PM, September 27, 2015.

<sup>4</sup> Edelman, B. and Luca, M., *Digital Discrimination: The Case of Airbnb.com*, HARVARD BUSINESS SCHOOL, January 10, 2014; Todisco, M., *Share and Share Alike? Considering Racial Discrimination in the Nascent Room-Sharing Economy*, 67 STANFORD LAW REVIEW 121 (March 14, 2015).

<sup>5</sup> 68.9% of the New Orleans Airbnb listings are entire house/apartments. “Inside AirBnB” <http://insideairbnb.com/new-orleans/#>, data as of 9:20 PM, September 27, 2015. Also, see <https://pando.com/2013/12/08/airbnb-says-this-man-does-not-exist-so-i-had-coffee-with-him/>, cited as “The Myth of the Spare Bedroom,” at <http://nolarentalreport.com/#/>.

<sup>6</sup> The Office of Economic Analysis, Office of the Controller, City and County of San Francisco reported in May 2015 regarding the effect of entire house/apartment short term rentals:

“If short-term renting results in the withdrawal of a housing unit from the residential market, then the reduced supply would lead to higher housing costs. The citywide economic harms associated with higher housing costs are fairly severe. . . [It] exceeds the annual total economic benefit from visitor spending, host income, and hotel tax, given prevailing short-term rental rates. On a net basis, then, a housing unit withdrawn from the market to be used for short-term rentals produces a negative economic impact on the city, even if the unit generates host income, visitor spending, and hotel tax every day of the year.” (emphasis added)

Applying the New Orleans figures for entire house/apartment rentals (see note 5) under the very conservative assumption that one AirBnB house or apartment represents only one bedroom, the city neighborhoods have lost almost 2000 permanent residents from this activity. Of course if a house has more than one bedroom, the number of displaced residents would be proportionately magnified.

<sup>7</sup> In addition to the San Francisco studies from the Office of the Controller and Board of Auditors, Los Angeles and Austin are replicating this unpleasant reality about absentee short-term landlords. See the article *Short-Term Rentals Take Affordable Housing Off the Market*, citing the study by the Los Angeles Alliance for a New Economy, <http://www.overnightoversight.com/short-term-rentals-take-affordable-housing-off-the-market/>; and “Council to short term renters – don’t even think of having a party,” *Austin American-Statesman*, September 22, 2015, reporting on a moratorium on Austin’s recently permitted entire house/apartment short term rentals.

<sup>8</sup> Motion No. M-15-391, August 20, 2015.

<sup>9</sup> Remarks of Councilmember-at-Large Stacy Head, Community Development Committee meeting, August 17, 2015.

<sup>10</sup> <http://www.nola.gov/city-planning/major-studies-and-projects/short-term-rental-study/>

<sup>11</sup> Demonstrated quite convincingly by attorneys for short term renters who defeated the city’s most serious effort to date to enforce its laws about short term renters. Page v. City of New Orleans, *Petition for Temporary Restraining Order, Preliminary Injunction, & Permanent Injunction* (Louisiana Civil District Court, No. 15-5626), filed by Canlas Ellis, LLC (by R. Ellis) and James E. Uschold, PLC (by J. Uschold)

<sup>12</sup> See letter from B. Furness, on behalf of the Short Term Rental Committee, to Ms. Lauren Hotard, et al., Sept. 22, 2015, re: Short-Term Rentals – Enforcement.

## Nicholas J. Kindel

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**From:** CPCinfo  
**Sent:** Tuesday, September 29, 2015 10:02 AM  
**To:** Nicholas J. Kindel  
**Subject:** FW: Short-Term Rental Regulations  
**Attachments:** New Orleans City Planning Commission Letter.pdf

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**From:** Matthew Kiessling [mailto:mkiessling@traveltech.org]  
**Sent:** Tuesday, September 29, 2015 8:40 AM  
**To:** CPCinfo  
**Subject:** Short-Term Rental Regulations

September 29, 2015

City of New Orleans Planning Commission  
1300 Poydras Street, Room 7W03  
New Orleans, LA 70112

Dear City of New Orleans Planning Commission:

The Short-Term Rental Advocacy Center (STRAC), a program of the Travel Technology Association, is a broad-based coalition of property owners and managers, hosts, travelers and businesses that recognizes the value of short-term rentals to both travelers and the local communities they visit. Increasingly, travelers are looking for short-term rental accommodations that provide flexible housing options and allow them to spend longer periods of time in communities, in a unique setting, all while contributing to the local economy. As such, we believe municipalities should embrace this economic opportunity by working with industry stakeholders to establish a reasonable framework for regulating short-term rental activity so that all may benefit. STRAC counts among its members, short-term rental companies such as HomeAway, AirBnB, and FlipKey.

Travel Tech supports formal regulations that legalize short-term rentals, and believes that owners, property managers, and hosts can work together with the city to create a system that requires short-term rental providers to register their property and remit the applicable local taxes. However, regulations and requirements for registration and taxation must be reasonable, affordable, and easy to comply with, so that those interested in renting their property can easily understand and comply with the regulations. Expensive, onerous, and complicated registration and taxation schemes will only be a deterrent, and making the process easy and reasonable will result in greater compliance, leading to greater benefits for both travelers and residents in the city.

