

November 30, 2015

Kelly Brown  
City Planning Commission  
1300 Perdido Street 7th Floor  
New Orleans, LA 70012

Re: 1013 Sixth Street application and hearing October 13, 2015

Dear Commissioner:

Back in the late 90's, there were a number of people throughout the city who rented extra rooms out in their houses to overnight visitors. Many of these people were owner-occupants who greeted and attended to their guests much the same as a bed and breakfast owner; they were in effect operating as unlicensed bed and breakfasts. The internet was not the powerhouse it is today, and instead, many of these people got their referrals through a locally owned and run reservation booking service which handled reservations for many of our city's bed and breakfasts.

Around 2000 one of these people, who had heretofore been operating without a bed and breakfast license, but who had finally gotten her Garden District area house approved and licensed, decided to go after all the other short term rentals who were not licensed; some of them were friends of her's so she knew what many were doing personally. She complained to the city officials so often and so aggressively, that city officials felt they had no choice but to crack down on the booking service and the unlicensed bed and breakfasts it was servicing. The city officials at the time handling this no doubt remember that period well.

My property, the Castle Inn, a vaguely Bavarian looking stone house (the former owner Alma Kruttschnitt, had been Queen of Carnival in 1891 and her father had been the German Consul in New Orleans, hence the name) was also dragged into this dragnet when I, too, received a notice from the city to stop renting to overnight visitors; although I was not using the booking service, I was advertising openly on the internet through my website, as I felt I had nothing to hide, and in fact was abiding by the law. The difference, I felt, was that I was fully licensed, as I had been duly assigned by Safety and Permits the prior owner's grandfathered rooming house license when I had bought the house in 1998 (I had been required to get affidavits from neighbors stating that they had no objections to the transfer of the license). When I went in to discuss this at the city, I provided proof that my license predated the 1970 code change, which had changed the rooming house law to require minimum stay of 30 days, I had over 40 years' worth of receipts from the prior owner showing weekly receipts to his occupants, and I was filing and paying my hotel and motel sales tax each month.

When the city official saw this, the initial preliminary recommendation was that my old rooming house license be converted to a "transient vacation rental," which would not even require me to live on site, as opposed to a bed and breakfast license, which would have required me to live on site (at the time of this meeting, I was living at the property, although my rooming house license did not require this). Initially, too, the neighbors in the Garden District told me they approved of what I had done to fix the house up, that I was the "kind of neighbor" they liked, and that they appreciated the hard work they could see I had put into converting the house from what had been known as a notorious "flophouse" into a property they considered worthy of their block. However, they had certain quality of life concerns (such as the possibility of late night taxis) and set up several meetings with my my co-owner, our lawyer, and I to see if we could work out some compromise to alleviate their concerns about the use of the property as a short term rental. They indicated that they did not have a problem with us, per se, but wanted to make sure they didn't set a precedent or send a message to others possibly contemplating renting their homes out to out of town visitors. As part of these meetings, they asked for our personal financial statements and our resumes, which we, in good faith, provided. We had every reason to believe that we were on our way to arriving at some kind of happy working way forward.

For reasons that were never entirely clear, in the midst of these discussions, we received a letter from the city ordering us to stop renting to nightly guests; the GDA was now our aggressive opponent working with the city to shut us down. They claimed that as the prior owner had rented on a weekly basis, and had often rented to the same people, week after week, we were changing the usage by renting nightly. A protracted five year legal battle ensued, and even though the head of Safety and Permits, Michael Centineo, testified in court on our behalf that he believed we were legally permitted to rent to nightly visitors under our grandfathered rooming house license, as anything under 30 days was permitted under the pertinent code, we ultimately lost the battle when the Supreme Court ruled that the BZA had not previously ruled against us in an "arbitrary and capricious" manner when they had first ordered us to stop short term rentals.

This background information was brought up, albeit with distorted and inaccurate allegations, when my application for a Bed and Breakfast license at my house at 1013 Sixth Street, came up before the City Planning Commission on October 13. I wished to apply for a license for this house, which I have owned for 15 years, rather than listen to what many people suggested, and just list it on AirBnB like "everyone else does;" that of course, was totally unacceptable as it is important for me to be completely above board and go through the proper regulatory channels, as I felt I always had. At the hearing, several neighbors objected to my application and a few commissioners expressed concern about the allegations that, amongst other things, I had had problems with the GDA previously, that I was a "bad actor," and that I had lost my prior license because I hadn't lived there. In point of fact, I was licensed with a grandfathered rooming house license, I remitted tens of thousands of dollars in hotel tax over the years while I was operating, I was in fact not required by my license to live on site, (but did anyway, for several years). As for the so called problems with the GDA, I did what I am entitled to do as a U.S. citizen, try to defend my legal rights in court. After the Supreme Court decision, I abided by the ruling and

ceased nightly operations, but after that, the GDA decided to now go after me and strip me of my rooming house license as well. At that point, I realized what I was dealing with and sold the house, at a price that did not even begin to compensate me for the hundreds of thousands of dollars I had poured into it, not to mention the sweat equity, and years of my life and hard work. What had been a labor of love, had become a taunting reminder of all I had lost and the cost of trying to do something positive and be an ambassador for my adopted city.

I write this to you all now because I've been meaning to clear the air (and my own good reputation). But what, with the controversy surrounding AirBnb, I don't understand is how activity that was so clearly illegal and not tolerated 15 years ago--renting out rooms in your house without a license-- can now even be under consideration to be allowed. I don't understand how the previous local reservation company, that was not allowed to offer listings from unlicensed businesses, differs in legality from AirBnB and others like it. Nor do I understand why we have zoning laws, indeed, a brand new CZO, that lays out commercial versus residential sections of the city and properties and lays out rules for bed and breakfasts, only to have it at risk of being undermined now. And I don't understand why, with my application for 1013 Sixth Street, I was required, as part of the normal legal process, to reach out to and ask for neighborhood approval and support of my proposal to run a bed and breakfast out of my house, whereas the neighbors of AirBnB properties have no say in the matter.

I realize I was remiss in not appearing personally at the October 13 hearing (I had taken my architect's advice and was dealing with family obligations instead that day) and wish I had been able to be there to address the inaccuracies that were being said about me and my prior business. But I also wish now to ask that the Planning Commission consider the fact that the very kind of activity (both the renting of the rooms and the advertising of them) that the City so strenuously cracked down on years ago (not to mention the attacks on business operations of people like me, who could claim to have a legal permit to operate), is the very type of operation now being contemplated to be allowed.

I thank you for your time in reading this and for giving careful consideration to the important issues before our city now.

Respectfully,   
Karen Bacharach

## Nicholas J. Kindel

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**From:** CPCinfo  
**Sent:** Monday, December 07, 2015 1:41 PM  
**To:** Nicholas J. Kindel  
**Subject:** FW: Hollywood South and Short Term Rentals

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**From:** Kurt Klebe [<mailto:kurtklebe@gmail.com>]  
**Sent:** Thursday, December 03, 2015 10:27 AM  
**To:** CPCinfo  
**Subject:** Fwd: Hollywood South and Short Term Rentals

]

**From:** Kurt Klebe <[kurtklebe@gmail.com](mailto:kurtklebe@gmail.com)>  
**Subject:** Hollywood South and Short Term Rentals  
**Date:** December 3, 2015 at 9:26:32 AM MST  
**To:** [CPCinfo@nola.gov](mailto:CPCinfo@nola.gov)

As you consider your recommendations to the City Council please consider that one of the biggest users of short term rentals is the film industry. These folks who are in town temporarily use these houses on a regular basis. Shutting down non owner occupied rentals would adversely effect the film industry which has become a major economic driver in New Orleans.

Thanks,

Kurt

## Nicholas J. Kindel

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**From:** CPCinfo  
**Sent:** Monday, December 07, 2015 1:41 PM  
**To:** Nicholas J. Kindel  
**Subject:** FW: Airbnb Releases Trove of New York City Home-Sharing Data

**From:** Carol Gniady [mailto:carolgniady@frenchquartercitizens.org]  
**Sent:** Thursday, December 03, 2015 2:29 PM  
**To:** CPCinfo  
**Subject:** Airbnb Releases Trove of New York City Home-Sharing Data

Looks like Airbnb is starting to share data... this just happened in New York.

[http://mobile.nytimes.com/2015/12/02/technology/airbnb-releases-trove-of-new-york-city-home-sharing-data.html?smid=fb-nytimes&smtyp=cur&referer=http://m.facebook.com&\\_r=0](http://mobile.nytimes.com/2015/12/02/technology/airbnb-releases-trove-of-new-york-city-home-sharing-data.html?smid=fb-nytimes&smtyp=cur&referer=http://m.facebook.com&_r=0)

Airbnb Releases Trove of New York City Home-Sharing Data

By MIKE ISAAC  
DECEMBER 1, 2015

Airbnb has had a rough history with regulators in New York City. Now the company is playing nice.

On Tuesday, the short-term home-rental company began sharing data on the ways that people open their homes to guests in the five boroughs. The data, an anonymized compendium of the thousands of hosts in New York, includes statistics like host earnings, the types of listings and how often people rent out their homes.

The effort is the first time Airbnb has voluntarily shared city data on a wide scale on how its hosts use the online platform. The move follows a public pledge that the company made last month, in which the start-up said it wished to build an “open and transparent” community.

“Our hope is that people will understand 99 percent of people on Airbnb in New York City are using it as an economic lifeline,” Chris Lehane, Airbnb’s head of global policy and public affairs, said in an interview.

The action is part of the company’s broad effort to convince local and national regulators that Airbnb is not a platform for so-called illegal hotel operators, who use it to skirt local housing laws and hotel restrictions to regularly rent properties to travelers.

That issue has been particularly contentious in New York, where authorities have cited the rise of Airbnb as a significant reason for an increase in overall rent prices and a lack of affordable housing.

In a report last year based on Airbnb data, the New York State attorney general’s office said nearly three-quarters of Airbnb rentals in the city were illegal. By state law, a short-term entire-home rental is considered

illegal if an apartment is rented out for less than 30 days. It is unclear what percentage of entire-home Airbnb listings in New York are rented for less than 30 days.

The back-and-forth landed Airbnb in court. Last May, after a protracted legal battle, Airbnb agreed to hand over anonymized data on the company's hosts in the city to Eric T. Schneiderman, the New York State attorney general.

