

Nicholas J. Kindel

From: CPCinfo
Sent: Monday, November 23, 2015 1:50 PM
To: Nicholas J. Kindel
Subject: FW: Presentation Report from 11/17/15

From: inaangel4 . [<mailto:angelina.duneo@gmail.com>]
Sent: Thursday, November 19, 2015 2:45 PM
To: CPCinfo
Subject: Presentation Report from 11/17/15

Hi! I was looking for a copy of the presentation that was 11/17/15 at UNO.

Can you direct me on how to get that?

Thanks!

Nicholas J. Kindel

From: CPCinfo
Sent: Monday, November 23, 2015 1:50 PM
To: Nicholas J. Kindel
Subject: FW: Short term rentals

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

From: David Amsden [<mailto:damsden1@yahoo.com>]
Sent: Friday, November 20, 2015 8:36 AM
To: CPCinfo
Subject: Short term rentals

To Whom it May Concern:

I'm writing to offer my support for a short-term rental policy that allows that practice to continue, but with certain rules in place to ensure the city benefits financially, by collecting taxes, and to limit the ability for bad actors to abuse the practice.

Short-term rentals offer a unique experience for visitors to the city who would prefer to stay in a private residence than a hotel. Whether motivated by cost (short-term rentals are often cheaper) or location (short-term rentals are outside the FQ and CBD), it has become clear that the demand for the service is great, and only poised to increase. That they also provide a supplemental income for hosts in an unstable economy makes it a mutually beneficial practice.

As a full-time resident and homeowner in the Marigny, one of the most popular neighborhoods for short-term rentals, I have found them to have a largely positive effect on the neighborhood. My neighbors who operate short-term rentals tend to keep their homes in wonderful condition, using the income earned to paint, plant trees, and generally keep the neighborhood looking beautiful. The impact of more tourists in the area, meanwhile, has been largely minimal, as visitors don't tend to have cars.

I am sensitive to the concerns of those who worry about homes being purchased solely for use as short-term rentals; while this seems to be a small minority of properties, it could have a negative effect. It seems to me that mandating that the home must be occupied the majority of the year by the owner or permanent tenant would largely prevent abuse of the system.

Here's hoping that, as a city, we can come up with some common sense guidelines to support short-term rentals.

Sincerely,

David Amsden
New Orleans

Nicholas J. Kindel

From: CPCinfo
Sent: Monday, November 23, 2015 1:51 PM
To: Nicholas J. Kindel
Subject: FW: Short-Term Rentals in New Orleans

From: Bahn Dubu [mailto:bahndubu@gmail.com]
Sent: Friday, November 20, 2015 10:44 AM
To: CPCinfo
Subject: Short-Term Rentals in New Orleans

Hello-

As a long term resident of our fair City and a "common working man" I find it necessary to speak out relative to the current debate regarding short term rentals in New Orleans. First, and most importantly to myself, my meager standard of living depends on income generated by renting out 1/2 of my double to short term renters. Should I be forced by the City to cease such activity and only accept long-term renters I may not be able to pay my bills and be faced with undue suffering as a result.

Secondly, short term rentals bring to our City an enormous revenue, as these folks come here and spend their money having fun. This of course benefits both businesses' income, and the City's tax coffers. Flat out outlawing short term rentals and causing visitors to only use hotels will most certainly harm this income base.

It is well known that post-Katrina property taxes and insurance rates have obscenely risen. Us simple folk need the income from a source such as short term rental to help offset these unreasonable increases.

Thirdly: I AM AN OWNER-OCCUPANT. It is offensive to me that out-of-town real estate investors buy up our houses and rent them out short term from New York, Los Angeles, etc. If there is to be any regulation of short term rentals please let it be in favor of residents and disfavoring the above mentioned investors. That is, outlaw non-residents' participation in this activity, and allow residents' unencumbered engagement.

Honestly, people such as myself should simply be left alone and free to live our lives the way in which we need.

As always you will find me

Yours Truly,

Bahn Dubu

Nicholas J. Kindel

From: CPCinfo
Sent: Monday, November 23, 2015 1:51 PM
To: Nicholas J. Kindel
Subject: FW: Short term rentals

From: Sissy Sartor [<mailto:sissy.sartor@gmail.com>]
Sent: Saturday, November 21, 2015 12:53 PM
To: CPCinfo
Subject: Short term rentals

We live on a quiet block in uptown New Orleans and are having a problem with a home next to ours that is primarily being leased for short term rentals. It is altering the feel and landscape of the block, with people coming and going who have no vested interest in the community and are not really accountable to anyone in regards to their conduct. This last week a film crew took over the house and there was an onslaught of trucks, cars, and people. While I realize short term rentals bring people into the city and the commerce that goes along with their visit, the city is still not realizing the large tax dollars they would have captured from hotel stays.

I really think that short term rentals should be heavily regulated. For example, limited to a certain number of days per year, or require that the owner should be living and present on the premises. Unfortunately, New Orleans does not have the chops or financial resources to be able to follow and regulate this. Because of this, I think they should just be outlawed completely. Sissy Sartor

Nicholas J. Kindel

From: CPCinfo
Sent: Monday, November 30, 2015 9:53 AM
To: Nicholas J. Kindel
Subject: FW: AirBnB ~ homestead exception

From: Eric Pollard [<mailto:ericpollard@hotmail.com>]
Sent: Sunday, November 22, 2015 6:17 AM
To: CPCinfo; Eric Pollard
Subject: AirBnB ~ homestead exception

Good morning.

Thank you fro addressing this important issue.

Please consider allowing ONLY folks who can prove they are living in their home to use the AirBnB program.

You could use the existing homestead exception program as a qualifier.

I feel that this city is due taxes, both as revenue & to balance competition for our licensed B&Bs, hotels, etc.

Even more, I feel the rents are being inflated, and residents negatively impacted as a transient crowd moves into homeowner & long term renting New Orleanians have to deal with these tourists, with no protections or regulation. Insurance, or a city program of regulation & enforcement, must exist if we are to allow this.

Thank you.

Eric pollard
MidCity
New Orleans

Nicholas J. Kindel

From: CPCinfo
Sent: Monday, November 30, 2015 9:53 AM
To: Nicholas J. Kindel
Subject: FW: AirBnB/short term rentals- comment

From: Arwen Podesta [mailto:rockstarwen@me.com]
Sent: Sunday, November 22, 2015 8:05 PM
To: CPCinfo
Subject: AirBnB/short term rentals- comment

To whom it may concern;
I am concerned that AirBnBs compete with neighborhood rental availability, and explode the cost of rentals. The rampant AirBnBs may diminish the community sensibility of our neighborhoods. Yet, I argue that short term rentals are a great tool for extra income in a city such as ours, where many visitors want a catered and personalized visit. I suggest a solution in the middle: limiting AirBnBs only to rentals on or adjacent to a property the owner is living in. This is so much better for the neighborhood, with the homeowner having accountability to the neighborhood. Please consider when discussing the upcoming legislation. Best regards,

Like us on FB! <https://www.facebook.com/PodestaPsychiatry>

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Nicholas J. Kindel

From: CPCinfo
Sent: Monday, November 23, 2015 1:51 PM
To: Nicholas J. Kindel
Subject: FW: This is my home sharing story

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

From: Diana Grove [mailto:DianaGrove@aol.com]
Sent: Monday, November 23, 2015 9:58 AM
To: CPCinfo
Subject: This is my home sharing story

Dear Executive Director Robert Rivers,

Greetings,

It has been my pleasure to share my home with out-of-towners in the Bayou St. John area. The extra income has allowed me to fix up my home and renovate it with historic details.