With regard to short-term rental platforms, Travel Tech believes that requiring these short-term rental technology companies to collect and remit occupancy taxes is not sound policy. It is important that municipalities recognize that all short-term rental platforms are not the same. Some are simply advertising platforms that have no ability to confirm if a transaction has taken place, let alone the ability to collect and remit taxes. Short-term rental companies are not the suppliers of accommodations and therefore are not and should not be the designated collector and remitter of occupancy and use taxes. While a company may choose to collect and remit taxes as a courtesy and convenience for their owner/manager/host participants, this is and



should remain, a voluntary, not mandatory activity. Ultimately, the owner/host of the property, the entity that is providing the accommodation, is responsible for occupancy and use taxes.

At the heart of successful short-term rental regulation is an equal playing field that does not discriminate between the renting of a primary or owner-occupied residence and a secondary residence. Cities should adopt sensible regulations that apply to all short-term rentals equally, so that travelers, owners, hosts, and property managers, the city and the surrounding communities can all benefit from the tremendous economic opportunity that short-term rentals have to offer. Subsequently, travelers seeking alternative accommodations should continue to see New Orleans as a viable travel destination willing to offer travelers and their families, choices when it comes to accommodations.

To date, New Orleans and the surrounding community continue to derive a very real economic benefit from the presence of short-term rentals and the travelers who occupy them. Quite simply, it is the difference between living like a local or just visiting. Travelers rely on short-term rentals for various reasons, including the need to accommodate larger families that would otherwise require multiple hotel rooms, travelers with special needs or special needs children, or simply a desire for more lengthy affordable stays. Regardless of the reason travelers choose short-term rentals, numerous studies have shown that those in short-term rentals stay longer and spend more money during their travel versus hotel stays. Municipalities should embrace this opportunity rather than stifle it.

We encourage New Orleans's City Planning Commission to work towards developing sensible short-term rental regulations that can be easily complied with by renters and operators. If regulations are enacted in this regard, the city and surrounding community have much to gain. Should New Orleans fail to address this issue or seek to enact regulations that hamper the widely recognized advantages of short-term rentals, it will continue to drive the activity underground, where it would still persist, but without the same level of accountability and the corresponding tax and revenue advantages for the city. Ultimately, it would represent a missed opportunity to position the city's travel industry for a bright future.

The Travel Technology Association, as well as many local short-term rental owners, operators, and hosts are available to the city as a resource. We encourage you to consider their input as you continue to work toward developing fair and reasonable short-term rental policies. We look forward to having the opportunity to work with you.

Sincerely,



Matthew Kiessling  
Director of Coalitions and Grassroots  
The Travel Technology Association  
[www.traveltech.org](http://www.traveltech.org)  
[www.stradvocacy.org](http://www.stradvocacy.org)



September 29, 2015

City of New Orleans Planning Commission  
1300 Poydras Street, Room 7W03  
New Orleans, LA 70112

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The Travel Technology Association, as well as many local short-term rental owners, operators, and hosts are available to the city as a resource. We encourage you to consider their input as you continue to work toward developing fair and reasonable short-term rental policies. We look forward to having the opportunity to work with you.

Sincerely,

A handwritten signature in black ink, appearing to read "Matthew Kiessling", with a large, sweeping flourish at the end.

Matthew Kiessling  
Director of Coalitions and Grassroots  
The Travel Technology Association  
[www.traveltech.org](http://www.traveltech.org)  
[www.stradvocacy.org](http://www.stradvocacy.org)

## Nicholas J. Kindel

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**From:** Paul Cramer  
**Sent:** Tuesday, September 29, 2015 9:00 AM  
**To:** Nicholas J. Kindel  
**Subject:** FW: Short Term Rentals in New Orleans

**From:** Betty DeCell [<mailto:bkdecell@gmail.com>]  
**Sent:** Tuesday, September 29, 2015 8:53 AM  
**To:** CPCinfo; Paul Cramer  
**Subject:** Short Term Rentals in New Orleans

For 25 years I have opposed short-term rentals in the French Quarter, where I own property and live. I also have rental apartments in the F.Q. I do not allow my tenants to sublet. However, last year despite clear lease "no sublet" clauses, I had two young women who did nightly rentals through AirBnB. Fortunately for me I was checking out the AirBnB website and saw their listing with numbers of happy reports from their guests. I evicted them. They were very irate. Said "everyone" is doing it. Well, not in my properties. 1) It is illegal and I do not allow illegal activities, 2) I would have serious liability problems if someone were (or claimed) they were hurt on my property, 3) My ADT security system becomes meaningless if code is given to non-vetted strangers. 4) Other tenants are put at risk for theft or other crimes, as well as the nuisance of noise or other negatives from revelers. Since then I have had a number of inquiries from people looking for apartments to rent that indicated to me they had in mind running a nightly rental business. One man wanted to rent three apartments in the same building. I thought this strange until I saw what I believe to be a house he owns on Royal Street listed with AirBnB. Another stated they wanted to rent a place to use in conjunction with a condo newly purchased in the F.Q. This could be very lucrative for the renter, but could be disastrous for the landlord.

This is a big, big problem for our neighborhoods and our City. If I were in a position of influence, I would likely allow owners of homes where they reside to lease for limited periods of time-- Mardi Gras? Jazz Fest? French Quarter Festival? Southern Decadence?-- not to exceed so many days a year and limited to times when the owners were actually on site to monitor activities and to respond to neighbors' complaints. Anyone wanting to do more extended rentals should apply for a regular bed and breakfast license. Those choosing to do the occasional weekends would be subject to inspections and regulations, as well as taxes to cover these costs. If neighborhood complaints were judged valid and continued beyond two warnings, homeowner would lose the right to rent. Considerable fines would be levied for violations. Mortgage and insurance companies should be alerted to this usage so as to be protected.