The new data set released on Tuesday, which is made available only by making an appointment to visit Airbnb's New York City office, shows that a majority of New York City hosts do not have large numbers of properties to rent out. From November 2014 until November 2015, some 75 percent of revenue earned by active hosts in New York City who share their entire home came from people who have only one or two rental listings on the platform. Over 2015 to 2016, Airbnb projects that number will rise to 93 percent. The typical annual host income is roughly \$5,110, according to the data.

"The vast majority of the community is doing this in the right way," Mr. Lehane said.

Mr. Schneiderman declined to comment.

Airbnb, founded in 2008 and based in San Francisco, has over two million listings in 34,000 cities across 190 countries. The company is valued by investors at roughly \$24 billion, and recently closed another \$100 million in venture financing, according to two people with knowledge of the matter. Airbnb declined to comment on fund-raising matters.

As the company has grown, it has resisted regulations and fought alliances in the hotel industry, from which the start-up is increasingly taking a large share of customers.

Airbnb said it would expand its data-sharing efforts beyond New York City. By sharing anonymized data with other towns, the company said it hoped regulators would work to draft more comprehensive, up-to-date legislation that deals with the short-term-rental phenomenon.

"Today is really the first example of us walking the walk," Mr. Lehane said. "It's important for us now, especially in New York, to start having this conversation."

Correction: December 1, 2015

An earlier version of this article referred incorrectly to the earners of 93 percent of Airbnb revenue in New York City, and also to the percentage itself. The percentage refers to a subset of active Airbnb hosts who share their entire home — those hosts who have only one or two rental listings on Airbnb. It does not refer to all Airbnb hosts in New York City. The earlier version also misstated the percentage itself, using information from Airbnb. It is 75 percent, not 93 percent. The 93 percent is a projection for 2016.

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## Nicholas J. Kindel

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**From:** CPCInfo  
**Sent:** Monday, December 07, 2015 1:42 PM  
**To:** Nicholas J. Kindel  
**Subject:** FW: Short-term Rental Comments

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**From:** Joanne Drummond [<mailto:joandrum@hotmail.com>]  
**Sent:** Thursday, December 03, 2015 6:52 PM  
**To:** CPCInfo  
**Subject:** Short-term Rental Comments

Hello,

As a new French Quarter condo owner, I have a great interest in the decisions made as a result of the short-term rental study. I feel strongly that there needs to be enforcement of the rules for the sake of the residents affected by this increasing trend and for the neighborhood as a whole. I take no issue with people who rent out a room or guesthouse on their property because the cost of living in the Quarter is so high that this is the only way for some people to be able to afford to continue living here, and the owners are on the premises to manage their guests.

My great concern is over the people who rent their entire home and are not present when guests are there. On a personal level, I do not feel safe when I enter my building because I never know who will be there. The security gate is meant to keep strangers out, but what am I to do when strangers have the key? Although I am in an upstairs unit where the guests of the units rented in my building have no reason to be around, I have looked up before and found strangers staring in my window. There is nobody around to make them be quiet when they come in drunk and screaming, and often I can't enjoy the public courtyard because a group of them has taken it over. Due to the accumulation of trash from the guests, we have had to use condo fees to hire someone to take out the cans on a regular basis, and I don't feel it's fair that the money I pay, which is intended to be used for repairs, now subsidizes the illegal business of the people who engage in short-term rentals. These people often rent out their guest passes or use them in a manner that was unintended, thereby creating a parking shortage for people who belong here, too.

The effect on the neighborhood is obvious to all. We don't have neighbors, just a revolving door of strangers passing by our door. They don't care for the neighborhood or look out for the neighbors. And since nobody is living in all of these units, there is a much smaller number of people paying income tax, which creates a heavier burden for the rest of us to bear. Because of all these investors driving up the cost of housing, I paid a fortune for a minuscule unit in need of a great many repairs, and I will probably have to end up selling it to another rich investor.

Please put the residents of New Orleans first when forming your policy on short-term rentals. Without us, the tourists and the investors will have no reason to come.



Respectfully,

Joanne Drummond

## Nicholas J. Kindel

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**From:** CPCInfo  
**Sent:** Monday, December 07, 2015 1:42 PM  
**To:** Nicholas J. Kindel  
**Subject:** FW: Short Term Rentals - Supplemental Comments from the Garden District Association to the City Planning Commission  
**Attachments:** Supplemental GDA Comment Letter (N3137246x7A3A0).pdf

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**From:** Lelong, Rivers [<mailto:rlelong@joneswalker.com>]  
**Sent:** Friday, December 04, 2015 2:17 PM  
**To:** CPCInfo  
**Cc:** Shelley Landrieu ([slandrieu@bellsouth.net](mailto:slandrieu@bellsouth.net)); Andre Gaudin ([agaudin@burglass.com](mailto:agaudin@burglass.com)); Fincher, Micah; Paul Cramer  
**Subject:** Short Term Rentals - Supplemental Comments from the Garden District Association to the City Planning Commission

# GARDEN DISTRICT ASSOCIATION

Post Office Box 50836  
New Orleans, LA 70150

December 4, 2015

Mr. Robert Rivers  
Executive Director  
City Planning Commission  
1300 Perdido Street, 7th Floor  
New Orleans, LA 70112

RE: Short Term Rental Study  
Supplemental Garden District Association Comments

Dear Bob:

We are writing to supplement our September 29, 2015 comment letter (a copy of which is attached) in support of the City Planning Commission's study of land-use and regulatory issues relating to short term rentals ("STRs"). This letter offers further thoughts on the issue of how to enforce whatever new regulatory regime the City adopts.

**I. The moratorium on Bed and Breakfasts in the French Quarter, Garden District, and other highly touristed neighborhoods should apply to STRs.**

As you know, the Garden District Association strongly believes that STRs should be subject to the same density and location rules that apply to bed & breakfast operations, which are essentially simply another form of STR that the City has long regulated. In most neighborhoods, bed & breakfasts are limited to one per block face, and, in other neighborhoods, such as the Garden District, the French Quarter, and portions of the Lower Garden District, bed & breakfasts are prohibited entirely (although there are various grandfathered bed & breakfast operations in those moratorium neighborhoods). Otherwise, the historic neighborhoods of our city will be inundated with STRs, most operating as unregulated and uninspected hotels. Our primary recommendation is to continue the STR moratorium in the most highly touristed neighborhoods, such as the French Quarter and Garden District. Strong consideration should also be given to extending the geographic scope of the moratorium to protect the Marigny and Treme.

**II. Law suits by neighborhood associations are likely to be the most effective enforcement mechanism.**

Regardless, however, of the extent to which the City partially legalizes STR operations, the critical question remains of whether and how the new rules will be enforced. To call the City's current enforcement program moribund would be a gross understatement. The City has only rarely followed through with STR enforcement actions in recent years. If the City maintains the same "no enforcement" strategy after adopting new STR rules, then approving new STR rules is worse than pointless; the new rules would be absolutely counterproductive. The

City would legalize a portion of the currently illegal STR operations while leaving the remaining illegal STR operations to continue unimpeded in their illegal operations.

In response to this enforcement concern, STR proponents have argued that licensing fees from legalized STRs will be used to fund enforcement actions against the remaining illegal STR operators. They concede, however, that the licensing fees would be in no way legally dedicated to this purpose, and, given the City's many pressing financial needs relating to more vital issues (such as the crime crisis), rational citizens have good reason to fear that the STR licensing fees (the amount of which are currently unascertainable) will be used for other purposes. There is also no convincing answer to the more fundamental question of how citizens can trust the City to reverse its no STR enforcement policy, only saying that that they have been promised a change in enforcement policy if new STR rules are adopted. As to how such a change in policy would bind future City administrations, there is no answer, not even an unconvincing answer, because no one can bind the enforcement policies of a future administration.

This situation results in citizens relying on private parties to enforce the STR rules. This option, often called a private right of action, has met fierce resistance from STR proponents. Perhaps this fierce opposition is directly motivated by the STR proponents' belief that the City will never effectively enforce STR rules, whatever those rules may be. Those who currently flout the STR rules would benefit from partial legalization accompanied by continued non-enforcement against the remaining illegal STR operators.

Taking, however, the STR proponents at face value, they advance multiple, sometimes inconsistent, arguments against a private right of action to enforce STR rules:

1. Private enforcement amounts to "vigilante justice;"
2. Wealthy homeowners will file frivolous suits against virtuous STR operators;
3. There will be an avalanche of suits (possibly a concern about overburdening our court system?);
4. Because poor people will not be able to afford private suits, egalitarian concerns demand that nobody be allowed to bring private suits against STR operators;
5. Private suits will cause neighbors to "spy" on each other, creating a totalitarian atmosphere (a prominent albeit ludicrous argument in the recent San Francisco STR ordinance election in which Airbnb spent *\$8 million* defending its lucrative business from regulation); and
6. No one, rich or poor, will actually incur the expense and endure the personal conflict necessary to sue STR operators, and thus all should be prohibited (presumably for their own good) from bringing such suits.

Of all of these arguments, only the last is partially convincing. The Garden District Association's experience is that very few residents, regardless of their wealth, are willing to initiate lawsuits. Instead, residents ask their neighborhood associations to act on their behalf to stop violations of the law.

**III. Citizens and the Garden District Association have standing to bring actions to enforce zoning rules.**

The Garden District Association believes that under current law, individual citizens clearly have the right to sue to shut down illegal STR operations in the vicinity of their homes as a violation of the City's zoning ordinances. Numerous cases have found that directly affected neighbors can sue to enforce zoning law violations. In *Redfearn v. Creppel*, 436 So.2d 1210 (La.App. 4<sup>th</sup> Cir.), *affirmed in part and reversed in part on other grounds*, 455 So.2d 1356 (La. 1984), the Louisiana Fourth Circuit found that "[t]he courts have recognized an individual's right to seek injunctive relief where he has made a showing that he would be materially and adversely affected in the enjoyment of his home as a result of his neighbor's violation of the zoning ordinances." *See also Wright v. DeFatta*, 152 So.2d 10 (La. 1963).