Having worked in the local hotel industry for years I'm aware of the average nightly cost for accommodation in New Orleans. It's generally around \$200 per night, far out of reach for many travelers. Home sharing is a democratic form of travel allowing people from all over the world to visit our great city affordably. It's unfair to allow the competitive hotel monopoly to exclude travelers from a different income bracket. This is why companies like Airbnb thrive, it's a much needed service in an increasingly expensive travel economy.

I look forward to working with the city to continue bringing revenue into the city through home sharing.

Sincerely,

Diana

Sincerely,

Diana Grove

Nicholas J. Kindel

From: CPCinfo
Sent: Monday, November 23, 2015 1:51 PM
To: Nicholas J. Kindel
Subject: FW: This is my home sharing story

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

From: Jessica Henricksen [<mailto:Henricksenj@gmail.com>]
Sent: Monday, November 23, 2015 12:19 PM
To: CPCinfo
Subject: This is my home sharing story

Dear Executive Director Robert Rivers,

Dear New Orleans City Planning Commission, As a high school teacher, for seventeen years I struggled financially. After Katrina, I returned to New Orleans, entirely uncertain if my job (and school) was still intact, but I knew I had to return to the city I love. I came back immediately when many chose to stay away. Within a year, I elected to purchase a very old house that had, thanks to Katrina, lost its roof and suffered excessive water damage. I did this because I wanted to rebuild a part of the city and here was my chance: a historic, storm-savaged, house in need of TLC. However, the renovation process was grim--I was stolen from and ripped off by more than one contractor; consequently, it took me ten years to get my house more or less "finished." I became an airbnb host three years ago, while the work was still moving slowly, and without question, airbnb helped me finish the project. Overall, hosting has been a life-changing experience for me, all of it uplifting. Nearly all of the money generated by my rental has gone into preserving and rejuvenating my house, a historic 1860's shotgun, which is where I live and where my also rental lives. Not only have I been able to repaint my house, update the plumbing and electricity, among many other projects--I recently did something I never ever thought possible: I bought a new car. Most significantly, though, is this: I can now consider part-time in-home care for my elderly mother who also lives with me. Airbnb has made these things possible: I can plan a future, whereas before Airbnb I was living paycheck to paycheck and could not get ahead. I'll say it again: absolutely every cent of the money I am making goes or will go directly into local businesses of one type or another--from tradespeople, to a local car dealership, to a local nursing agency. Furthermore, my experience as a host has been extraordinary: my guests have been respectful, fun-loving, smart, curious, adventurous, forward-thinking people who are spending their dollars in the small businesses I point them to. My guests wax lyrical about my personal recommendations, so I go to sleep at night, knowing that I'm helping other local, small business owners in my neighborhood. It's been a terrifically symbiotic experience all around, so I ask the City of New Orleans to invest in us, those hosts like me, who came back when nothing was certain, who invested when money was scarce and the future's outlook was bleak. I hope the City of New Orleans will see not only the big picture economic value of short term rentals but the honest to goodness, daily difference short term rentals are making in the lives of working class people--people like me who needed a little bump and could never get it. Finally, it's happened! So let's make it fair for everyone!

Sincerely,
Jessica Henricksen

Sincerely,

Jessica Henricksen

Nicholas J. Kindel

From: jctrestle@aol.com
Sent: Monday, November 23, 2015 2:07 PM
To: Nicholas J. Kindel
Subject: Re: Short Term Rental Study

Nick

Thank you for the information and the rapid response.

I would like to submit the following comments for consideration by The City:

Dear Members

I own and have owned for eleven years a condo on Exchange Alley in the French Quarter. I have managed to hold on to it through Katrina and the subsequent rejuvenation of our lovely city but am now finding it financially difficult to do so and am in danger of losing the place. Exchange Alley is in the highly touristed and commercial area of The Quarter and I believe a great location for a short term rental. Though many people participate illegally in short term rentals I have not in anticipation of of the city recognising the economic sense of creating a permitting process for short term rentals. I believe as a property owner I should have the right to rent my property short term and would be happy to pay any permitting fees and taxes you see fit to create. I believe that these fees, taxes and the multiplier effect of an increased tourist base spending money in our city would be a great benefit to us all.

Thank you

John McCurdy

Sent from my Verizon 4G LTE Tablet

----- Original message-----

From: Nicholas J. Kindel
Date: Mon, Nov 23, 2015 11:28 AM
To: 'jctrestle@aol.com';
Cc:
Subject: Short Term Rental Study

Hello John,

As I mentioned on the phone, a short term rentals are not currently allowed in most of the city (including the French Quarter). A short term rental in the French Quarter is anything less than 60 days. We are undergoing a short term rental study right now, where you can find more information at this link: <http://www.nola.gov/city-planning/major-studies-and-projects/short-term-rental-study/>

If you have any comments, please email them to me by November 30. Thanks.

nick

Nick Kindel

Senior City Planner

New Orleans City Planning Commission

1300 Perdido Street, 7th Floor

New Orleans, LA 70112

(504) 658-7024

njkindel@nola.gov

All communication to and from this account is subject to Louisiana's Public Records Law per Louisiana Revised Statutes RS 44:1

Nicholas J. Kindel

From: CPCinfo
Sent: Monday, November 30, 2015 9:53 AM
To: Nicholas J. Kindel
Subject: FW: This is my home sharing story

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

From: John Hazlett [mailto:jhazlett1949@gmail.com]
Sent: Monday, November 23, 2015 2:44 PM
To: CPCinfo
Subject: This is my home sharing story

Dear Executive Director Robert Rivers,

I am writing to support the City Planning Commission and the City Councils' efforts to develop regulation and legalization of New Orleans Short Term Rentals.

I have been an STR host since 2010 with Airbnb. Prior to that date, I had rented out the small mother-in-law apartment in my residence on one-year leases to students at Tulane University and to visiting Ochsner medical personnel. This arrangement, however, proved less than satisfactory for many reasons:

- as long-term tenants, they almost all ended up trashing the 700 sq ft apartment;
- they often held loud parties, disturbing my family (two small children) and my neighbors;
- they prevented me from having access to parts of the house that I needed to use; and
- I was stuck with them, whatever their habits, for at least a year.

In addition, the rent that I received from them was barely sufficient to cover the cost of maintaining the apartment.

After Katrina, I had decided to discontinue renting the apartment out on long-term leases altogether, but Craig's list offered the opportunity to rent it out short term on those occasions when the town had an overflow of visitors, such as Mardi Gras and Jazz Fest. I soon switched from that base, however, to Airbnb, which offered better terms, more control, and wider distribution.

I am a responsible home owner. My house is one of the best maintained properties in my neighborhood, thanks to the funds generated by the STR. It enabled me, for example, to spend the \$13K it cost to have the residence repainted. It paid for repairs to the roof, and for drainage work. I live in the same house in which the STR is located. I am an ambassador for the City of New Orleans, serving as a knowledgeable host who recommends local businesses and restaurants to my guests, and as a tour guide to the surrounding wetlands. I pay my taxes regularly and I have paid Federal and State Taxes on the money earned from my STR (and previously on the one-year lease rental) every year that it has been in operation.

Since Katrina my flood insurance has increased by 1000%. My property taxes have gone up by 500%. I am a teacher with two children working in the state university system, and I have not had a raise in 10 years. We struggle to make ends meet, and we do it, not only thanklessly, but in the face of a state government which regularly dismisses and denigrates teachers. Without the income generated by my short-term rental, I and my children would not be able to afford living in my house.

Like many other STR hosts, I am eager to have legal status and licensing. I am happy to pay the city the fees necessary to maintain reasonable regulation. I am in favor of restricting STRs to owner-occupied residences.