Enforcement is most important. With internet access could occasional hosts be required to report to City rental dates in advance -- say 24 hours prior to occupancy? These could be posted on City website available to neighbors. If someone were exceeding the allowed days, neighbors would know and could report. Then there is the problem that host could call his guests "friends" or "relatives." How do we resolve this? I do not know. I've heard of someone using this tactic now in a rather large condo building.

Best wishes, good luck, Betty DeCell, 825 Bourbon Street, 586-9201

## Nicholas J. Kindel

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**From:** Paul Cramer  
**Sent:** Tuesday, September 29, 2015 9:15 AM  
**To:** Nicholas J. Kindel  
**Subject:** FW: Short Term Rental Hearing (M-15-391) for September 29

**From:** nbk126 [mailto:nbk126@gmail.com]  
**Sent:** Tuesday, September 29, 2015 9:04 AM  
**To:** CPCinfo; Paul Cramer  
**Subject:** Short Term Rental Hearing (M-15-391) for September 29

To whom it may concern,

I am writing to share my concerns about the status of short-term rentals in New Orleans. I am a resident of the French Quarter, and what has become of this neighborhood because of airbnb and similar companies is a real travesty. We have no more neighbors anymore. Everyone I run into on the street is in town for the weekend and booked their accommodations through airbnb. Everyone is here to party for their three day trip, and the residents need to clean up their garbage (literally). Condo and rental buildings throughout the Quarter are forced to play host to these drunk travelers who come in at all hours bringing strangers (though they themselves are strangers), drunk and high, eradicating any quality of life here. The onus of responsibility and cleanup and safety has been put on the residents who live next door or in their building, instead of on the hotels. Absentee owners have turned all the residents into their employees, while they reap the cash rewards. Friends who once lived in the Quarter cannot afford it anymore because it is cheaper for a landlord to airbnb their apartment a few days a month than rent it out on a monthly basis.

I am staunchly opposed to permitting airbnb-style rentals in the French Quarter, and with the city would enforce the laws as they currently stand, in order to protect reasonable rental rates and the quality of life of the residents.

Thanks,  
Noah Kressler

## Nicholas J. Kindel

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**From:** Paul Cramer  
**Sent:** Tuesday, September 29, 2015 10:02 AM  
**To:** Nicholas J. Kindel  
**Subject:** FW: Garden Distirct Association position Position on Short Term Rental  
**Attachments:** GDA STR Letter Final 92915 (N3103287-2x7A3A0).pages.pdf

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**From:** SHELLEY LANDRIEU [<mailto:slandrieu@bellsouth.net>]  
**Sent:** Tuesday, September 29, 2015 9:57 AM  
**To:** Robert D. Rivers  
**Cc:** Leslie T. Alley; Susan G. Guidry; Jared E. Munster; Stacy S. Head; Paul Cramer; John D. Pourciau; Jonathan T. Harris; LaToya Cantrell; Andre Gaudin; Rivers Lelong  
**Subject:** Garden Distirct Association position Position on Short Term Rental

Bob:

Please find attached a letter from the Garden District Association stating our position with regard to the issue of legalizing short term rentals. While we believe this position is pretty comprehensive, we reserve the right add comments as the issue develops within the public realm.

We look forward to seeing you tonight and trust that you will share this with the CPC Commissioners and your staff.

Thanks

Shelley Landrieu  
Garden District Association  
Executive Director

# Garden District Association

POST OFFICE BOX 50836  
NEW ORLEANS, LA 70150  
504-525-7608  
[gardendistrictno@bellsouth.net](mailto:gardendistrictno@bellsouth.net)

September 29, 2015

Mr. Robert Rivers  
Executive Director  
City Planning Commission  
1300 Perdido Street, 7th Floor  
New Orleans, LA 70112

RE: Short Term Rental Study

Dear Mr. Rivers:

The City Council has asked the City Planning Commission to study a land-use and regulatory issue facing many cities across the country: short term rentals ("STRs"). This letter summarizes proposals by the Garden District Association (the "Association") for balancing the interests of STR lessors and their neighbors by defining and limiting STRs while also recognizing a place for STRs within the existing bed-and-breakfast land-use regime under the Comprehensive Zoning Ordinance ("CZO").