Louisiana courts also recognize that, if a suit can be brought by individuals, an organization representing those individuals can bring its own suit in the proper circumstances. As the Louisiana Supreme Court explained in *Ramsey River Road Property Owners Association, Inc. v. Reeves*, 396 So.2d 873 (La. 1981), the standing of a property owners' association requires satisfaction of a three prong test: (1) its members would otherwise be able to bring the suit in their own right, (2) the interests the association seeks to protect are pertinent to its purpose, and (3) neither the claim asserted by the association nor the relief sought requires participation of individual members in the lawsuit.

The Garden District Association has repeatedly been recognized by the courts as having the standing to enforce zoning law violations on behalf of its members. *See, for example, Garden District Association v. Koerner*, No. 2004-CA-0630 (La. App. 4<sup>th</sup> Cir. 04/13/2005), 897 So.2d 920, writ denied 922 So.2d 1183 (La. 02/03/2006); *City of New Orleans v. Elms*, 498 So.2d 773 (La.App. 4<sup>th</sup> Cir. 1986), *reversed on other grounds*, 566 So.2d 626 (La. 1990); *Garden District Association v. City of New Orleans*, 238 So.2d 267 (La.App. 4<sup>th</sup> Cir. 1970); *Garden District Property Owners Association v. City of New Orleans*, 98 So.2d 922 (La.App. 4<sup>th</sup> Cir. 1957).

The Garden District Association and citizens currently have a private right of action to enjoin illegal STR operators from violating the City's zoning ordinance. While resort to civil litigation is never the ideal method to enforce municipal ordinances, the Commission should resist any effort to jeopardize the right of neighborhood associations and citizens to hold illegal STR operators accountable in court.

***Our recommendation is that any new STR ordinance continue, to the maximum extent possible, to regulate STRs through the zoning code and, above all, STRs should not be converted into permitted uses under the zoning code.***

To the extent that any new STR regulations are created outside the zoning code, those regulations should expressly reserve to citizens and neighborhood associations the right of action to enjoin violations of the regulations. This would include a provision stating that nothing in the

regulations should be construed or interpreted to limit a private party from suing to enjoin violation of the regulations in court.<sup>1</sup>

#### IV. STR booking agents should be required to register and be directly regulated.

In addition to preserving the private right of action to seek injunctions against illegal STRs, the City must also find a means to force internet listing services, which are the fulcrum of the illegal STR industry, to cooperate with enforcement of the new rules. If the listing services will not share information with the City about operators flouting the new STR rules and continue to serve as the booking agents for these scofflaws, not much will change for the better under the new rules. If, on the other hand, the internet booking services refuse to serve as booking agents for illegal operators, this cooperation will, regardless of the City's efforts (or lack thereof), effectively shut down the illegal STR operators.

Some officials have raised enforcement concerns in light of the limited protections granted to internet providers under the Communications Decency Act of 1996, 47 U.S.C. § 230. We believe that the new STR rules could be enforced if drafted "consistent with this section." § 230(e)(3).<sup>2</sup>

The CDA provides that "[n]o provider or user of an interactive computer service shall be treated as the publisher or speaker of any information provided by another information content provider." § 230(c)(1). "What § 230(c)(1) says is that an online information system must not 'be treated as the publisher or speaker of any information provided by' someone else." *Chi. Lawyers' Comm. for Civ. Rights Under Law, Inc. v. Craigslist, Inc.*, 519 F.3d 666, 671 (7th Cir. 2008). In other words, state and local law "may hold liable the person who creates or develops unlawful content, but not the interactive computer service provider who merely enables that content to be posted online." *Nemet Chevrolet, Ltd. v. Consumeraffairs.com, Inc.*, 591 F.3d 250, 254 (4th Cir. 2009) (citations omitted).<sup>3</sup>

Here, the City's regulations or land use rules should not impose liability for merely hosting a website to which users may post notices of their STR availability (e.g., Craigslist). Rather, they could be narrowly tailored to cover any "booking agent" that acts as, or is appointed to be, an STR host's payment collection agent to accept accommodation fees from STR guests.

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<sup>1</sup> We understand that there is a confidential memorandum from the City Attorney stating that the City cannot confer a private right of action due to Article VI, Section 9 of the Louisiana Constitution. We have read every case decided under that article, none of which address conferring private rights of action to enforce municipal regulations. The text of the article also seems to have no bearing on conferring a private right to enforce a municipal regulation. We are more than happy to further address this memorandum if we can see a copy of this document.

<sup>2</sup> "Nothing in this section shall be construed to prevent any State from enforcing any State law that is consistent with this section. No cause of action may be brought and no liability may be imposed under any State or local law that is inconsistent with this section." § 230(e)(3).

<sup>3</sup> For example, courts have interpreted § 230(c)(1) to apply "only if the interactive computer service provider is not also an 'information content provider,' which is defined as someone who is 'responsible, in whole or in part, for the creation or development of' the offending content." *See, e.g., Fair Hous. Council v. Roommates.com, LLC*, 521 F.3d 1157, 1162 (9th Cir. 2008). A website can be both an "interactive computer service provider" and an "information content provider" depending on the context of the claim at issue. *See Fraley v. Facebook, Inc.*, 830 F. Supp. 785, 801-02 (N.D. Cal. 2011). In *Fraley*, the court refused to grant Facebook immunity (which would typically be considered a interactive computer service) where the plaintiffs alleged transformation of user content into a commercial endorsement. *Id.* at 802.

December 4, 2015

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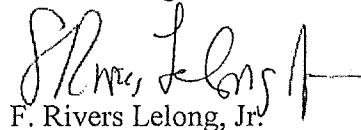
This is what online booking services do. *See, e.g.,* <https://www.airbnb.com/terms> (“Each Host hereby appoints Airbnb Payments as the Host's limited payment collection agent solely for the purpose of accepting the Accommodation Fees from Guests.”) (last visited November 30, 2015).

Booking agents like Airbnb are clearly subject to the City’s regulatory power, if only the City were willing to exercise that power. The City could, for example, require that any booking agent doing business in Orleans Parish register with the City or provide information that any other New Orleans business may be expected to provide. The City could also ban booking agents from collecting fees for illegal STR operations and require publication of the permitted STR’s license number and other identification.

The Garden District Association understands that the City is reluctant to litigate with a wealthy corporation like Airbnb, but, if a corporation can simply defy the law by virtue of its wealth, how can the City plausibly argue that the City can enforce whatever new regulatory regime is adopted?

We thank you for your efforts on this complicated issue, and we look forward to working with the City further to reach a reasonable solution to the STR issue.

With best regards,

A handwritten signature in black ink, appearing to read "F. Rivers Lelong, Jr.", with a stylized flourish at the end.

F. Rivers Lelong, Jr.

Chair, Short Term Rental Task Force  
Garden District Association

# Garden District Association

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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**

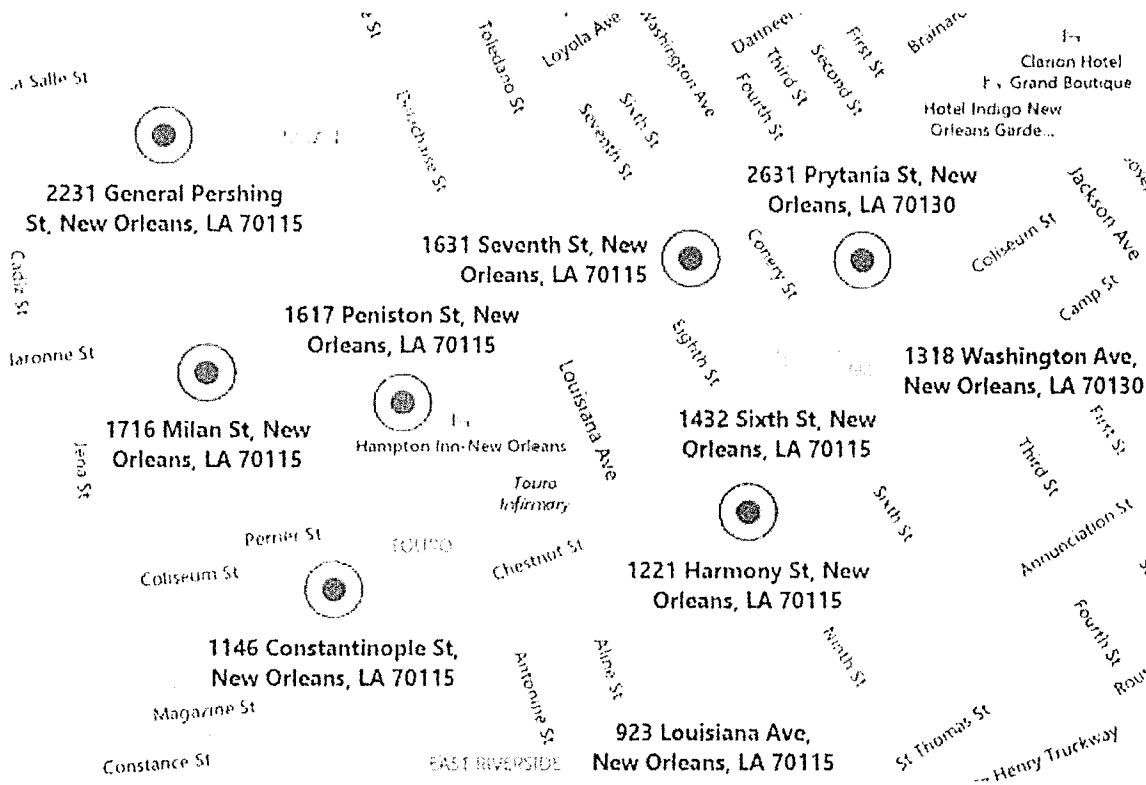
This is not the first time the City has been asked to balance such competing interests. Although STRs have proliferated in recent years with the advent of online reservation websites, such as VRBO.com and AirBnB.com, the City Council first began regulating leases in private homes to short term visitors 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 Felicite 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 Vicux 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:32the: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:** Monday, December 07, 2015 1:42 PM  
**To:** Nicholas J. Kindel  
**Subject:** FW: STR Public Hearings in Austin

**From:** Jenna Burke [mailto:jenna.dolores.burke@gmail.com]  
**Sent:** Friday, December 04, 2015 4:33 PM  
**To:** CPCinfo  
**Subject:** STR Public Hearings in Austin

Hope y'all are abreast of the Short-Term Rental issue as it is being addressed in different cities, but FYI.