Sincerely,

John Hazlett

Nicholas J. Kindel

From: CPCinfo
Sent: Monday, November 30, 2015 9:56 AM
To: Nicholas J. Kindel
Subject: FW: This is my home sharing story

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

From: Sue Mobley [<mailto:SUEMOBLEY@GMAIL.COM>]
Sent: Tuesday, November 24, 2015 4:16 PM
To: CPCinfo
Subject: This is my home sharing story

Dear Executive Director Robert Rivers,

Air B&B is inappropriately using email solicitation to affect the public feedback process in governmental decision making. For this alone, if not for the soaring cost of rents in New Orleans historic neighborhoods, the real experience of displacement from generational homes due to climbing property values and real estate speculation, the loss of city revenues from hotel industry taxes is reason to regulate them as tightly as possible if not to make short-term rentals entirely illegal.

Sincerely,

Sue Mobley

Nicholas J. Kindel

From: CPCinfo
Sent: Monday, November 30, 2015 9:56 AM
To: Nicholas J. Kindel
Subject: FW: Airbnb comment from a home owner

From: Jen Hayes [<mailto:jenplaysbass@gmail.com>]
Sent: Tuesday, November 24, 2015 4:45 PM
To: CPCinfo
Subject: Airbnb comment from a home owner

Hello,

My name is Jennifer and I own a home in Gentilly. I was able to purchase the home with grant funds and in order to do so, was pushed to my limit of income to house ratios. I have rented out one (1) spare room through airbnb in the past and used the income to help put savings away and pay off some of the principle of my home. I pay taxes on earned income.

I have also stopped renting until I hear what city planning decides.

I completely understand increasing fees and taxes for those renting out their entire home. Not only is that an investment business, but I would not want to be living next to someone in the quarter who rented their apartment out 24/7.

I own and live in the home I rent out. The people that stay with me are peaceful and I am always their to monitor. I have an off street parking spot for them and they agree to a noise rule.

I feel as though it is my right to use the space as long as I am not breaking any laws. I would be happy to apply for the \$200 dollar business permit and continue to pay taxes on earnings, but if there were to be a substantial increase in fees for owner-occupied short-term rentals, I don't know whether it would be cost effective. The goal here is to make my home more affordable and save for an emergency.

If you would like me to provide any additional information, I would be happy to.

Thank you for your time,
Jennifer

Nicholas J. Kindel

From: CPCinfo
Sent: Monday, November 30, 2015 9:56 AM
To: Nicholas J. Kindel
Subject: FW: This is my home sharing story

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

From: Scott Johnson [<mailto:shackdaddybass@yahoo.com>]
Sent: Tuesday, November 24, 2015 4:55 PM
To: CPCinfo
Subject: This is my home sharing story

Dear Executive Director Robert Rivers,

I would like you to know how beneficial Airbnb had been to me. We have owned a duplex in the Bywater neighborhood since spring of 2005. We use the house for our frequent trips to New Orleans. The other half has long term tenants. We rent our side out on Airbnb once or twice a month for a weekend. The extra income has allowed us to keep our local handyman busy just with basic upkeep of the house. Before Airbnb, I did all the maintenance myself. It has also allowed us to keep the rent the same for the last 10 years and still keep up with the rising cost of taxes and insurance. Without the extra income generated from home sharing, I would be forced to raise the rent for my long term tenants. I have no problem with applying for permits or paying additional fees to the city as long as they are reasonable. I'm a professional musician and my wages have been stagnant for the last 20 years so the extra income allows me to keep the house. Several of my neighbors provide Airbnb rentals and it has provided them the finances to improve their houses. I'm in favor of some sort of limit so that these rentals don't become hotels. Thank you for your time!

Sincerely,

Scott Johnson

Nicholas J. Kindel

From: CPCinfo
Sent: Monday, November 30, 2015 9:56 AM
To: Nicholas J. Kindel
Subject: FW: This is my home sharing story

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

From: jan ferrell [<mailto:jjcferrell@cox.net>]
Sent: Tuesday, November 24, 2015 4:58 PM
To: CPCinfo
Subject: This is my home sharing story

Dear Executive Director Robert Rivers,

I and my husband (disabled) own an 1930's duplex that we refurbished in 2014. We live downstairs and rent the upstairs legal duplex on Airbnb. It is our main source of income after Social Security disability income. Our property was not rentable when we purchased it. We have put it back in commerce and improved the neighborhood. We are on site to know who is in our building and appreciate Airbnb's professionalism in booking and screening our guests. Our reviews and super host status reflect the quality hospitality we provide our guests.

Please collect hotel taxes on my guests, Airbnb will do that for us.

Please allow owner occupied residents to continue hosting visitors to our city and home.

Thank you,
Jan Ferrell

Sincerely,

jan ferrell

Nicholas J. Kindel

From: CPCinfo
Sent: Monday, November 30, 2015 9:56 AM
To: Nicholas J. Kindel
Subject: FW: This is my home sharing story

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

From: Betsy Sedlar [mailto:Esedlar@gmail.com]
Sent: Tuesday, November 24, 2015 5:08 PM
To: CPCinfo
Subject: This is my home sharing story

Dear Executive Director Robert Rivers,

As an AirBnB host, I've had the opportunity to provide a personalized welcome to the city of New Orleans and meet an incredibly diverse array of visitors.

Whether I enthusiastically recommend my favorite bars, restaurants, bike paths and parks, or give my guests a quick walking tour of the neighborhood to acquaint them, with their surroundings, I give them a point of contact in an otherwise unfamiliar city.

Not only do I meet a great array of people, hosting allows me to make additional income to pay the mortgage, which keeps me in a historic, uniquely New Orleans residence.

It would be a real disappointment to both visitors and residents alike if AirBnB were not able to operate as independently as it has.

Sincerely,

Betsy Sedlar

Nicholas J. Kindel

From: CPCinfo
Sent: Monday, November 30, 2015 9:56 AM
To: Nicholas J. Kindel
Subject: FW: This is my home sharing story

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

From: Storme Okeefe [<mailto:Storme.okeefe@gmail.com>]
Sent: Tuesday, November 24, 2015 5:25 PM
To: CPCinfo
Subject: This is my home sharing story

Dear Executive Director Robert Rivers,

I am a divorced, 60 year old woman. I live alone in a 3 bedroom, 2 bathroom home. I have 2 guest rooms so when my daughter, her husband and their 2 children visit me in New Orleans they have a place to stay. They love New Orleans and both used to live here. They only get to visit once or twice a year. These rooms sit empty when they are not visiting. I do not need all this space. I work full time at Whole Foods and I need this extra income to make ends meet, to be able to afford my home. My Airbnb guests are very quiet, as I get up at 5am for work, so I mention in my listing, I cannot have loud, partying guests. I don't think any of my neighbors realize I do Airbnb. I think they think I have family visiting. I live in the Gentilly neighborhood, which is a very quiet neighborhood. I can't afford to retire, but when that time comes, I am hoping Airbnb will supplement my social security, so I can remain in my home. Please support Airbnb. It helps New Orleans and New Orleanians.

Thank you.
Storme Okeefe

Sincerely,

Storme Okeefe

Nicholas J. Kindel

From: CPCinfo
Sent: Monday, November 30, 2015 9:57 AM
To: Nicholas J. Kindel
Subject: FW: This is my home sharing story

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

From: Jeffrey Borchardt, MD [<mailto:Jabnpain@aol.com>]
Sent: Tuesday, November 24, 2015 5:28 PM
To: CPCinfo
Subject: This is my home sharing story

Dear Executive Director Robert Rivers,

I strongly support airbnb and hope that the city of New Orleans takes this opportunity to create reasonable legislation to help promote it.