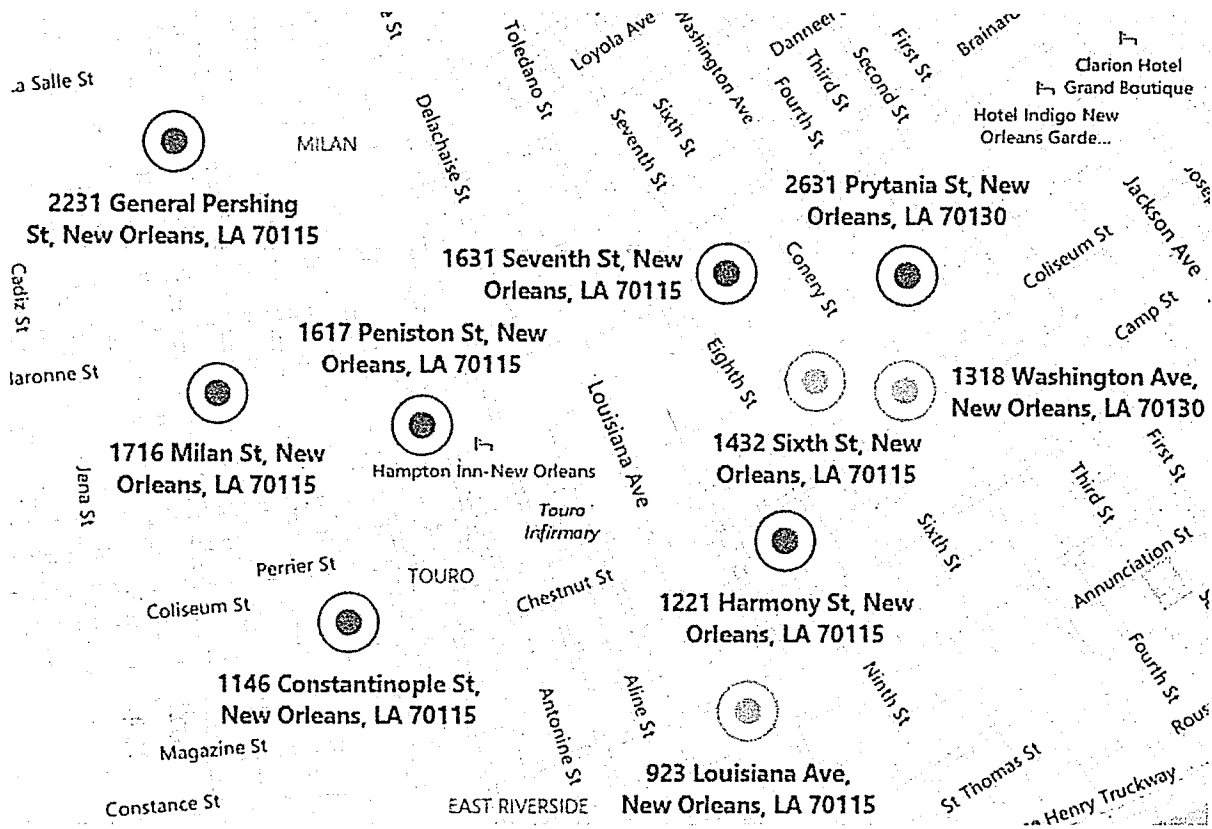
## **1.BACKGROUND**

This is not the first time the City has been asked to balance such competing interests. Although STRs have proliferated in recent years with the advent of online reservation websites, such as VRBO.com and AirBnB.com, the City Council first began regulating leases in private homes to short term visitors in the mid-1990s. These visitors' hosts came to be known as bed-and-breakfasts ("B&Bs").

There were many concerns that led the City to define and limit B&Bs in the '90s, all of which also apply to STRs today. Neighbors complained about noise, trash, and parking. There were safety concerns. Neighbors worried about the rising costs of homes, with prices escalating beyond the reach of families unwilling or unable to operate B&Bs. Larger houses were being subdivided into de facto hotels, introducing commerce into formerly residential neighborhoods and threatening to drive out permanent residents. Neighborhoods with the greatest tourist traffic, such as the Garden District and Vieux Carré, found themselves under the greatest pressure from B&Bs. And as the number of B&Bs grew, neighbors worried that the very nature of their neighborhood would change, losing much of their residential character.

Beginning in 1990 the City Council responded by adopting several ordinances, including one “grandfathering” almost 30 B&Bs around the City.<sup>1</sup> Later ordinances prohibited new B&Bs in certain neighborhoods and streets, including the Garden District and the Vieux Carré.<sup>2</sup>

The following map shows almost ten B&Bs in or near the Garden District that were grandfathered in 1990:



Just a few months ago, the City retained and recodified in the current CZO the prohibition on new B&Bs in the Garden District, a portion of the Lower Garden District, and the Vieux Carré. In the recodification, an additional requirement was added for all Garden District B&Bs requiring them to have been in continuous use to retain their legal non-conforming status. The relevant section states:<sup>3</sup>

Bed and breakfasts are prohibited within the following areas:

- i. The area bounded by the centerlines of Prytania Street, Pontchartrain Expressway, Magazine Street, and the downtown side of Felicity Street from Coliseum Street to Prytania Street.

<sup>1</sup> Ord. No. 14,168 (adopted 11/12/1990).

<sup>2</sup> See, e.g., Ord. Nos. 18,374 (adopted 08/12/1997) and 19,033 (adopted 12/17/1998). These ordinances were codified in former CZO arts. 4.5.8(3) and 4.10.9 (2014).

<sup>3</sup> CZO art. 20.3(I)(1)(b) (2015) (emphasis added).



- ii. The area referred to as the Garden District, bounded by the centerline of St. Charles Avenue, the downtown side of Jackson Avenue, the centerline of Magazine Street, and the downtown side of Louisiana Avenue, with the exception of those bed and breakfasts grandfathered pursuant to Ordinance No. 14,168 M.C.S., November 12, 1990, *subject to confirmation of continuous use and legal non-conforming status*. [emphasis added.]
- iii. In all Vieux Carré Districts.