Thanks,  
Jenna Burke

----- Forwarded message -----

**From:** David King <dking@austin.rr.com>  
**Date:** Fri, Dec 4, 2015 at 1:35 PM  
**Subject:** Important Public Hearings - Short Term Rental Reforms - Planning Commission December 8th - City Council December 10th!  
**To:** David - Cell Cell <dking@austin.rr.com>

Neighbors,

**Your voice makes a difference!** Thanks to your persistent emails, phone calls, and attendance at public hearings, the Planning Commission and City Council are poised to approve significant reforms to short term rental (STR) regulations that will help neighborhoods throughout the City!

**Tuesday, December 8, 2015 - 7:00 PM - Planning Commission - City Hall**  
**Thursday, December 10, 2015 - City Council - City Hall**

Please attend these public hearings and call and email the Planning Commission and City Council and let them know that you support strong and effective STR reforms that:

- Phase out Type 2 STRs from residential neighborhoods.
- Require bad-actor STRs to seek conditional use permits from the Planning Commission.
- Establish a six-person occupancy limit for STRs regardless of whether or not the occupants are related or unrelated.
- Establish a 1,000 feet distance separation between Type 2 STRs.
- Enact stiffer penalties and higher fines for STR violations. Clearly define all violations and penalties.
- Utilize the Building and Standards Commission's (BSC) administrative hearing process for STR complaints and violations.
- Supplement the Property Maintenance Code to facilitate the BSC's jurisdiction on STRs.

Planning Commission Contact Information:

Stephen Oliver, Chair [bc-Stephen.Oliver@austintexas.gov](mailto:bc-Stephen.Oliver@austintexas.gov) (512) 373-2365 Mayor Adler  
Fayez Kazi, Vice Chair [bc-Fayez.Kazi@austintexas.gov](mailto:bc-Fayez.Kazi@austintexas.gov) (512) 761-6161 Council Member Garza  
Tom Nuckols [bc-Tom.Nuckols@austintexas.gov](mailto:bc-Tom.Nuckols@austintexas.gov) (512) 462-2329 Council Member Kitchen  
James Schissler [bc-James.Schissler@austintexas.gov](mailto:bc-James.Schissler@austintexas.gov) (512) 496-6481 Council Member Troxclair  
Patricia Seeger [bc-Patricia.Seeger@austintexas.gov](mailto:bc-Patricia.Seeger@austintexas.gov) (512) 585-5389 Council Member Gallo  
James Shieh [bc-James.Shieh@austintexas.gov](mailto:bc-James.Shieh@austintexas.gov) (512) 689-4267 Mayor Adler  
Jean Stevens [bc-Jean.Stevens@austintexas.gov](mailto:bc-Jean.Stevens@austintexas.gov) (512) 236-1626 Mayor Pro Tem Tovo  
Jeffrey Thompson [bc-Jeffrey.Thompson@austintexas.gov](mailto:bc-Jeffrey.Thompson@austintexas.gov) (512) 322-9930 Council Member Renteria  
Jose Vela III [bc-Jose.Vela@austintexas.gov](mailto:bc-Jose.Vela@austintexas.gov) (512) 270-2913 Council Member Casar  
Trinity White [bc-Trinity.White@austintexas.gov](mailto:bc-Trinity.White@austintexas.gov) (401) 662-1367 Council Member Houston  
Michael Wilson [bc-Michael.Wilson@austintexas.gov](mailto:bc-Michael.Wilson@austintexas.gov) (512) 569-5063 Council Member Zimmerman  
Nuria Zaragoza [bc-nuria.zaragoza@austintexas.gov](mailto:bc-nuria.zaragoza@austintexas.gov) (512) 320-0351 Council Member Pool

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Mayor Pro Tem Tovo [Kathie.Tovo@austintexas.gov](mailto:Kathie.Tovo@austintexas.gov) 512-978-2109  
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Council Member Zimmerman [Don.Zimmerman@austintexas.gov](mailto:Don.Zimmerman@austintexas.gov) 512-978-2106  
Council Member Pool [Leslie.Pool@austintexas.gov](mailto:Leslie.Pool@austintexas.gov) 512-978-2107  
Council Member Troxclair [Ellen.Troxclair@austintexas.gov](mailto:Ellen.Troxclair@austintexas.gov) 512-978-2108  
Council Member Gallo [Sheri.Gallo@austintexas.gov](mailto:Sheri.Gallo@austintexas.gov) 512-978-2110

Here's the link to send one email to all City Council members:

<http://www.austintexas.gov/email/all-council-members>

***Thank you for your continued support for short term rental reforms!***

***Neighbors For Short Term Rental Reform***

Sign our petition: <https://www.change.org/p/suspend-new-commercial-short-term-rentals-in-austin-neighborhoods>

Visit our website: <http://saveaustinneighborhoods.com/>

Join us on Twitter: <https://twitter.com/STRReform>

Follow us on Facebook: <https://www.facebook.com/Neighbors-for-Short-Term-Rental-Reform-446471182192120/timeline/>

Send us an email: [NSTRRATX@gmail.com](mailto:NSTRRATX@gmail.com)

## Nicholas J. Kindel

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**From:** Calvin A Lopes <clopesea@gmail.com>  
**Sent:** Monday, December 07, 2015 12:57 PM  
**To:** Nicholas J. Kindel  
**Subject:** Fwd: STR ~ "Residents" Apparently Are No Longer Important To This City's Stability Or Sustainability

----- Forwarded message -----

**From:** **Nicholas J. Kindel** <NJKindel@NOLA.gov>  
**Date:** Mon, Dec 7, 2015 at 10:26 AM  
**Subject:** RE: Missing Comment (Short-term Rental Study Webpage)  
**To:** Calvin A Lopes <CLopesEA@GMail.com>

Could you resend the comment? The only email that I see from you around that time was something related to a Neighborhood Commercial Establishment for Zoning Docket 108-15. Thanks.

Nick

**From:** Calvin A Lopes  
**Sent:** Monday, December 07, 2015 9:11 AM  
**To:** Nicholas J. Kindel; Paul Cramer  
**Subject:** Missing Comment (Short-term Rental Study Webpage)

Nick

I submitted a comment prior to the (then existing) November 30th deadline but do not see it posted. Perhaps my subject line was too subtle, or there are other comments not processed between 8PM and midnight on Sunday, November 29th.

----- Sent Message | Nov 29 (8 days ago) -----

**From:** **Calvin A Lopes** <clopesea@gmail.com>  
**Date:** Sun, Nov 29, 2015 at 10:09 PM  
**Subject:** STR ~ "Residents" Apparently Are No Longer Important To This City's Stability Or Sustainability  
**To:** City Planning <CPCinfo@nola.gov>

Please confirm you have received my message; if you need it resent I'll do so. Thankfully the deadline extension will make my comments timely submitted.

Thanks for the work your entire team is doing. I've read almost every message and your task is daunting, something I would not like to face.

Calvin

On Fri, Dec 4, 2015 at 2:52 PM, Nicholas J. Kindel <[NJKindel@NOLA.gov](mailto:NJKindel@NOLA.gov)> wrote:

The latest comments are up now. Comment Sections 8-11 were just posted. <http://NOLA.gov/city-planning/major-studies-and-projects/short-term-rental-study/>

----- Forwarded message -----

From: **Calvin A Lopes** <[CLopesEA@gmail.com](mailto:CLopesEA@gmail.com)>

Date: Sun, Nov 29, 2015 at 10:09 PM

Subject: STR ~ "Residents" Apparently Are No Longer Important To This City's Stability Or Sustainability

To: City Planning <[CPCinfo@NOLA.gov](mailto:CPCinfo@NOLA.gov)>

In the beginning (of recorded human history) there were people, and all was good.

As the populations grew and land became scarce, "these people" found it more and more difficult to provide for themselves and began to rely on others by bartering services; there were farmers, cooks, bottle-washers and candlestick makers.

"These people" became residents of a community. As available land contracted those working in service industries no longer were over the hill or in the next valley, they existed in their own (shopping center) "business communities".

Cities were created to house residents. Businesses were allowed to locate nearer to their customers. This arrangement was not and still is not the ideal arrangement; each had its own rules, set of goals and aspirations, structure needs, infrastructure requirements, with diverse operating costs.

Where there was conflict "these people" created a structure for redress, and that was ultimately called "government". Over time government took on more responsibilities, primarily to provide and maintain the infrastructure, and house a meeting place to find solutions for systemic problems. Somewhere along the way this "government" began to exert its own agendas, creating debts, taking on unnecessary tasks, and demanding funding from the residents. All was not good.

Businesses began to forget why they existed, encroached into residential areas, and ultimately began to operate as if the "residents" were there to support them rather than the other way around.

This is how all this concept of cooperation began; today, it remains out of control.

Over time a system of laws were created so everyone knew what was acceptable behavior. Many believe that laws are there to allow and promote certain actions, but that has never been the case. Laws were written only to prohibit actions the public at large had agreed are unacceptable; there are those that will always conform; there are those who choose never to conform; there is no middle ground when it comes to the rule of law. A secondary system of mitigation was created only for (still not acceptable behavior) circumstances that could not clearly be codified.

Lawyers and government leaders were charged with explaining these laws. Somewhere along the way these "employees of the people" began to think they were only the ones who could decide what was best for "the residents".

"The residents" were told the long drawn-out revision of the Comprehensive Zoning Ordinance would solve a multitude of problems with clearly written self-sustaining definitions, and only egregious mistakes needed to be resolved. "This law" was approved with the assurance it really meant something. On the very day it was to be enacted "the residents" found out the City Council had decided among themselves that nothing in writing pertained to them and there were innumerable revisions announced without prior notice. This system of "rule of law" became a farce.

Service industry businesses began to buy up properties in restricted use areas, make unreasonable demands and bombarded "the residents" and those few remaining conscientious legislators with more lies and demands. Some legislators routinely accede to these demands assuming they know what is best for "the people".

"The people" are becoming more attuned to these shenanigans, know when and where to speak up, and are very near the breaking point. This trend cannot and will not be allowed to continue. The government, the legislators, the lawyers, the business owners all need reminding why they exist and just how far they will be permitted to extend their influence and continue to make unreasonable demands.

Government officials claim they need more and more money to promote tourism because their agendas will fail since they've drained all they can from "the residents".