I have used airbnb while I have traveled throughout Europe and found it not to offer an economical alternative hotels, but an opportunity to meet hosts in each city and truly get the flavor of what that city has to offer.

New Orleans is unique and what better way to promote our great city then to allow individual hosts act as its ambassador j Jeffrey A Borchardt, MD

Sincerely,

Jeffrey Borchardt, MD

Nicholas J. Kindel

From: CPCinfo
Sent: Monday, November 30, 2015 9:57 AM
To: Nicholas J. Kindel
Subject: FW: This is my home sharing story

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

From: Joe Riedel [<mailto:Joseph.riedel.06@gmail.com>]
Sent: Tuesday, November 24, 2015 5:28 PM
To: CPCinfo
Subject: This is my home sharing story

Dear Executive Director Robert Rivers,

I wanted to take this opportunity to express my deep disappointment in the fact that I cannot utilize my condo guest room on AirBNB and other space sharing sites.

I recently decided to make New Orleans my home because I heard that this was a friendly and welcoming community surrounded by a rich history and culture. When I bought my new condo I was very excited to share that experience with visitors from out of town and spread my new found appreciation for the city.

The additional income was of course very important to me but I was also genuinely excited about the experience of hosting new and exciting people each week.

I personally think that AirBNB is the perfect blend of entrepreneurship and welcoming culture that New Orleans is known for.

Before making major policy decisions on this issue I would encourage you to stay a night in a hotel. Then stay a night with a highly rated AirBNB host. After that ask yourself which way you would want to experience this amazing city if you were visiting for the first time.

AirBNB is not only a better way to experience New Orleans but it also provides an affordable travel option for people that might otherwise be deterred from visiting by the high cost associated with staying on a hotel. I strongly urge you to eliminate the barriers that exist for property owners in New Orleans to be AirBNB hosts.

Thank you for your time and consideration on the matter.

Sincerely,

Joe Riedel

Nicholas J. Kindel

From: CPCinfo
Sent: Monday, November 30, 2015 9:57 AM
To: Nicholas J. Kindel
Subject: FW: This is my home sharing story

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

From: Henry Gwin [<mailto:egwin@mac.com>]
Sent: Tuesday, November 24, 2015 5:43 PM
To: CPCinfo
Subject: This is my home sharing story

Dear Executive Director Robert Rivers,

I've used AirBnb in other places, and it works great. As a resident and taxpayer of Orleans Parish, I see no reason why the city should not be reaping the benefits of this awesome addition to our hospitality industry. Please make it legal!

Sincerely,

Henry Gwin

Nicholas J. Kindel

From: CPCinfo
Sent: Monday, November 30, 2015 9:57 AM
To: Nicholas J. Kindel
Subject: FW: This is my home sharing story

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

From: Louis Antony [<mailto:hbkluke@gmail.com>]
Sent: Tuesday, November 24, 2015 6:02 PM
To: CPCinfo
Subject: This is my home sharing story

Dear Executive Director Robert Rivers,

New Orleans,

Home sharing in the city that I love has been a wonderful two year journey. My home, neighborhood, and income have all been positively impacted by my ability to share with visitors.

In MidCity alone, I can not tell you the amount of guests Ive sent to Finn McCools for an Irish Coffee, 12 Mile Limit for some BBQ, Bayou Beer Garden for a cold beverage or Rouses for some groceries.

Guests that would have otherwise never had an opportunity to explore subsections of this city (like MidCity) if it was not for the opportunity to stay in my home.

These are guests who still hop on the street car every morning to venture down to Cafe Du Monde for a coffee and then grab their PoBoy at Johnnys before heading back to their rooms in the evening.

Lets keep the tourism thriving in New Orleans with the visitors who make our city what it is - we have to many unfortunate issues with our locals to eliminate the impact the non-locals have on our community.

Sincerely,

Louis Antony

Nicholas J. Kindel

From: CPCinfo
Sent: Monday, November 30, 2015 9:57 AM
To: Nicholas J. Kindel
Subject: FW: This is my home sharing story

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

From: Katherine Cecil [<mailto:Katherine@CecilFilm.com>]
Sent: Tuesday, November 24, 2015 6:19 PM
To: CPCinfo
Subject: This is my home sharing story

Dear Executive Director Robert Rivers,

I bought my house in the Marigny in 2004 and lived there full-time until 2011 when I married my husband, at which point I moved into his house in Holy Cross. That same year I moved my office from a tiny space in the French Quarter to the Marigny house, and currently I am there Monday to Friday 9:00 am to 6:30 pm, during which time I organize conferences for a New York based non-profit publication and work on film and video projects.

I moved back into the house briefly while we remediated our home in Holy Cross because my son had elevated lead levels. Now, during any given week I am at my desk in the Marigny house from between 40 to 50 hours/week, but rarely at night or on weekends. Recently I listed the bedroom on Airbnb in order to bring in extra income to help pay my mortgage, insurance and utilities.

Approximately 70% of the individuals who have stayed with me to date have been young graduate students and young professionals on budgets, interested in New Orleans culture and history. One young woman was conducting research at the NOPL and the Historic New Orleans Collection for her PhD dissertation in American History on 19th century steamboat explosions; another young woman works for the New York Public Library, DJing part-time, and keen to learn more about New Orleans music and cultural traditions; another was a young Canadian from London, UK in New Orleans for a medical conference on dialysis, as he tries to bring a medical instrument to market, which was the subject of his Master's thesis from Imperial College London.

After covering my mortgage, insurance and utilities, I will use this extra income to contribute to a New Orleans documentary project that I've had in development for the past two years, and which has received no grant funding to date. I see this avenue for extra income as a way for me to move this documentary project forward while directly contributing to the local arts economy. It will help me to pay New Orleans videographers and editors, having a direct and positive "trickle-down" effect upon freelancers within the arts community. The Louisiana film tax incentives have not benefited the documentary community to date, but Airbnb is certainly doing so.

Absentee property owners renting out multiple houses to short-term renters seems to be having a negative impact upon the character of New Orleans neighborhoods and property values, also contributing to the well-documented social problems associated with gentrification. However preventing New Orleans citizens from renting out a bedroom for extra income seems extreme – and perhaps even unconstitutional. I have no problem with more regulation, and cannot imagine it would be difficult for platforms such as Airbnb to remove a percentage of rental income to pay occupancy taxes.

Sincerely,

Katherine Cecil

Nicholas J. Kindel

From: CPCinfo
Sent: Monday, November 30, 2015 9:58 AM
To: Nicholas J. Kindel
Subject: FW: This is my home sharing story

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

From: jeffrey cusimano [<mailto:cusimanojm@yahoo.com>]
Sent: Tuesday, November 24, 2015 6:55 PM
To: CPCinfo
Subject: This is my home sharing story

Dear Executive Director Robert Rivers,

Hello! New Orleans is such an amazing city! A great American city unlike any! Tourism drives our economy. When there are events such as Mardi Gras that reach no capacity, and hotels sell out and turn away tourist, that's money this great city leaves on the table! When locals, with extra rooms or space, open their doors to tourists, that's that much more money going into the economy!

Let's make short term rentals work for our city! Let's tax it, and that way, everyone wins!!

Thank you!!

Sincerely,

jeffrey cusimano

Nicholas J. Kindel

From: CPCinfo
Sent: Monday, November 30, 2015 9:58 AM
To: Nicholas J. Kindel
Subject: FW: This is my home sharing story

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

From: Aleks Zoranic [<mailto:azoranic@yahoo.com>]
Sent: Tuesday, November 24, 2015 7:16 PM
To: CPCinfo
Subject: This is my home sharing story

Dear Executive Director Robert Rivers,

As someone who travels often and prefers the comfort of a house rather than a hotel stay, I am in a full support of the Airbnb community. It offers greater vacationing flexibility and much more affordable rates. Some regulation is good and to be expected, but please remember that free markets thrive better and are able to self regulate well. There is, of course, the revenue opportunity for the city, but please don't let that be the only reason to regulate this market. Hotel lobby is very powerful and are obviously fighting to keep the traditional guest hosting model. Times are different today, technology changes the times we live in, and the common citizen is now able to get a piece of this huge market while bettering the stays of all of us who travel.