## 2. ASSOCIATION RECOMMENDATIONS

### I. Prohibit Garden District STRs

The Association proposes that STRs be prohibited in the same locations that B&Bs are currently prohibited, including the Garden District, much of the Lower Garden District, and Vieux Carré. One of the Association's chief concerns is that STRs are, and will be, nothing more than an end-run around the decades old prohibition on new Garden District B&Bs. If B&Bs are generally prohibited in the Garden District—and even those with “grandfathered” status are highly restricted—it makes no sense to permit unfettered STRs in our neighborhood. Prohibiting Garden District STRs would protect the moratorium on Garden District B&Bs and protect those B&Bs that have played by the rules for the past twenty-plus years.

Prohibition would also protect our historic neighborhood. Because of its historic significance and high tourist traffic, the Garden District faces immense pressure from STRs. The Garden District has been featured on AirBnB's travel blog,<sup>4</sup> and travel websites routinely rank the Garden District near or ahead of the French Quarter as a neighborhood destination for tourists, including Trip Advisor,<sup>5</sup> The Travel Channel,<sup>6</sup> and others.<sup>7</sup>

Data regarding tourist traffic in the Garden District is found in the “Private Home Rentals” study prepared by the Hospitality Research Center of the University of New Orleans. The study, prepared for the STR advocacy group Alliance for Neighborhood Prosperity (“ANP”), estimated in 2013 that approximately 100,000 visitors came to the New Orleans area and stayed in private home rentals. Based on survey results, over 70% or 70,200 of those visitors were

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<sup>4</sup> See <http://blog.airbnb.com/new-orleans-family-garden-district/> (last visited September 21, 2015) (“The Garden District is generally considered the best place in the city for kids to participate in Mardi Gras....”).

<sup>5</sup> See [http://www.tripadvisor.com/Attractions-g60864-Activities-c47-New\\_Orleans\\_Louisiana.html](http://www.tripadvisor.com/Attractions-g60864-Activities-c47-New_Orleans_Louisiana.html) (last visited September 21, 2015) (Garden District ranked 5th, French Quarter 6th).

<sup>6</sup> See <http://www.travelchannel.com/destinations/us/la/new-orleans/travel-guides/the-big-easy-travel-guide> (last visited September 21, 2015).

<sup>1.7</sup> See, e.g., <http://www.viator.com/New-Orleans/d675-top-ttd> (last visited September 21, 2015); [http://www.hop-on-hop-off-bus.com/new-orleans-hop-on-hop-off-tour\\_23369](http://www.hop-on-hop-off-bus.com/new-orleans-hop-on-hop-off-tour_23369) (last visited September 21, 2015).

estimated to visit the Garden District in 2013. Further, the study estimated 70% of the visitors were repeat visitors to the Garden District.<sup>8</sup>

Adding to the significance of the Garden District as a destination for visitors, the 2013 study prepared for the ANP specifically performed physical surveys of visitors in the Garden District. The French Quarter was the only other neighborhood in which intercept surveys of visitors were performed. All other physical locations were commercial areas or attractions such as Bourbon Street, the Aquarium, the Convention Center, etc.

More astonishing is data obtained from The New Orleans Tourism Marketing Corporation (TMC). According to the TMC, New Orleans experienced 9.5 million visitors in 2014. Of that total number of visitors, it was estimated that 51% or 4.8 million people visited the Garden District. Accordingly, the Garden District averaged over 13 thousand daily visitors in 2014. The 2014 New Orleans Area Visitor Profile further reports that 46% of the visitors to the Garden District were repeat visitors while 56% of the visitors were first time to the Garden District.<sup>9</sup> Included in the estimated 4.8 million visitors to the Garden District are daily walking, bicycle and van tours as well as large city-wide bus tours that traverse the Garden District. These tours converge on the Garden District at regularly scheduled hours and in large groups.

Just as in the 1990s, today the Association receives complaints about STRs regarding noise, trash, and parking. Our neighbors are worried about the rising costs of homes, with prices escalating beyond the reach of young families unwilling or unable to operate STRs. Our neighbors are worried that the historic residential character of the Garden District will be lost, with permanent residents being replaced with investor-owned, commercial hotel-type operations coordinated through internet listing services.

Accordingly, STRs should be prohibited in the same locations that B&Bs are currently prohibited, including the Garden District, much of the Lower Garden District, and Vieux Carré. Other historic neighborhoods likely merit the same approach. For example, the Marigny has among the highest numbers of illegal STRs.<sup>10</sup> It seems logical that the Marigny and the entirety of the Lower Garden District deserves similar protection.

## II. Following B&B Rules

The Association believes that every neighborhood should be given the choice to ban STRs or treat them as conditional uses. If, however, the City believes that STRs should be accommodated in some residential neighborhoods, the most logical approach outside the moratorium neighborhoods is to track the existing treatment of B&Bs, to the extent reasonably possible.

This approach should treat both B&Bs and STRs as conditional uses in certain areas and as permitted uses in other areas upon similar terms.

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<sup>8</sup> Source: *Private Home Rentals, Visitor Survey Results and Economic Impact Analysis 2013*, Prepared for: Alliance for Neighborhood Prosperity, Prepared by: The University of New Orleans, Hospitality Research Center.

<sup>9</sup> Excerpt from "2014 New Orleans Visitor Profile", Prepared by: The University of New Orleans, Hospitality Research Center.

<sup>10</sup> Available at <http://nolarentalreport.com> (last visited September 21, 2015).