Businesses seem to think they are in complete control of everything and any request, however unnecessary or inappropriate, will prevail.

Those hired to conduct hearings only for exceptional cases often make decisions for "the people" that "the people" had said they do not want and cannot tolerate. The City Attorney, a hired employee of the City, who has sworn to defend and prosecute every violation of the laws "the people" enacted is clearly malfeasant. Yet "the people" have no redress.

The transient tourist is considered more important than "the residents". Their money seems to be the only thing that has any importance. Why does this City, or any city for that matter, exist except to provide living space for "the residents" and separated space for support business operations? We don't need to be put in the history books, we are already there. We don't need to increase the size of our government, it is already too large. We don't need to change our laws just because the existing laws are not enforced. We don't need to put it into writing that residents can have guests live with them in their home. Why would anyone want to live in this city, with all this self-engorging myopic (mis)direction?

There are businesses and advertising venues that often throw out confusing buzzwords to divide "the people". A recurring thread is affordable housing. The Federal Government defines this as housing for low income families. The public at large looks at affordable housing as properly priced accommodations with correct valuations and acceptable cost(s). It has never been the purpose of government to promote and coddle businesses so their operations are profitable. Government does not have the responsibility to provide a home for every person; its job is to provide minimal infrastructure, explain the existing written laws, and provide a meeting place for redress, nothing more.

The whole short-term rental issue has become a hot potato and polarized this community. The City Council has requested this issue undergo a series of hearings. The laws already existing are more than adequate. If we

can't or won't enforce existing laws, who in their right mind believes changing the laws is the answer. Yes, we can change the laws so they are less likely to be enforced. Is that the answer everyone expects?

Whenever I approach any issue I make an extra effort to know all sides, review past history, elevate any salient points glossed over or forgotten. Only when I feel the issue has merit and I have enough facts do I will make a decision to be involved or allow it to proceed without my input.

The short-term rental issue is something I cannot avoid nor ignore. At first I thought it was simply influenced by a difference in the generations and (lack of) education. After much self-reflection I've concluded the underlying driving force is big-business, and a misinformed or purposefully maligned group of property owners.

Businesses desire to operate in areas zoned and set aside for residential use. Once this happens, all reasons for living in a city will evaporate, residents will move out and there will not be any predictable tax base or financial stability.

I have thought about moving out of New Orleans; it has been my home since the 8th grade. I've always thought the short-term rental issues could be resolved and I'm struggling to provide meaningful input. I never desire, nor intend, to force my opinions on others. It will be a traumatic decision to move; I will be abandoning my financial and emotional attachments and investments.

I've publicly stated many times before that enforcing existing laws is the one and only solution. The City Government at all levels has failed "the residents".

Until the laws are enforced and the Comprehensive Zoning Ordinance is allowed to function as intended, there is nothing to be done; we must not modify or eliminate legal restrictions that provide restricted areas for "the residents" to have a reasonable quality of life. Businesses need to only operate in areas specifically zoned for their operations. Government needs to reflect on what it has been doing to destroy this city and come to terms with why it exists.

Short-term rentals can operate in commercial zones, pay their taxes as any business should and remember they are a service industry, not appropriate in every zoning district in this city.

Existing laws can and will work; if any legislation at all is proposed it should be to establish a three year no change "enforceable" moratorium.

Calvin A. Lopes  
east New Orleans  
Council District-E

N.B. Below is the link for a recent short-term rental news article, coming soon to your neighborhood.

Example:

<http://www.MyPalmBeachPost.com/news/business/shipping-container-house-in-jupiter-farms-a-first-/npXdc/>

Shipping Container House In Jupiter Farms A First For County  
Friday, Nov. 27, 2015, By Jeff Ostrowski - Palm Beach Post Staff Writer

## JUPITER FARMS —

In a feat he calls a first for Palm Beach County, Jupiter entrepreneur Rick Clegg has built a house from old shipping containers. across the Loxahatchee River from Riverbend Park, vacation rental  
. <https://www.Airbnb.com/rooms/4751448?s=S-HYYW-n>

Images:

[http://Media.CMGDigital.com/shared/lt/lt\\_cache/thumbnail/275/img/photos/2015/11/27/6e/84/20151120-biz-container-01.jpg](http://Media.CMGDigital.com/shared/lt/lt_cache/thumbnail/275/img/photos/2015/11/27/6e/84/20151120-biz-container-01.jpg)

[http://Media.CMGDigital.com/shared/lt/lt\\_cache/thumbnail/275/img/photos/2015/11/27/a6/2d/20151120-biz-container-03.jpg](http://Media.CMGDigital.com/shared/lt/lt_cache/thumbnail/275/img/photos/2015/11/27/a6/2d/20151120-biz-container-03.jpg)

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## Nicholas J. Kindel

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**From:** CPCinfo  
**Sent:** Tuesday, December 15, 2015 10:09 AM  
**To:** Nicholas J. Kindel  
**Subject:** FW: Concerning short term rentals

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**From:** Frances Swigart Steg [<mailto:frances@swigart-steg.com>]  
**Sent:** Tuesday, December 08, 2015 10:09 AM  
**To:** CPCinfo  
**Subject:** Concerning short term rentals

Short-term rentals have a profound impact on our neighborhoods, and have proven that they can be extremely detrimental. This has been true nowhere more profoundly than the French Quarter, which has the most illegal STRs of any neighborhood, but the problem is spreading rapidly. We believe that illegal short term rentals present a host of issues for neighborhoods because they:

- contribute to increased housing prices
- displace residents
- harm businesses that depend on regular, daily, local consumers
- compete on an uneven playing field with regulated hotels and B&Bs
- do not pay commercial taxes or utility rates, don't carry commercial insurance, and don't follow the same life safety regulations as other legal short term businesses
- create an environment of an ever-changing population, which undermines neighborhoods and communities

In regulating STRs, we must be sure that these dangerous effects are reined in, so that the neighborhoods the visitors come to enjoy are still viable for the residents who maintain them every day.

Frances Swigart

504 874-1278  
1014 Royal Street  
in the French Quarter  
Built in 1835

## Nicholas J. Kindel

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**From:** info@gvbb.com on behalf of Bonnie Rabe <bonnie@gvbb.com>  
**Sent:** Thursday, December 10, 2015 1:05 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:** New Orleans ranks 6th among U.S. cities for increasingly unaffordable rent

CPC Staff,

This recent statistic has a direct correlation to the fact that New Orleans is also one of the biggest markets for illegal STRs and their platforms in the US. If this practice gets legalized without restraints, the investors will continue to buy up our real estate at an even faster rate and we'll have a crisis as they do in San Francisco & New York City in no time.

"The city "is rapidly becoming one of the least affordable for residents," the report says."

[http://www.nola.com/business/index.ssf/2015/12/new\\_orleans\\_ranks\\_sixth\\_for\\_bi.html](http://www.nola.com/business/index.ssf/2015/12/new_orleans_ranks_sixth_for_bi.html)

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Bonnie Rabe, Innkeeper  
Grand Victorian Bed & Breakfast  
[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, December 15, 2015 10:10 AM  
**To:** Nicholas J. Kindel  
**Subject:** FW: Short Term Rental Comment

**From:** Dabne Whitmore [<mailto:tremebikingmama@gmail.com>]  
**Sent:** Friday, December 11, 2015 9:45 AM  
**To:** CPCinfo  
**Subject:** Short Term Rental Comment

Mr. Robert Rivers

City of New Orleans

City Planning Commission  
1300 Perdido Street, 7th Floor  
New Orleans, LA 70112

Dear Mr. Rivers:

I have lived in the Treme neighborhood for almost 15 years. Before that I lived in San Diego, CA at the beach, and before that, my family lived in Manhattan. In all places, your house was your home. Your neighbors were your friends. Tourists were in hotels and the neighborhoods were for residential housing. I value that we live in a neighborhood that has family and community values. The residents of Treme are families, maybe not traditional families, but they are still familial to everyone around. On my one block alone, we have 10 children from property owners. The renters have been here for over 2 years, some as long as 5.

But, in the past 2 years, I have lost four of my rental neighbors to now empty buildings that house short term renters each week. I have lost 3 families with children who once played with my son. The house next to me sold and I had two people that said they tried to buy, but an outside investor with cash beat them all out of their offers. Now, I have a interior-designed theme park next to me. There are 7 short term rental buildings on the block and some are doubles or triples. We are now filled with empty buildings during the week and tourists being dropped off in taxis all day and all night starting on Thursday and ending on Monday. It is extremely disruptive to the neighborhood feel and community we have established. When Mr. Okra comes by and I get my vegetables, I have a tourist taking my picture. This past Halloween when I took my son trick or treating, I was met with Tourists who said they didn't live here.

In the 1920s, the government took our community and our homes to make way for the Municipal Auditorium. In the 1940s, the government again took homes and our community for Iberville and Lafitte. In the 1960s, the government again took homes and our community when they built Armstrong Park and the Interstate. Now, the government has the potential to continue to take away our neighborhood and turn it into Disney Land or the Florida beachfront. Our community and our homes should not be for sale to the highest bidder nor should it be used as a tactic to raise revenues for the City.

Now, if I go away for a week, and I want to rent out my house while I am gone, I would appreciate that opportunity. There has to be a way to accommodate both sides of the story.

Thanks for your time and consideration.

Dabne Whitemore

1249 Kerlerec Street

New Orleans, LA 70116

## Nicholas J. Kindel

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**From:** CPCinfo  
**Sent:** Tuesday, December 15, 2015 10:11 AM  
**To:** Nicholas J. Kindel  
**Subject:** FW: This is my home sharing story

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

From: Ryan Messina [<mailto:ryan.messina@4hfa.com>]  
Sent: Monday, December 14, 2015 11:08 AM  
To: CPCinfo  
Subject: This is my home sharing story

Dear Executive Director Robert Rivers,

I've used Airbnb in other cities and have had a much better experience than I have had with traditional inns or BnB's. It seems as though this niche is more focused on customer service over profit and it shows.

I'm not exactly sure what the issue is for not allowing it but I have had good experiences and would use it again.