This is a win-win for everyone.

Thank you for hearing me out!

Sincerely,

Aleks Zoranic

Nicholas J. Kindel

From: CPCinfo
Sent: Monday, November 30, 2015 9:58 AM
To: Nicholas J. Kindel
Subject: FW: This is my home sharing story

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

From: Krystine Statho [<mailto:Crescentlotus@crescentlotus.com>]
Sent: Tuesday, November 24, 2015 7:16 PM
To: CPCinfo
Subject: This is my home sharing story

Dear Executive Director Robert Rivers,

I have used AirBnB when traveling to other cities and it's been great knowing that I'm supporting locals and helping them stay in the places they love.

In New Orleans, I have fiends who host AirBnB guests and I see it as an toon, in my future, to own a home and have a place for my aging mother to live,

That being said, I think regulations need to be in place to ensure that properties being used for AirBnB are owner occupied. It is detrimental to our neighborhoods and our economy to have people living in other cities and states buying property in New Orleans just to make AirBnB money. These absentee hosts leave the door open for inconsiderate guests. They drive up property and rental values so that people who work in the city can't afford to live here and they're not here spending the money they make off of New Orleans tourism, in New Orleans.

I fully support AirBnB, do long as the host/property owner, lives on the property as a primary residence.

Sincerely,

Krystine Statho

Nicholas J. Kindel

From: CPCinfo
Sent: Monday, November 30, 2015 9:58 AM
To: Nicholas J. Kindel
Subject: FW: This is my home sharing story

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

From: Charles Ochello [<mailto:ochello@gmail.com>]
Sent: Tuesday, November 24, 2015 7:25 PM
To: CPCinfo
Subject: This is my home sharing story

Dear Executive Director Robert Rivers,

I would like to voice my support for legalizing airbnb in the city of New Orleans. I have stayed in other cities using airbnb and had amazing and very personalized experiences. New Orleans is such a tourist destination, people should be able to use airbnb to host visitors. The city would also benefit from the additional tax revenue. Thanks for your time.

Charles Ochello

Sincerely,

Charles Ochello

Nicholas J. Kindel

From: CPCinfo
Sent: Monday, November 30, 2015 9:58 AM
To: Nicholas J. Kindel
Subject: FW: This is my home sharing story

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

From: Ronnie Dufrene [<mailto:Ronnie.dufrene@gmail.com>]
Sent: Tuesday, November 24, 2015 8:37 PM
To: CPCinfo
Subject: This is my home sharing story

Dear Executive Director Robert Rivers,

I enjoy sharing the home that I would've been with other travelers. I feel like I can host more folks that normally may not be able to afford to stay at a fancy hotel which can be costly. Also paying my mortgage and taxes and Orleans Parish is very expensive so this is a great opportunity for me to help cut down the cost. I think owner occupied B&Bs should be allowed.

Sincerely,

Ronnie Dufrene

Nicholas J. Kindel

From: CPCinfo
Sent: Monday, November 30, 2015 9:58 AM
To: Nicholas J. Kindel
Subject: FW: This is my home sharing story

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

From: CHRISTA ALLAN [<mailto:CHRISTA.ALLAN@GMAIL.COM>]
Sent: Tuesday, November 24, 2015 9:19 PM
To: CPCinfo
Subject: This is my home sharing story

Dear Executive Director Robert Rivers,

My husband lost 50% of his income this year due to an accident that required two surgeries. Sharing our home has made it possible for us to keep a home we might have otherwise needed to sell.

Our guests are from all over the country, and all of them leave delighted with the city, its food and culture. In fact, because they spend their time in the city, they are rarely home as most of them leave early in the morning and often don't return until late that afternoon or evening. Guests have shared that seeing the city through the eyes of a neighborhood brings a new perspective to what it means to live in New Orleans.

Sincerely,

CHRISTA ALLAN

Nicholas J. Kindel

From: CPCinfo
Sent: Monday, November 30, 2015 9:58 AM
To: Nicholas J. Kindel
Subject: FW: This is my home sharing story

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

From: Denise Berthiaume [<mailto:denise@berthiaumeenterprises.com>]
Sent: Wednesday, November 25, 2015 4:50 AM
To: CPCinfo
Subject: This is my home sharing story

Dear Executive Director Robert Rivers,

I have a private room and bathroom in my home which I have rented out to visitors for the last two years. My experience with this has been tremendous for both me and the guests I host. I enjoy meeting people from around the world and they feel special to experience a true native New Orleanian in their own home.

The other side of this opportunity is the realized income which help me with the great costs to own a 100+ year old home in New Orleans. Costs such as insurance and maintenance. I honestly think I would not be able to continue to live in and be a great caretaker of this home I love without the income from being an AirBnB host.

I hope that a solution to allow guests in "on site" residential homes can be found. Thank you.

Denise

Sincerely,

Denise Berthiaume

Nicholas J. Kindel

From: CPCinfo
Sent: Monday, November 30, 2015 9:58 AM
To: Nicholas J. Kindel
Subject: FW: Private Home Rentals

From: Polly Hardie [<mailto:pollyhardie@gmail.com>]
Sent: Wednesday, November 25, 2015 10:14 AM
To: CPCinfo
Subject: Private Home Rentals

Dear Members of the City Planning Commission:

Thank you for the opportunity to provide commentary on the issue of short-term rentals in New Orleans. Legalized and **regulated** Private Home Rentals can be beneficial for all through the:

- Creation of an un-tapped revenue stream through the collection of taxes and licensing fees;
- Ability to raise these revenues without incurring concomitant expenses for infrastructure;
- Economic development and tourist-industry dollars spread throughout the city from which neighborhoods will benefit;
- Thoughtful regulations and accountability from which residents will benefit;
- Broadened choice of types of accommodations from which visitors will benefit.

There are many falsehoods and generalizations being propagated. The assertion that PHRs are responsible for rising rents is a red herring. Correlation does not equal causation. The actual number of PHRs being operated in the city is a very small percentage of the total number of housing units. By comparison, there are tens of thousands of blighted homes that remain uninhabitable which is a much larger factor as it relates to available housing stock.

The pervasive fear-mongering with regard to the demise of our neighborhoods is anecdotal evidence presented by a small but vocal minority who purport to speak for the majority of residents. Quality of life is a subjective issue, virtually impossible to quantify as the definition is informed by each individual's way of thinking. Where one person sees a tourist as an unwelcome invader of his domain, another conversely welcomes the opportunity to share experiences and act as a host ambassador for the city about which he is passionate.

We acknowledge that there are bad operators in this space who are taking advantage of the ability to operate ungoverned. We hope to eliminate these outfits and are serious about putting effective regulations in place to which operators must adhere.

Your diligent work towards a solution that reflects input from all parties is commendable and we appreciate the ability to be involved in the discussion. We are focused on finding a positive, data-driven solution that is beneficial to all.

Sincerely,

Polly Hardie

President

Alliance for Neighborhood Prosperity

Nicholas J. Kindel

From: CPCinfo
Sent: Monday, November 30, 2015 9:59 AM
To: Nicholas J. Kindel
Subject: FW: This is my home sharing story

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

From: Dolly Barrios [<mailto:dbnola1@gmail.com>]
Sent: Wednesday, November 25, 2015 10:29 AM
To: CPCinfo
Subject: This is my home sharing story

Dear Executive Director Robert Rivers,

I am a native New Orleanian and own my own home. I think home sharing should be allowed. As an educator who is single, this could be the difference between struggling financially or having to worry less about money. I would also be an excellent ambassador for our city with visitors.