The City Planning Commission should recognize, however, that, in various material respects STR operators are seeking and will likely obtain more lenient operational rules than B&Bs enjoy. The first draft ordinance to regulate STRs circulated in January 2015, for example, exempted STRs from City hotel taxes applicable to B&Bs, allowed STR applicants to self-certify Fire Code compliance, contained no density limitations applicable to STRs, and allowed absentee operation through third party management companies. While some STR proponents purport to advocate equal treatment for B&Bs and STRs, this position is conditioned on the City substantially abandoning its current B&B taxes and regulations. If the City declines to do so, the STR proponents seek a different and far more lenient regulatory regime for STRs. When asked to justify this different tax and regulatory approach, STR proponents often argue that STRs are different than B&Bs because the STR is the operator's true home rather than a commercial investment like a B&B and the STR rental activity is merely a homeowner making ends meet by renting extra bedrooms periodically.

The commercial reality is, however, that many STR operators are investing on a purely commercial basis, acquire their properties for STR purposes and not for personal residency reasons, and do not wish to reside in the same home as transient guests. Other STR operators do reside in the STR location but travel or own second homes and wish to run hotel-type operations through third party management companies while out-of-town on vacation or business.

In considering land use rules, the City Planning Commission should consider the different types of STR operators and, to the extent land use rules are modified to accommodate STRs, the planning objective should be to accommodate true full-time residents who acquired their homes not for STR operations but for personal residency, and who are renting to short term renters while in personal residency.

### III. Other Resulting Recommendations

#### A. *Defining "short term rental"*

A "short term rental" should be defined as "a rental for any period less than 30 days." Thirty days is a standard used at all levels of government. It is the standard other municipalities use to define STRs. The Louisiana Civil Code provides the default term for leases of immovables or residences "shall be from month to month." La. Civ. Code. Art. 2680. Thirty days is also the standard used by federal agencies, including the Department of Housing and Urban Development.<sup>11</sup> Accordingly, this definition is widely accepted and suitable for purposes of regulating STRs.

#### B. *Minimum Proof of Owner Residency*

Proof of occupancy requirements should apply to STRs, because the principal justification for STRs being allowed to evade many of the numerous B&B requirements (such as city hotel taxes) is to allow actual residents to rent a spare bedroom or two to earn extra money to make mortgage payments or to meet basic living expenses, not to establish a commercial enterprise on the order of a full B&B or, worse yet, hotel. Proposed rules for STRs require proof

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<sup>11</sup> See 24 CFR § 203.16 (barring certain homes from being used for "transient or hotel purposes," where "transient" is defined as "rental for any period less than 30 days"); and § 266.205 (same).

of “owner occupancy,” by proof of a homestead exemption,<sup>12</sup> but qualifying for a homestead exemption requires little more than a Louisiana driver’s license and a utility bill.<sup>13</sup> The Orleans Parish tax assessor routinely mails tax bills to out of state billing addressees for homeowners claiming homestead exemption. Those with second homes or who are able to travel several months out of the year are not the struggling homeowner used to justify STRs. In addition to providing proof of a homestead exemption, the Association believes that an STR applicant should be required to submit copies of two years of the applicant’s Louisiana income tax returns. If the STR applicant is a resident making ends meet by renting spare bedrooms, the STR applicant will be paying Louisiana taxes, at the STR address, not claiming state income tax free residence in Texas or Florida. Further, if the STR applicant is paying Louisiana taxes at another address in Louisiana, this fact also disproves any claim of residency at the STR location.<sup>14</sup>

### *C. Owner Presence Must Be Required*

In addition to providing proof of a homestead exemption and two years of Louisiana tax returns at the STR location, the Association proposes that homeowners who offer STRs should certify that they not only (i) occupy their home at least 11 months out of the year but also (ii) that the owner will be sleeping at the home at all the times the STR is rented.

Fundamentally, neighbors finding their driveways blocked by STR visitors or trying to address a late-night party by STR guests do not want a management company answering service; they want their neighbor - the STR owner - to be on hand to address, or better yet to prevent, the problem. B&B operators are required to bed on the premises or to have an on-premises manager. STRs are being allowed far greater freedom than B&B operators from B&B requirements such as fire code inspections on the grounds that these STR operators are true residents renting spare bedrooms to make ends meet, not commercial investors operating hotels through management companies or wealthy residents paying for ski trips or beach vacations by renting their homes out for Mardi Gras, leaving their neighbors to suffer the consequences.

### *D. Size and Density Limitations*

The Association proposes that STRs in all neighborhoods allowing STRs, whether as conditional or permitted uses, share the same size and density limitations that exist for B&Bs. Under the current CZO, B&Bs may not allow more than nine visitors overnight,<sup>15</sup> and they have

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<sup>12</sup> CZO art. 20.3(I)(3)(a) (2015).

<sup>13</sup> See <http://nolaassessor.com/faq.html#About:32thc:32Homestead:32Exemption> (last visited September 21, 2015).