Sincerely,

Ryan Messina

## Nicholas J. Kindel

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**From:** CPCInfo  
**Sent:** Tuesday, December 15, 2015 10:11 AM  
**To:** Nicholas J. Kindel  
**Subject:** FW: Short-term Rentals in New Orleans

**From:** Sami DeVille Messerle [<mailto:samideville@gmail.com>]  
**Sent:** Monday, December 14, 2015 11:11 AM  
**To:** CPCInfo  
**Subject:** Short-term Rentals in New Orleans

Hello,

I was recently contacted by AirBNB to send you a form email telling you about how I support home-sharing in New Orleans - however I DO NOT support home-sharing in New Orleans in its current form.

I am a recently married, late twenties woman with a steady job and hopes of someday becoming a homeowner. The housing prices in the areas that I would like to live are completely out of control, and short-term rental opportunities are making home ownership in this city even more difficult. When the rich can buy multiple properties and make a humongous profit off of rental sites like AirBNB, where does that leave the middle class?

I am not completely against AirBNB. I have used their service in other parts of the country however I think that it is damaging the housing market in New Orleans. I would urge you implement some kind of short-term rentals licensing system to limit the number of properties that can be used this way.

Thank you for reading my thoughts on the matter.

Best,  
Sami DeVille Messerle

## Nicholas J. Kindel

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**From:** CPCinfo  
**Sent:** Tuesday, December 15, 2015 10:12 AM  
**To:** Nicholas J. Kindel  
**Subject:** FW: This is my home sharing story

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

From: Stephanie Bissell [<mailto:Stephanie.bissell@yahoo.com>]  
Sent: Monday, December 14, 2015 11:16 AM  
To: CPCinfo  
Subject: This is my home sharing story

Dear Executive Director Robert Rivers,

I was very concerned about short term rentals before I purchased a home. Since I've purchased my historic Mid City duplex, I've used short term rentals to cover some expenses.

Some regulations that I would like to recommend in order to protect the best interests of the citizens of New Orleans:

1. Only primary residence rentals should be allowed.

People who buy homes for the sole purpose of short term rentals are destroying the sense of community and stability of local neighborhoods.

2. A minimum night requirement.

I personally have limited my rental to mostly 7 night rentals, sometimes 3 or 5, but never less than 3. This prevents the large number of turnovers that are present at other properties that upset neighbors and disrupt the hotel industry.

I believe that with above implemented policies, neighborhoods would be preserved, more homes would be available to purchase for people who want to be permanent or long term residents of New Orleans, and you could still protect the individuals who use short term rentals as a way to make ends meet.

No one approves of the current, greedy use of property. Changes need to be made but I strongly urge the city to keep in mind those who use these rentals as a means to purchase, renovate and maintain their primary residences. These rentals have allowed blighted neighborhoods the opportunity to recover at a more rapid pace and have made the dream of New Orleans home ownership a reality for me and several of my neighbors.

Sincerely,

Stephanie Bissell

## Nicholas J. Kindel

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**From:** CPCinfo  
**Sent:** Tuesday, December 15, 2015 10:12 AM  
**To:** Nicholas J. Kindel  
**Subject:** FW: This is my home sharing story

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

From: Julia Cruz [[mailto:Julia\\_tx1974@yahoo.com](mailto:Julia_tx1974@yahoo.com)]  
Sent: Monday, December 14, 2015 11:20 AM  
To: CPCinfo  
Subject: This is my home sharing story

Dear Executive Director Robert Rivers,

I am a travelling musician. I have a place in New Orleans and the only way I can afford it is to rent it out temporarily when I am on the road. I also rent to musicians from other cities when I am not home.

If I am unable to do part time rentals I will Not be able to have a home in New Orleans. I would Have to rent a room in someones house. This would be awful as I am over 40 and live having a place of my own.  
Please keep short term retals legal and available For people who travel a lot and dont want to ( or have the funds to) stay in a hotel.

With the rising costs in New Orleans the option to rent out a room or your whole Place on a temping basis will help people keep Their homes. It also helps tourist by giving them options for visiting this wonderful city.

Sincerely,

Julia Cruz



## Nicholas J. Kindel

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**From:** CPCinfo  
**Sent:** Tuesday, December 15, 2015 10:13 AM  
**To:** Nicholas J. Kindel  
**Subject:** FW: This is my home sharing story

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

From: Edie Cagnolatti [<mailto:ediecagnolatti@gmail.com>]  
Sent: Monday, December 14, 2015 11:20 AM  
To: CPCinfo  
Subject: This is my home sharing story

Dear Executive Director Robert Rivers,

Responsible home sharing is creating a new economic engine for New Orleans which is necessary in a city in which tourism is such a vital component of the economy.

Sincerely,

Edie Cagnolatti

## Nicholas J. Kindel

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**From:** CPCinfo  
**Sent:** Tuesday, December 15, 2015 10:13 AM  
**To:** Nicholas J. Kindel  
**Subject:** FW: This is my home sharing story

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

From: Brittany Vegso [<mailto:brittany.vegso@gmail.com>]  
Sent: Monday, December 14, 2015 11:23 AM  
To: CPCinfo  
Subject: This is my home sharing story

Dear Executive Director Robert Rivers,

Home sharing is a way to add a more personal twist on travel. I have met many wonderful people through home sharing and love to show them my city. It allows people to see the "real" New Orleans instead of staying in a stuffy hotel.

Sincerely,

Brittany Vegso

## Nicholas J. Kindel

---

**From:** CPCInfo  
**Sent:** Tuesday, December 15, 2015 10:14 AM  
**To:** Nicholas J. Kindel  
**Subject:** FW: Airbnb in New Orleans

**From:** Alison Moon [<mailto:alisonemoon@gmail.com>]  
**Sent:** Monday, December 14, 2015 11:24 AM  
**To:** CPCInfo  
**Subject:** Airbnb in New Orleans

I recently received an email from Airbnb asking me to support them while you conduct a 120-day review period. It then sends me to an automative form where I simply put in my name and information and allows I agree with them. However, I do not fully agree with them.

I have used Airbnb in the past and I do like what it stands for while I am traveling but this year I recently moved into a different house and my experience trying to find an affordable rental in New Orleans was hell.

I do not agree with taking homes that could be used to house residences and use them solely for Airbnb rentals. I understand in the case where someone has an extra room or will be out of town for a weekend but I know several people who find places with affordable rent, sign the lease and then without the knowledge of the homeowner use it solely for an Airbnb. Not only does it make it very difficult for me to find those affordable rentals but it also has increased the price of rent in my area. I am currently living in the 7th ward near the Fairgrounds but was in Treme before this.

It simple takes looking at a few listings on Airbnb in New Orleans to realize the people who are renting homes solely for Airbnb. They find houses in great locations like Treme or especially the Marigny/Bywater area right now. Some even have multiple listings on Airbnb.

Unfortunately I have no idea how to combat a problem like this because I would like a middle ground to be found. It's hard to speak as a supporter of Airbnb when traveling but as a residence of a city where it made it really difficult for me to find a rental.

--  
Alison Moon  
337-326-1819  
[alisonemoon@gmail.com](mailto:alisonemoon@gmail.com)  
[www.alisonemoon.com](http://www.alisonemoon.com)

## Nicholas J. Kindel

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**From:** CPCinfo  
**Sent:** Tuesday, December 15, 2015 10:14 AM  
**To:** Nicholas J. Kindel  
**Subject:** FW: This is my home sharing story

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

**From:** Sarah Mack [<mailto:sarahmack@tierraresourcesllc.com>]  
**Sent:** Monday, December 14, 2015 11:34 AM  
**To:** CPCinfo  
**Subject:** This is my home sharing story

Dear Executive Director Robert Rivers,

This letter is in request to allow AirBNB in New Orleans. My personal story is that I am a small business working in water management and coastal restoration in the New Orleans region.

Unfortunately, my company Tierra Resources has suffered significant losses with the low price of oil. In order to maintain my office in New Orleans I need to be able to AirBNB it on weekends or I will be relocating Tierra Resources to a home office in Lafitte (Jefferson Parish) where I reside.

Thank you for your consideration.

Dr Sarah Mack, MSPH, PhD, CFM  
President and CEO  
Tierra Resources LLC

Sincerely,

Sarah Mack

## Nicholas J. Kindel

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**From:** CPCinfo  
**Sent:** Tuesday, December 15, 2015 10:14 AM  
**To:** Nicholas J. Kindel  
**Subject:** FW: This is my home sharing story

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

From: Stacy Kelly [<mailto:Makeupsk143@gmail.com>]  
Sent: Monday, December 14, 2015 11:41 AM  
To: CPCinfo  
Subject: This is my home sharing story

Dear Executive Director Robert Rivers,

Let me say right off that my life, and my daughters life has improved by leaps and bounds because we share my house in Airbnb. I renovated a small 2 bedroom apt attached to my home, furnished it, and listed it on Airbnb. I'm so fortunate that it backs up to Tulane U and is blocks to the streetcar. My listing stays booked most of the time!!

I was so very worried that I wouldn't be able to help my daughter with college starting next year, but now I'll definitely be able to help her get there. I'm a single mom and lost my entire savings to a divorce. My guests are my saviors, not to mention, always a joy! Many of them are parents of Tulane students, but they also come from all walks of life and places world wide! They spend a lot of money in our city eating in Resturants and going out to hear music. My last guest mentioned that because of my place, they can afford to visit more often and can dine in nicer Resturants! They all love Nola!

At this point I have many dates booked thru next May. It's amazing and my guests are lucky to have very local, personalized visits. I inform them of things to do and places to go that they wouldn't know otherwise. My neighbors are all supportive and happy to have these guest and supportive of Airbnb Thx Stacy Kelly

Sincerely,

Stacy Kelly

## Nicholas J. Kindel

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**From:** CPCinfo  
**Sent:** Tuesday, December 15, 2015 10:15 AM  
**To:** Nicholas J. Kindel  
**Subject:** FW: This is my home sharing story

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

From: Jane Doe [<mailto:nolarentalreport@gmail.com>]  
Sent: Monday, December 14, 2015 12:28 PM  
To: CPCinfo  
Subject: This is my home sharing story

Dear Executive Director Robert Rivers,

Testing, testing

Sincerely,

Jane Doe

## Nicholas J. Kindel

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**From:** CPCinfo  
**Sent:** Tuesday, December 15, 2015 10:15 AM  
**To:** Nicholas J. Kindel  
**Subject:** FW: This is my home sharing story

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

From: Ricah Marquez [<mailto:ricahmarquez@gmail.com>]  
Sent: Monday, December 14, 2015 12:31 PM  
To: CPCinfo  
Subject: This is my home sharing story

Dear Executive Director Robert Rivers,

I love having AirBnB as one of the best lodging options for travel. When I go someplace new, I like to find a neighborhood and feel like I'm a part of it. The best way for me to do that is to rent a home or an apartment in a neighborhood. Once there, I like stay local, like eat at the local restaurants, drink at the local bars, shop at the local retailers, shop at the local grocery, cook my own food, and just relax. I'm not into big tourist attractions when I go on vacation. I want to have a stress-free time and integrate into my new surroundings. I think that's a great benefit of having AirBnB because it caters to travelers like myself, and hopefully that makes a positive impact on the local economy.