Dolly Barrios

Sincerely,

Dolly Barrios

Nicholas J. Kindel

From: CPCinfo
Sent: Monday, November 30, 2015 9:59 AM
To: Nicholas J. Kindel
Subject: FW: Please reject short-term rentals

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

From: Hayley Lynch [<mailto:hlynch5@lsu.edu>]
Sent: Wednesday, November 25, 2015 11:02 AM
To: CPCinfo
Subject: Please reject short-term rentals

I am writing to express my dismay at what is happening in my neighborhood (The French Quarter) and in nearby neighborhoods as a result of short-term rentals. I know more and more long-term residents whose entire buildings full of tenants are being evicted in order to turn all units into Airbnb rentals. Airbnb knows this is happening, and their insistence that their business is anything other than this is simply a smokescreen. Short-term rentals have turned gentrification up to turbo-speed. It's appalling. The residential nature of my neighborhood is changing right before my eyes, at an alarming speed. With fewer long-term rental units on the market, rent prices are, of course, increasing; it's the basic math of supply-and-demand. I fear my building is one of the last in the Quarter where local working people (mostly those who work in the service industry in this area) can afford to live. I think I am seeing the last of this, and it's heartbreaking. Please take action to preserve and restore the residential nature of these old New Orleans neighborhoods. A city with once-vibrant residential neighborhoods full of nothing but vacation rentals is a city I don't want to live in.

Hayley Lynch
French Quarter resident

Nicholas J. Kindel

From: Robert D. Rivers
Sent: Wednesday, November 25, 2015 4:01 PM
To: Nicholas J. Kindel
Subject: FW: Short-Term Rentals

FYI

From: Carol Gniady [mailto:carolgniady@icloud.com]
Sent: Wednesday, November 25, 2015 3:08 PM
To: CPCinfo; Robert D. Rivers
Subject: Short-Term Rentals

Dear Mr. Rivers, Mr. Kindel,

Thank you for undertaking this important matter and providing an opportunity to add comment. I have watched this issue evolve over the last several years. I've been active on STR committees with two neighborhood associations and I currently serve on a city-wide non-governmental Short-Term Rental Committee, and I work for French Quarter Citizens, which advocates for residential quality of life in the Vieux Carre. However, today I am writing as just a resident – a life-long New Orleanian expressing my personal views, which have no doubt been influenced by my volunteer and professional service and the many people I've come to know. My opinions are my own and in no way am I representing any of the aforementioned associations.

I am for neighbors and neighborhoods with unique personalities indigenous to New Orleans. Full time residents should be protected and encouraged whereas short-term rental commercial activity should be extremely curtailed so our neighborhoods work for the people who live here, who raise their families here, contribute to civic and social organizations and activities, and who have a voice in how our government serves us by voting here. We need our homes to house full-time residents, and our neighborhoods to serve the community first and foremost. Our historic districts require special attention because they are unique, fragile, and threatened by over-commercialization and disregard for historic character. The very qualities that make New Orleans attractive to millions of visitors are in imminent danger due to the influx and rampant illegal short-term rentals, among other things.

The illegal short-term rental industry leader Airbnb is now worth \$24 Billion, and it will only be a matter of time before this company is offering shares on Wall Street. All they need is to be deemed legal in cities where they are operating. Investors are buying up properties and short-term rental activity is destroying neighborhoods and weakening cities around the world. Currently, I cannot point to ANY city that's got it right as an example of reasonable, logical, balanced STR regulation. However, there are numerous examples of what is not working. As New Orleans looks to craft legislation to regulate STRs and harness revenues I ask first and foremost that the City respect and protect our neighborhoods above and beyond the profit available from turning homes into hotels.

The people who are *infrequently* renting out rooms in their house or a backyard cottage are ones I don't have a problem with. Want to make some extra money around our big tourist events? Go for it. Need some cash to make repairs or pay a tax bill? Not a problem, IMHO. However, the people who are kicking out long term tenants so a home can be converted into a whole-house rental with a revolving door of strangers with no vested interest in the neighborhood is another matter that needs to stop. I feel any legislation should discourage over commercialization of neighborhoods, particularly in historic districts, and encourage reasonable STR practices that are benefiting those who just need a little help from time to time, or help a neighborhood struggling to thrive. Regulation needs to shut down full-time illegal STR landlords who are taking advantage of New Orleans' joie de vive, for their own personal profit. These people are just getting richer and greedier while others in our community struggle to find affordable, available housing. The full-time STR operators are not people who are just trying to make ends meet. They are getting rich, at our expense. Yes, tourists spend money here, that's a fact. But these visitors are not my neighbors, and neighbors must come first.

Last time I checked, we still live in a democracy, not a libertarian society. Property ownership comes with responsibilities to neighbors and community, including respecting and upholding the laws. Just because I own a home does not mean I can do anything I want with it. I cannot open a restaurant, or pet emporium, a bar, or a hotel unless my property qualifies under zoning rules. We have zoning to protect our communities from chaos. We have a new CZO that took years and countless thousands of hours of many thousands of people to craft, and let's not forget the Master Plan, which has the force of law. Any legislation must look at each neighborhood's needs and limits for development. Some neighborhoods may be better suited for STRs than others. What may be a boon to New Orleans East should be extremely limited for historic districts like the French Quarter or my neighborhood, the Marigny. Finally, these are not *private* home rentals. These are property rentals... they are commercial operations and should be regulated, limited, taxed, and treated just like any other *business*.

From what available data we have, courtesy the independent website InsideAirbnb.com and the independent study NOLA Rental Report, the MAJORITY of individuals now leading this illegal practice in New Orleans are renting out entire homes, 90 percent of the year, and nearly half of these operators have *multiple listings*. These "hosts" with multiple listings "are more likely to be running a business, are unlikely to be living in the property, and in violation of most short term rental laws designed to protect residential housing" (InsideAirbnb.com/New Orleans). Please don't reward this illegal activity by creating new laws that allow this blatant commercial activity in residential neighborhoods to continue. Who is New Orleans for? Is it for the people who live here or is it a commodity for the tourist industry? As LSU professor/filmmaker Mari Kornhauser said, "Is it community or commodity?" I'd like to insure that New Orleans is a community.

Please consider the following criteria for legislation to regulate short-term rentals:

- STRs must be owner occupied, and define "owner" as a local resident who has a homestead exemption on the property, gets their mail there, and lists this residence on their voter registration and driver's license.
- Limit the number of STRs to one per owner.
- Limit the density of STRs to one per block face, which means four per block, where permitted by the CZO. If a neighborhood is zoned residential and short term rentals are not permitted, then respect and uphold the CZO, the Master Plan and the law.