<sup>14</sup> The Association anticipates that STR proponents will criticize the two-year Louisiana tax return requirement by citing the example of a homeowner who has moved to town, purchased a home and proposes to commence STR operations. The Association believes, however, that this is exactly the type of investment driven activity that land use regulations should discourage in residential neighborhoods. STR proponents constantly cite the beleaguered homeowner driven to renting rooms to make ends meet like a character in a Tennessee Williams play operating a boarding house. No doubt such persons exist. They are, however, far outnumbered by real estate investors purchasing properties for the express purpose of commencing STR operations for commercial gain. There is nothing wrong with allowing such investment in properly zoned commercial districts, but such investment is destructive in residential neighborhoods. The needy divorcee or Tennessee Williams widow driven to take in short-term renters will have the necessary tax returns listing the proposed STR location as her address; the real estate investor may not, which is, of course, why STR proponents will resist the requirement.

<sup>15</sup> CZO art. 20.3(I)(3)(d) (2015).

strict density limitations: “In any residential district, only one (1) bed and breakfast, whether accessory or principal, is permitted per blockface.”<sup>16</sup> Hence, if there is a licensed B&B already on a blockface, an STR should not also be permitted on the same blockface.

The Association notes one important issue relating to this density limitation: in a condominium complex, conversion of a single unit to STR operations will be possible in neighborhoods where STRs are allowed (subject to the condominium association’s rules) but conversion of multiple units to condominium operations will exceed the density limitation. If the entire complex is treated as a single STR for density purposes, de facto hotels will operate out of condominium complexes. This situation already exists illegally at certain locations in the City.

#### *E. The Common Door*

Related to the condominium problem is the question of duplexes, triplexes, fourplexes, and larger complexes. In STR mythology, the needy homeowner is welcoming short term guests into his home’s spare bedrooms, and both homeowner and guests share a common entrance and common social spaces. In reality, most STR demand is for rental of entirely separate housing units where STR owner and guests occupy entirely separate spaces. Relatively few STR operators and short term renters appear comfortable with the security and privacy issues involved in truly sharing a common residence, which one STR proponent described as “creepy.” This reality means that STR operators generally wish to convert separate units that would otherwise be long-term rentals to STRs. This conversion obviously adversely affects the availability of long term rentals, which is purportedly a concern to the City Council.

The Association would prefer that STRs be defined as units in which the owner-operator shares the same “common door” with his renters, sharing living space with the renters, thus protecting existing long term rental units and giving the owner-operator the greatest incentive to control STR renter behavior that is adversely affecting the neighborhood. The Association recognizes, however, the reality that STRs inherently involve the removal of long term rental units from the market to create the STR units and does not believe that more than a negligible number of STR operators will accept a requirement that the STR operator share a common entrance or common living space with short term renters.

Reluctantly accepting this reality, the Association believes that duplexes should, in neighborhoods allowing STRs, be available for STR conversion with the owner residing on one side and the renters residing, from time to time, on the other side. The Association equally believes that the density limitation should be written to count each separately accessed STR unit in the density calculation. This approach would prevent the conversion of triplexes and larger complexes to STR status, partially protecting the long term rental market and thereby partially protecting the residential character of the neighborhoods allowing STRs.

#### *F. Parking*

The Association believes that many blocks have adequate parking to accommodate an STR, while many other blocks already lack sufficient parking to accommodate their existing residents, let alone additional STR parking. The Association recognizes the administrative

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<sup>16</sup> CZO art. 20.3(I)(1)(a) (2015).

burden of requiring every STR applicant in neighborhoods allowing STRs to prove adequate parking on premises or on the street. The Association proposes, however, that, in neighborhoods where STRs are allowed, each STR applicant must certify that the STR premises or on the street parking on the same block can reasonably be expected to accommodate anticipated STR parking needs on a continuous basis assuming that one car will be parked by STR visitors for each two bedrooms available to rent without displacing full-time resident parking on the block.

By “continuous,” the Association is rejecting the STR proponents’ argument that it is acceptable to overload the parking in residential neighborhoods from time to time, so long as the parking overload is not continuous. STR proponents also argue without clear evidence that many visitors will take cabs or use Uber in lieu of driving and therefore STRs could “improve” parking conditions by displacing permanent residents who would themselves have cars. The Association certainly acknowledges that some visitors use cabs or the Uber service, but, common sense and daily observation indicates that many visitors still drive. A parking need cannot be solved by assuming that all visitors will take taxis or use the Uber service. Instead, the more common sense (and still very lenient) approach is to assume that for every two bedrooms allocated for STR use, there will be days in which a visitor car will be associated with those bedrooms.

*G. Neighborhood Participation.*

For purposes of administrative simplicity, the Association proposes accepting an STR applicant's self-certification of personal occupancy while STR rental activity is occurring and parking adequacy. However, some avenue must be provided for challenging false certifications. To accommodate such challenges, an STR applicant should be required to provide a copy of his STR application to all neighbors on the block contemporaneously with the filing of the STR application. If two or more neighbors on the block or any neighborhood association challenges the accuracy of the STR applicant's self-certifications by written notice to the City within 30 days, such challenge should be considered at the conditional use hearing for such STR application if the STR application is for a site in a conditional use district or, if the STR application is for a site in a permitted use district, the challenge should be heard at a special hearing before the City Planning Commission.

Further, renewal of STR rights should require annual recertification by the STR operator of owner occupancy during STR rentals and parking adequacy, with an opportunity for neighbors to challenge a false self-certification.