Sincerely,

Ricah Marquez

## Nicholas J. Kindel

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**From:** CPCinfo  
**Sent:** Tuesday, December 15, 2015 10:15 AM  
**To:** Nicholas J. Kindel  
**Subject:** FW: This is my home sharing story

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

From: Olivia Nolan [<mailto:molivianolan@gmail.com>]  
Sent: Monday, December 14, 2015 1:22 PM  
To: CPCinfo  
Subject: This is my home sharing story

Dear Executive Director Robert Rivers,

I wouldn't have the same love of NOLA if it weren't for the opportunities I've had to be submerged in the middle of it - not stuck in some white washed hotel.

Sincerely,

Olivia Nolan



## Nicholas J. Kindel

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**From:** CPCinfo  
**Sent:** Tuesday, December 15, 2015 10:15 AM  
**To:** Nicholas J. Kindel  
**Subject:** FW: Short Term Rentals

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

From: Carolyn Sinclair [<mailto:carolyn@sinclairstudios.com>]  
Sent: Monday, December 14, 2015 1:54 PM  
To: CPCinfo  
Subject: Short Term Rentals

Hello,

I support SHORT TERM RENTALS under the following circumstances:

1. MUST be owner occupied
2. ONE per block face - as the current regulations allow
3. I believe no matter how small, the City should tax each of the businesses. This is low hanging fruit! Use the money gained to create an office to regulate and enforce the rules.

thank you,

Carolyn Sinclair

1914 Burgundy St.  
New Orleans, LA 70116  
504-473-9997

## Nicholas J. Kindel

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**From:** CPCinfo  
**Sent:** Tuesday, December 15, 2015 10:15 AM  
**To:** Nicholas J. Kindel  
**Subject:** FW: This is my home sharing story

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

**From:** Sandy Brown [<mailto:Brofam5@gmail.com>]  
**Sent:** Monday, December 14, 2015 2:37 PM  
**To:** CPCinfo  
**Subject:** This is my home sharing story

Dear Executive Director Robert Rivers,

I am strongly support the home sharing in New Orleans. I have used it to vacation in the past and find it a great way to get to know and love a city. The host and hostess helped us to find favorite restaurants, shops and sites to visit. I believe it is a great asset to any city.

Sandy Brown

Sincerely,

Sandy Brown

## Nicholas J. Kindel

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**From:** CPCinfo  
**Sent:** Tuesday, December 15, 2015 10:15 AM  
**To:** Nicholas J. Kindel  
**Subject:** FW: This is my home sharing story

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

From: Glen Steeb [<mailto:nomc1988@yahoo.com>]  
Sent: Monday, December 14, 2015 3:07 PM  
To: CPCinfo  
Subject: This is my home sharing story

Dear Executive Director Robert Rivers,

Please allow homeowners to use their property as they see fit. With taxes and insurance rising every year, each bit of additional income is crucial to some of us to keep our homes.

Sincerely,

Glen Steeb

## Nicholas J. Kindel

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**From:** CPCinfo  
**Sent:** Tuesday, December 15, 2015 10:15 AM  
**To:** Nicholas J. Kindel  
**Subject:** FW: This is my home sharing story

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

From: James Brinson [<mailto:jamesbrinson01@hotmail.com>]  
Sent: Monday, December 14, 2015 3:28 PM  
To: CPCinfo  
Subject: This is my home sharing story

Dear Executive Director Robert Rivers,

It's a great way to support visitors to the community and area. Blocking home sharing is monopolizing. Visitors that enjoy home sharing still brings dollars into the tourism industry as a whole. There is room for everyone.

Sincerely,

James Brinson

## Nicholas J. Kindel

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**From:** CPCinfo  
**Sent:** Tuesday, December 15, 2015 10:16 AM  
**To:** Nicholas J. Kindel  
**Subject:** FW: This is my home sharing story

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

From: Vic Caracci [<mailto:littlevicsneworleans@gmail.com>]  
Sent: Monday, December 14, 2015 3:34 PM  
To: CPCinfo  
Subject: This is my home sharing story

Dear Executive Director Robert Rivers,

I support Airbnb

Sincerely,

Vic Caracci

## Nicholas J. Kindel

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**From:** CPCinfo  
**Sent:** Tuesday, December 15, 2015 10:16 AM  
**To:** Nicholas J. Kindel  
**Subject:** FW: This is my home sharing story

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

From: Marie Gould [<mailto:marigold2411@gmail.com>]  
Sent: Monday, December 14, 2015 7:35 PM  
To: CPCinfo  
Subject: This is my home sharing story

Dear Executive Director Robert Rivers,

I support short term rentals if the owner lives on the property.

I am not comfortable with short term rentals when the owner does not live in the building. Neighborhoods lose their character, identity, and sense of community in a tourist town like New Orleans when neighborhoods have a shortage of permanent residents.

Sincerely,

Marie Gould

## Nicholas J. Kindel

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**From:** CPCinfo  
**Sent:** Wednesday, December 16, 2015 9:07 AM  
**To:** Nicholas J. Kindel  
**Subject:** FW: This is my home sharing story

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

From: Thersa Kendrick [<mailto:tckendrick@att.net>]  
Sent: Tuesday, December 15, 2015 11:36 AM  
To: CPCinfo  
Subject: This is my home sharing story

Dear Executive Director Robert Rivers,

The taxes in the city and my insurance premiuns have triple - with out this extra money I would lose my house. The jobs in New Orleans did not pay enough for me to survive therefore I have to supplement my income. Please, Please did not impose taxes. Thank you very much.

Thersa Kendrick

Sincerely,

Thersa Kendrick

## Nicholas J. Kindel

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**From:** CPCinfo  
**Sent:** Wednesday, December 16, 2015 9:07 AM  
**To:** Nicholas J. Kindel  
**Subject:** FW: This is my home sharing story

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

**From:** Donna Schulingkamp [<mailto:ladydonna8218@hotmail.com>]  
**Sent:** Tuesday, December 15, 2015 8:01 PM  
**To:** CPCinfo  
**Subject:** This is my home sharing story

Dear Executive Director Robert Rivers,

Southern Hospitality !

Sincerely,

Donna Schulingkamp



## Nicholas J. Kindel

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**From:** CPCInfo  
**Sent:** Wednesday, December 16, 2015 9:08 AM  
**To:** Nicholas J. Kindel  
**Subject:** FW: This is my home sharing story

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

**From:** Theresa Cabrera [<mailto:cabreraenterprises1107@gmail.com>]  
**Sent:** Tuesday, December 15, 2015 11:43 PM  
**To:** CPCInfo  
**Subject:** This is my home sharing story

Dear Executive Director Robert Rivers,

I own a double shotgun home in New Orleans. After having a few different tenants occupy the one side, I decided I didn't like it so much. Especially after one tenant didn't pay rent and I had to live right next to him during an eviction process. After that, I started to use the entire home on both sides. My fiance started to use the other side as his "man cave" and it all worked out great for a while. My fiance had a back surgery this last year that put him out of work for 2 months, significantly holding us back. I remembered how much I enjoyed hosting foreign exchange students with my parents as a child. Still not wanting a long term tenant, but needing extra money, I chose to rent it out on airbnb so we could catch up. Turns out most of our guests have been from foreign countries looking for an affordable place to stay, with a host to help them learn the area. Some of my guests have barely spoken English. I helped them get groceries, directed them to other neighborhoods of New Orleans other than just the Quarter, and helped them feel safe. Some guests have heard stories of the crime here and were concerned. Airbnb allows so much more tourism with a more authentic experience for the guests. Thankfully, my fiance is back to work and when we are not booked, we are grateful to have use of the other side of the duplex for extra space and having visits from family. I am also an owner of another property but do not use that one for airbnb. I understand some regulations will need to be put into place otherwise available/affordable rental homes will disappear. I feel since I live in my home I should be able to share it as I please. I don't feel having a bunch of other airbnb properties I didn't live in would be fair to the community. The income I generate is nothing astronomical, less than 20k/year. It pays some bills and some extra spending money.

Sincerely,

Theresa Cabrera

**Nicholas J. Kindel**

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**From:** CPCInfo  
**Sent:** Wednesday, December 16, 2015 9:19 AM  
**To:** Nicholas J. Kindel  
**Subject:** FW: recently in the news - AirBnB is a brothel in NYC to defeated in Santa Barbara & all in between

**From:** info@gvbb.com [mailto:info@gvbb.com] **On Behalf Of** Bonnie Rabe  
**Sent:** Wednesday, December 16, 2015 6:29 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:** recently in the news - AirBnB is a brothel in NYC to defeated in Santa Barbara & all in between

CPC Staff,

Lots of AirBnB buzz in the media lately and predominantly in a negative light. I've included article titles, article links and a highlighted quote or two from each article. Many are examples of what can happen when a property is NOT owner/manager occupied and owned by a management company running multiple locations.

## Hookers turning Airbnb apartments into brothels

<http://nypost.com/2014/04/14/hookers-using-airbnb-to-use-apartments-for-sex-sessions/>

“It’s more discreet and much cheaper than The Waldorf,” said the sex worker, who spoke on condition of anonymity.

“Hotels have doormen and cameras. They ask questions. Apartments are usually buzz-in.”

The agency flies under the radar by having its workers secure the apartments through their own Airbnb profiles, then has them pay the rent with prepaid debit cards. The apartments usually cost between \$200 and \$400 a day.