- Limit the total number of permits for STRs. Perhaps use a lottery system for permits and allow for rotation so that others get an opportunity, for a short duration (define how long, perhaps 1 year).
- Limit the intensity of STRs to no more than 2 units per owner.
- Define “units” as rooms within a home, a stand-alone property on the premises such as a cottage, or, half of a double wherein the owner resides in the other half.
- Limit the number of people to no more than/up to 8 people, as appropriate: no more than 2 individuals per room, and no more than 4 individuals per cottage or half of a double.
- Make STRs a temporary use, non-transferrable when the owner leaves.
- Require STRs to go through a Conditional Use process, just like B&Bs have to do, which enable neighbors to have a say in whether or not a new commercial venture should be allowed.
- Require a permitting process that includes an inspection and require posted information on fire safety such as emergency exits, extinguishers, emergency phone numbers, etc.
- Require a good neighbor agreement that is enforceable if the operator is non-compliant.
- Require STRs to carry commercial insurance, just like B&B’s do.
- Require STRs to apply for additional parking, implementing residential parking permits for STRs and limiting to no more than 2 additional cars per block face, approved by the neighbors.
- Require permits to be displayed, next to the front door, including owner’s name and phone number.
- Set standards for acceptable behavior in neighborhoods including respecting the privacy of surrounding neighbors, limiting noise before 7 a.m. and after 10 p.m., keeping the premises free of excessive garbage, no public drunkenness, etc.
- Limit the number of days a year a STR to operate to no more than 45 days. Track this through the very mechanism creating this commerce, the internet platforms.
- Require listing platforms such as Airbnb, VRBO, HomeAway, etc., etc., to provide the City of New Orleans with monthly activity and income reports, and full disclosure on operators. This is a commercial venture and just like any other business and there should be measures in place for accountability, including disclosing business activities. It is not a privacy issue.
- Require same listing platforms to remove any operator from its site who is not compliant with the permitting process and the law.
- Require any operator using these internet platforms to clearly identify themselves, their permit number, the location of the rental, number of bedrooms, etc. ENFORCE THIS with heavy fines (\$10,000) and removal of permits for multiple offenses, and place a lien on the property to collect the fine, if necessary.
- Include serious, meaningful fines and penalties (\$10,000) for owners who are non-compliant with all regulations. The enforcement mechanism MUST be part of any legislation in order to make this work.
- Provide neighbors with a mechanism for having permits withdrawn for repeated offenses: three strike rule with rising penalties for each offense.
- Enforce, enforce, enforce. Enforce.

One other issue I wish I could define includes some kind of incentive plan for investors to revive blighted housing in struggling neighborhoods where running STRs may not be that big of an issue. I think it’s worth looking into, providing much needed infusion of energy and investment for neighborhoods that need it, but I have no recommendation as to how to make this work at this time.

There is a very well-funded, organized movement promoting overarching legalization of widespread “private home rentals” that largely benefits a small group of people who live in very nice houses in exclusive neighborhoods while renting out their investment properties in other neighborhoods like mine. The Marigny used to be much more “blue collar,” more diverse, and accessible to independent home buyers like me. Today,

if I were to try to buy my house I couldn't afford it and my neighborhood has changed drastically. The very qualities that attracted me are being stripped away. Many of the enduring characters that made my neighborhood a true microcosm of authentic New Orleans have been pushed out of their homes due to high cost of rents and taxes. The commercial activity of STRs is unbridled and unmanaged, creating a void of familiar faces, knowledgeable and concerned citizens, and stability for my neighborhood and many others like Treme, Bywater, etc. Some people have told me that if I don't like how things are going in my neighborhood *I should move*. If someone wants to run a hotel, they should get a licence and operate where it is permitted... or *they* should move.

Thank you for your time and attention. I will also share some articles from other cities for the benefit of your research, and I look forward to the results of your labors.

Respectfully submitted,

Carol Gniady

910 St. Roch

New Orleans, LA 70117

(504) 948-1859

Nicholas J. Kindel

From: CPCinfo
Sent: Monday, November 30, 2015 10:00 AM
To: Nicholas J. Kindel
Subject: FW: in support of private home rentals

From: leslie runnels [<mailto:leslierunnels@yahoo.com>]
Sent: Wednesday, November 25, 2015 3:43 PM
To: CPCinfo
Subject: in support of private home rentals

I am in support of private home rentals - I have enjoyed hosting friends and families for many years in New Orleans. My guests enjoy New Orleans, and enjoy being able to share an experience with me as a host. My neighbors have not had any issues, and I check in with them regularly to make sure they aren't impacted.

Thanks,
Leslie Runnels

Nicholas J. Kindel

From: CPCinfo
Sent: Monday, November 30, 2015 10:00 AM
To: Nicholas J. Kindel
Subject: FW: Vacation renter input for New Orleans

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

From: 2groove2@cox.net [mailto:2groove2@cox.net]
Sent: Wednesday, November 25, 2015 3:50 PM
To: CPCinfo
Subject: Vacation renter input for New Orleans

To whom it may concern,

My family has been renting out our house in New Orleans, when we are out of town staying at our property in Boston, for nearly 4 years now. Our property is uptown and we get 90% families and folks that wouldn't stay in the quarter at a hotel. we have a huge list of reviews showing how much tourists, want, need and love to have vacation rentals as an option for them.

If you would like me to supply you with some for this material let us know.

Thanks
Brandon

Nicholas J. Kindel

From: CPCinfo
Sent: Monday, November 30, 2015 10:00 AM
To: Nicholas J. Kindel
Subject: FW: I support private home sharing!

From: Jennifer Jones [<mailto:jenniferjoneshomes@gmail.com>]
Sent: Wednesday, November 25, 2015 4:01 PM
To: CPCinfo
Subject: I support private home sharing!

To whom it may concern:

As a New Orleans native, I bought my house there to use as a second home so that I can visit my true "home" whenever I would like and share all that New Orleans has to offer with my children.

Like so many other families with children, we take advantage of vacation rental homes in nearly every city we visit as it allows a kid-friendly option of vacationing.

We pay over \$7,000.00/year in taxes in New Orleans not to mention the industries we support by owning our home there. Ownership expenses are greatly offset by renting our home - especially during in-demand times when the cities' hotels are sold out.

We also pride ourselves on maintaining a beautifully kept home where people can visit and support the city as well.

Websites that monitor this industry allow for open communication and unbiased feedback which, in turn, incentivizes owners to maintain their properties and ensure their neighbors approve.

Our city thrives on its tourism, so organizations that exist via hotel memberships need to understand that this is the future - just like you would a new hotel, open your membership to us - utilize this wonderful, personalized way of appealing to potential visitors. Like many others, we are happy to work together to make this just another option for families, convention attendees, extended-stay guests, etc.

Thank you!

Sincerely,

Jennifer Jones

--
Jennifer Jones
Rain Residential
623 Washington Avenue
Ocean Springs, MS 39564
(504) 339-2093

jenniferjoneshomes@gmail.com
jenniferjones@raindev.com

[Click here to see all current active listings on the market](#)

DOWNLOAD the NEW MS Gulf Coast Mobile App to your phone:
RainDevMobile.com

Nicholas J. Kindel

From: CPCinfo
Sent: Monday, November 30, 2015 10:00 AM
To: Nicholas J. Kindel
Subject: FW: Short Term Home Renals

From: Kurt Klebe [<mailto:kurtklebe@gmail.com>]
Sent: Wednesday, November 25, 2015 4:08 PM
To: CPCinfo
Subject: Short Term Home Renals

Good Afternoon. I wanted to write to express my support for short term home rentals in New Orleans. Short term rentals are an important addition to the options travels have when renting all over the World. They allow families and groups to travel to New Orleans and enjoy a different type of experience than you would get in a hotel. Specifically for families, short term rentals provide a very attractive situation. Having a kitchen, room for the kids to play, and space to spread out make this a wonderful option for folks with kids heading to New Orleans. I firmly believe that taxing and regulating these properties would bring additional dollars into the city and provide for funds to keep the bad actors out of the mix. The opposition to short term rentals seems to think that everyone coming to town are kids hell bent on partying all night and trashing the neighborhood but I think this is very far from the truth. The rules should be easy to follow and easy to enforce as cities that have tried to limit the activity by rental nights permitted or not allowing non owner occupied rentals have found out that enforcement is impossible. I hope the city recognizes the economic impact already happening in New Orleans and further realizes that the impact can be enhanced by smart regulation.