*H. Enforcement Generally*

The Association strongly believes that, in addition to the neighbors' right to challenge false certifications of occupancy and adequate parking, the rules governing STRs must allow a path for neighbors to stop STR operations that disrupt neighborhoods with noise, trash, and unruly behavior. While STR proponents argue that neighbors should rely on nuisance law, these proponents are well aware that nuisance suits are difficult to successfully prosecute, particularly when the nuisance behavior is periodic rather than continual. STR proponents also contend that neighbors should rely on the City to enforce quality of life issues, although again the proponents are well aware that the City rarely enforces quality of life regulations. The Association believes that, if STRs are allowed in a neighborhood, each STR permit should be subject to annual renewal and that each annual renewal should include an opportunity for neighbor objections to renewal based upon quality of life complaints. If such neighbor renewal objections are received by the City, a hearing should be required to address those complaints before renewal can occur and that the STR operator's repeated involvement in quality of life problems like excessive noise, trash, and unruly renters should preclude renewal.

A final enforcement issue concerns the question of what the City intends to do to stop illegal STRs that continue to operate in violation of whatever new STR rules the City adopts. The City currently has a broad prohibition of STRs in place but refuses to enforce the prohibition. If the City legalizes a portion of the STRs but continues to refuse to enforce its rules against the remaining illegal STRs, what is the purpose of the new STR rules? Some mechanism beyond trusting the City to reform its moribund enforcement program must be provided to shut down those STR operators who flout whatever new rules are adopted. Part of the answer to this issue, the Association believes, is to empower neighborhood associations to file suit against unlicensed STR operators to enjoin those illegal operations.

**3. CONCLUSION**

September 29, 2015

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The Association intends to submit further commentary and proposals to the City Planning Commission prior to November 30<sup>th</sup>.

On behalf of the Garden District Association, representing hundreds of families in New Orleans' historic Garden District, we thank the City Planning Commission for its time and consideration.

*Andre Gaudin*  
Andre Gaudin  
President

*Rivers Lelong*  
Rivers Lelong  
Chair, Short Term Rental Committee



## Nicholas J. Kindel

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**From:** CPCInfo  
**Sent:** Tuesday, September 29, 2015 10:27 AM  
**To:** Nicholas J. Kindel  
**Subject:** FW: September 29

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**From:** Timothy K. Bond [<mailto:tkb2@cornell.edu>]  
**Sent:** Tuesday, September 29, 2015 10:04 AM  
**To:** CPCInfo  
**Cc:** clf6556; [info@alliancenola.org](mailto:info@alliancenola.org)  
**Subject:** FW: September 29

Dear People on the City Planning Commission.

My wife and I bought a house in the Uptown neighborhood near Napoleon and Laurel and intend to move to that neighborhood when I retire. We love the uptown neighborhood in which our house exists and look forward to moving there in two years. Our house is next door to our daughter's home. We are renting our house for long term rentals, 30 days or more, to people who have shown a strong interest in spending enough time to get to know the neighborhood as well as New Orleans. Our visitors have been excited by the opportunity to get to know parts of New Orleans that are not on the main tourist routes.

We think that allowing visitors to New Orleans to become acquainted with the many neighborhoods in New Orleans that are not dedicated to the tourist trade directly will:

- 1) provide an introduction to the very different flavors of those neighborhoods
- 2) help continue the rehabilitation and renovation of houses damaged or abandoned during Katrina
- 3) help bring more tourist spending to those neighborhoods

We think that home owners should be allowed to rent their homes for shorter terms than 30 days, possibly a week at a time. Short term rentals, through AirBnB or other methods offer the opportunity for visitors to stay in the various neighborhoods and get to know the feel and rhythms of the neighborhoods. We would, of course, follow whatever rules or requirements are set for the appropriate regulation of rentals.

Timothy Bond

## Nicholas J. Kindel

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**From:** CPCinfo  
**Sent:** Tuesday, September 29, 2015 10:27 AM  
**To:** Nicholas J. Kindel  
**Subject:** FW: Regulate and tax short-term rentals

**From:** Elaine Leyda [<mailto:eleyda@gmail.com>]  
**Sent:** Tuesday, September 29, 2015 10:15 AM  
**To:** CPCinfo  
**Subject:** Regulate and tax short-term rentals

I strongly support taxing and licensing short-term rentals, such as bed and breakfast establishments.

Like many, I have been witnessing my neighborhood change in ways that are not for the best, though they do bring in money for some people. Most short-term rentals are owned by people who do not live onsite; many are owned by people living out of town. We sit on our porch and see people walking by; we never see those same people again. We have no idea who they are. The same is true of the area around Oak Street, Maple Street, and elsewhere in Carrollton.

Owners of unlicensed short-term rentals do not monitor their property, do not screen their "guests," or pay taxes to the city for the fire, police, and other services that they and their guests rely on. That is an insult to the rest of us.

This is not the wild, wild west. This city is not a free-for-all. Is it?

Most of us pay taxes, including income tax, property tax, state tax. Most of us maintain our property and contribute to the neighborhood by knowing neighbors, keeping abreast of what's going on around us. Unlicensed short-term rentals are a virus that are eating away at the \*local\* fabric of our neighborhoods, the very neighborhoods that the city likes to tout to tourists.

When I looked online for short-term rentals near me, I found over 50. Two are licensed. I know the owners of one, and they are excellent neighbors who live onsite.

Unlicensed short-term rentals are not good for our city or our neighborhoods.

Thanks,  
Elaine Leyda  
1620 Dublin  
Rear apt.  
NOLA 70118

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"I'm not sure, but I think all music comes from New Orleans."

K-Doe