## New Airbnb Data Shows Most NYC Hosts Are Breaking The Law

[http://gothamist.com/2015/12/01/airbnb\\_laws\\_shmaws.php](http://gothamist.com/2015/12/01/airbnb_laws_shmaws.php)

The AG's report stated that from 2010 through early June of 2014, \$168.3 million, or 37% of revenue generated by Airbnb hosts, came from hosts with three or more listings.

The data, which can be inspected if you make an appointment at Airbnb's New York City offices, states that 55% of Airbnb's users are renting out their entire apartments while they're gone, rather than a single room when they're present, which for most residents against the law.

Councilmember Helen Rosenthal, a member of Share Better, said in a statement, "We met with Airbnb today, and they refused to disclose specific, actionable data. Airbnb only provided 'anonymized' data of its users who break the law—in other words, a useless disclosure that will do nothing to curb illegal hotels and tenant harassment."

## Airbnb Crashes at Santa Barbara City Council Meeting

[http://www.noozhawk.com/article/airbnb\\_crashes\\_at\\_santa\\_barbara\\_city\\_council](http://www.noozhawk.com/article/airbnb_crashes_at_santa_barbara_city_council)

"What happened here is that technology changed," said Councilman Dale Francisco. "The internet and the web suddenly allowed people to communicate very easily all over the world and become their own hotel essentially. That opportunity was not there 20 years ago. What has not changed is the zoning ordinance. I know there's technology out there that allows this, but our zoning doesn't." Francisco said residential zoning was created so that "families could have a certain expectation of stability in their neighborhood."

The Airbnb and home-sharing debate has shined a bright light on the collision of affordable housing, neighborhood preservation, tourism and a new wave of young professionals who are migrating to Santa Barbara from bigger cities, bringing their lifestyle and personal sensibilities with them.

"We have to get back to the equilibrium we used to have. Houses are for people to live in and hotels are for people to stay."

Councilman Randy Rowse pushed back a bit on all of the "shared economy" talk. He said neighborhoods are hurt when there's a steady stream of tourists traversing in-and-out of homes. He said even if it is true that people are sharing resources in a way they had not in the past, "it is not everyone else's problem around you to solve your cash flow needs."

"Airbnb, one of the 'bs' should stand for billions," Flacks said. "It is hardly a company that is part of the shared economy."

### **Airbnb forced to start coughing up cash to FL**

[http://www.wtsp.com/story/news/local/2015/12/01/airbnb-forced-to-start-coughing-up-cash-to-fl/76600634/?utm\\_campaign=Rentivo.com\\_Owners%2B%26%2Bmanagers%2Bweekly&utm\\_medium=email&utm\\_source=Rentivo.com\\_Owners\\_%26\\_managers\\_weekly\\_1](http://www.wtsp.com/story/news/local/2015/12/01/airbnb-forced-to-start-coughing-up-cash-to-fl/76600634/?utm_campaign=Rentivo.com_Owners%2B%26%2Bmanagers%2Bweekly&utm_medium=email&utm_source=Rentivo.com_Owners_%26_managers_weekly_1)

For the first time ever, Airbnb will be forced to pay state and tourism taxes. Local bed and breakfast businesses across Florida pushed tax collectors to force the company to cough over cash to the state, saying their businesses were struggling to stay busy.

Hotels and bed and breakfast facilities must pay taxes, have a business license, undergo inspections and follow strict fire codes, all things Airbnb has skated past.

Now, rooms booked on Airbnb will cost on average 13% more, including a sales tax and a tourism tax.

"It's very exciting and the main reason for all of this is to make it a level playing field for the entire hotel industry. I know for the smaller B&BS and mom and pops there was a little bit of unfairness because they weren't paying their taxes," explained Diane Nelson, the tax collector in Pinellas County.

Bonnie Rabe, Innkeeper  
Grand Victorian Bed & Breakfast  
and President of PIANO  
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

## Nicholas J. Kindel

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**From:** CPCinfo  
**Sent:** Monday, December 21, 2015 12:30 PM  
**To:** Nicholas J. Kindel  
**Subject:** FW: Private home sharing

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**From:** etecchie@cox.net [mailto:etecchie@cox.net]  
**Sent:** Wednesday, December 16, 2015 4:52 PM  
**To:** CPCinfo  
**Subject:** Private home sharing

Dear City planning commission,

I am writing to you to express the importance to us for allowing short term rentals in New Orleans. We have had our property in the Faubourg Marigny since 1989 through all of the ups and downs crime/no crime; before Katrina, I lived there, other groups of friends have lived there, and last a small company rented it. Our property is 4 bedrooms, 3 bath it was up for sale/lease for five years after 2005 and no one would commit to lease/buy. After loosing so much money with it being empty for so long; we then decided to make it a vacation home, furnished it, made some updates, and signed up with Homeaway.

We are so happy we made that choice, we have had some wonderful families, groups of friends, etc. stay in our home. We let the guests know what areas are safe and where not to go, about walking in groups, or taking cabs back home late at night. The home has smoke alarms, fire extinguisher, two exits, we make sure they are safe at all times.

The reviews say it all. They have had nothing but lovely comments about our neighborhood, the local cafes, bars, live music, restaurants, and attractions. We love to hear about their experiences in our beautiful city and them spending time and money at local businesses. Being born and raised here, it makes us happy to share our home & city with tourists and see them fall in love with Nola...and even want to buy a place here.

With the income we pay our property taxes, improve the property interior and exterior, pay for our children's college tuition, and donate to different organizations.

We also know that there aren't enough hotels, B & B's in the New Orleans area, Westbank, Metairie, Kenner, and even Mississippi border to accommodate tourists that fill the Superdome/Arena; so why not allow short term rentals. We have no problem paying the room fee's, taxes, etc. to be equal with B & B's. We have a small condo in Destin, Florida which also had this issue many years ago. Short term rentals are allowed, it brings money to the city, and surrounding businesses, we pay our taxes for each booking monthly. It all works out beautifully in Destin. We kindly ask for the city to pass legalization of short term rentals. It's a win for both sides.

Below are a couple of reviews from guests:

\*We had a family gathering at Maison De La Royal, and the second floor home was a perfect setting for us. The owners, have directions and guidelines posted for how to take care of everything, and they are both

very responsive if a further question arises. Temperature controls were efficient, keeping the entire indoor area comfortable. We especially enjoyed the covered patio, which has ample seating for morning coffee or evening cocktails. It's a very appealing space. We had one car, and safe parking was available on the street right outside the door. The car was handy for short treks to Elizabeth's restaurant, either to eat in or take out. There are many places very close by with good food; we enjoyed dinner and the ambiance at The Franklin. The 24 hour market on the corner is helpful, too. Our group enjoyed walking through the Marigny historic district to get to Frenchmen St. and the French Quarter and Market. It's a longer walk to the Quarter than stepping from a hotel, but the reward is exploring all the interesting neighborhoods along the way and then enjoying the quiet, spacious setting of this home upon returning. It took around 15 - 20 minutes to get to the activity of the French Quarter, depending on your pace and how much you look around. We enjoyed seeing the wonderfully creative Halloween decorations, and by the end of our five day visit, we felt like we had been introduced to and welcomed by a new extended neighborhood in the city. Our group would return to any time. Thank you!

\*Me and 10 of my best friends had one of the most memorable long-weekends of our life celebrating our buddies bachelor party here. There was plenty of room for everyone, and the house is in a cool neighborhood that does not have a tourist vibe at all. The best part is that it's within walking distance of Frenchmen St. and The French Quarter. New Orleans is an unbelievable place to visit, and if you're with a big group I couldn't imagine a better place to stay. The outdoor patio was a great place to enjoy the weather, and the back enclosed Patio is a great spot to hang out and listen to music before heading out for the night! If I'm ever fortunate enough to return to the beautiful city of New Orleans with 10 of my best friends I know where I'm staying!

\*We recently had a girls weekend and stayed at this house We lived in the kitchen and on the patio! Those were great areas for just hanging out and talking. Many of the reviews are from guys for bachelor parties, so I was a little worried if the reviews would be just as positive when it was a group of women. But I can assure you this is a great place for a group of women - we felt safe, and we're close to restaurants and bars - but not too close! This also happened to be literally around the corner from where Solange Knowles got married, so as a bonus we got pictures of Beyoncé and Jay-Z! Michael was very accommodating and good to work with. Recommend Mariza restaurant nearby and for boutique shopping Magazine Street (cab ride away). Frenchmen Street for some good night life- the spotted cat

\*Seven of us descended upon New Orleans to celebrate my husband's 40th birthday. We were pleased when we arrived at the house to find a cool, clean, spacious home. It is definitely much larger than what the photos on the website portray. The owners were extremely helpful with answering all my questions in a timely manner and was a pleasure to communicate with. We were at the little corner store at the end of the street practically every day to pick up whatever we needed to eat/drink at home. We also picked up a pizza there every night. It was honestly some of the best pizza we've ever had - and they're open late too! If you're looking for a liquor store, Hank's is about 5 blocks away. We walked to the French Quarter every day, which was actually a good thing for us considering all of the rich food we indulged in. It was nice to have a big space to retreat to when we needed a break from the French Quarter. We spent a lot of time on the patio chilling out in between tours and bars. We did stay in one night at "home" and had a games night in the rec room. It was really nice to have that option. The area is safe and we always walked in a group when coming back from the French Quarter at night so there were no concerns. Thank you for sharing your home with us and we will definitely recommend this place to any friends wanting to visit NOLA. Laissez les bon temps roulez!!

Sent from Windows Mail

## Nicholas J. Kindel

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**From:** CPCinfo  
**Sent:** Monday, December 21, 2015 12:30 PM  
**To:** Nicholas J. Kindel  
**Subject:** FW: This is my home sharing story

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

From: J S Norris [<mailto:simbipetro@gmail.com>]  
Sent: Wednesday, December 16, 2015 7:13 PM  
To: CPCinfo  
Subject: This is my home sharing story

Dear Executive Director Robert Rivers,

I do support home sharing as I have friends that use this money to make mortgage payments and for renovation of their homes, and especially to restore historical properties.

I do not support people that buy houses strictly for short term rentals and do not live in the New Orleans Metro area. I would like to see only LA citizens be able to home share. I would like to see remote owners, and people that do not live here be restricted from home sharing and I would like home sharing to not include entire homes; I do support being able to home share your duplex if you live in the location.

Sincerely,

J S Norris