One last point, home prices are not rising because of short term rentals. Home prices are rising because a growing number of people are moving into the most desirable neighborhoods in New Orleans. Many of these people are from California and the Northeast and our home prices are extremely below what these folks are used to paying. In my opinion this is great for New Orleans and will lead to renewed development in neighborhoods that continue to have blighted housing and a large crime problem. The entire city stands to benefit from New Orleans being one of the hot destinations in the US not just to visit but to live.

Thanks,

Kurt Klebe
President- Summit NOLA
summitnola.com

Nicholas J. Kindel

From: CPCinfo
Sent: Monday, November 30, 2015 10:00 AM
To: Nicholas J. Kindel
Subject: FW: Short Term Rentals

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

From: Rhonda [<mailto:ironyirony@aol.com>]
Sent: Wednesday, November 25, 2015 5:34 PM
To: CPCinfo
Subject: Short Term Rentals

To Whom It May Concern:

We bought our duplex in the Marigny 5 years ago with the hopes of eventually retiring here as New Orleans is our dream city and a Victorian home is our dream home.

The upper apartment is in poor condition and the lower apartment is adequate. We had a long term tenant in the upstairs that we inherited with the house. We barely charged any rent because of the poor condition of the upstairs.

Whenever we could visit, we would come and stay in the downstairs apartment.

After three years of this pattern, my business had a significant financial setback. We sold our home in Dallas and kept our New Orleans home because it was our "light" that we just wanted to hold onto for the future. It represented hope in our time of darkness.

It was becoming increasingly difficult to make our mortgage. I woke up countless nights sweating and in panic. Every morning I listened to Diana Washington's "what a difference a day makes" just to inspire me to get through the day.

Friends of ours in New Orleans told us about Air BnB. Initially, we resisted the idea but eventually we felt that we had no other option.

We decided to list the nicer lower apartment and that we would move to the upper apartment. We have had about two rentals a month. It has been a life saver. We have even had enough money to paint the front and do some minor landscaping improving not only our house but also the neighborhood. Our tenants have enjoyed the Co-op, neighborhood cafes, and local bars.

Please approve short term rentals.

Thank you, Rhonda Polakoff
Sent from my iPad

Nicholas J. Kindel

From: CPCinfo
Sent: Monday, November 30, 2015 10:01 AM
To: Nicholas J. Kindel
Subject: FW: Against short-term rentals: We ARE New Orleans

From: Jill McGaughey [<mailto:jillamcg@yahoo.com>]
Sent: Wednesday, November 25, 2015 7:25 PM
To: CPCinfo
Subject: Against short-term rentals: We ARE New Orleans

Dear CPC,

You are charged with a difficult task, parsing the so-called pros and cons about Short-Term Rentals. I hope you are given adequate time and resources to do a thorough investigation of this complicated problem. And I hope the City Council heeds your advice this time.

As homeowners in the delicate Marigny Triangle neighborhood, we say wholeheartedly that we DO NOT WANT short-term rentals on our block, or in our neighborhood. We want neighbors, not tourists. Period.

We are New Orleans:

We are a close-knit, diverse block of homeowners and renters, with one legal, licensed B&B that is owner-occupied. We know each other's faces, cars, bicycles and dogs. We have a neighbor contact list that gets updated regularly so we can text or email each other quickly if there's a need. We watch out for each other, take in packages and mail, and socialize regularly on our front stoops. We have elders on our block from 65-85 years of age, and young kids and babies from 6 months to 13 years old. We look after the oldsters, cut their hedges and grass, encourage and celebrate the youngsters' milestones, and rally around each other if there is an incident of crime. *We are a true community.*

We do not want revolving doors of strangers introduced into our neighborhood. We are already under siege by the increasing numbers of drunken tourists going to and from nearby Frenchmen Street. We do not want to have to wonder, if someone is walking up our neighbor's driveway, are they up to no good? Or are they "supposed" to be there because they are staying in a short-term rental. It creates a very stressful, on-edge atmosphere and pits neighbors against each other when there is a problem – as there inevitably is – with noise, trash, parking, etc.

Let's face it: the majority of visitors to New Orleans are going to over-indulge in alcohol and late hours. Alcohol makes people stupid, it makes them rude, and it makes them loud. It makes them act in ways they wouldn't in their home neighborhoods. Especially when they travel in packs, like bachelor parties who rent out whole houses. Why would we want to invite that into our neighborhoods? We need to be able to get a good night's sleep, get up for work the next day, and have a break from the constant interaction with people that many of us – whether in the hospitality industry or the medical community or the legal industry – experience in our jobs each day.

Our natural southern hospitality means that we are a whole city of concierges, always happy to answer questions, give directions, restaurant recommendations, etc. We passionately want everyone who visits New Orleans to have a wonderful experience. But there have to be limits. It's time for New Orleans leadership to set some boundaries and start protecting residents' rights. Too many decisions are being made that favor tourists and alcohol-based businesses over citizens' quality of life. It's a sell-out that will ultimately backfire.

We need to keep New Orleans livable for New Orleanians. We are the people who work, vote, serve on jury pools, raise our kids here, carry on the traditions, and put our hearts, blood, sweat and tears into creating community and maintaining these historic houses in our one-of-a-kind neighborhoods. We create what the city is selling as its major attraction to the tourists. Without real life being lived here, all New Orleans is is Bourbon Street and mythology.

Let the tourists stay in the hotel districts. Do not erode our residential quality of life by allowing short-term rentals everywhere in the city. If you open the whole city to a proliferation short-term rentals, we will have more and more attrition of permanent residents, and pretty soon you will have Disneyland, where people have to commute in to our jobs in the city, and then go home to the suburbs or the Northshore at night. There really is a danger of the “dead zones” like we now have in vast swaths of the French Quarter spreading to other neighborhoods.

Ban short-term rentals, let the tourists stay in hotel zones, and keep New Orleans livable for New Orleanians. Only then will we have a steady stream of tourists always wanting to experience the “real” New Orleans.

Thank you for your time and attention.

Jill & Eric Walton
710-712 Touro Street
New Orleans, LA 70116

Nicholas J. Kindel

From: CPCinfo
Sent: Monday, November 30, 2015 10:01 AM
To: Nicholas J. Kindel
Subject: FW: This is my home sharing story

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

From: John-Michael Johnson [<mailto:mj.nodevco@gmail.com>]
Sent: Thursday, November 26, 2015 12:46 AM
To: CPCinfo
Subject: This is my home sharing story

Dear Executive Director Robert Rivers,

I'm an engineer and have a duplex where I have renters to help pay my mortgage. For me to afford to live in this city I need the help of renters and Air bnb has allowed me to have enough to cover my mortgage. This year it is getting harder as more air bnb locations are driving down prices. Further regulation by the city would only add more problems to guys like me, trying to live in the city that we love and own a house so we can build wealth as the city gets more expensive. So many cities have benefited from the extra money that short term rentals put into their cities. Don't let New Orleans be the over regulated place that the rest of the world doesn't understand. Keep inviting tourists and let them spend their money in our town, with our people.

Sincerely,

John-Michael Johnson

Nicholas J. Kindel

From: CPCinfo
Sent: Monday, November 30, 2015 10:01 AM
To: Nicholas J. Kindel
Subject: FW: Short term rental

From: Josh Capdeville [<mailto:jcapde87416@gmail.com>]
Sent: Thursday, November 26, 2015 10:19 AM
To: CPCinfo
Subject: RE: Short term rental

I am for allowing short term rentals in NOLA.

Rentals should be regulated and taxed appropriately. Owners who do not live on site should not be allowed to rent short term. The bnb permit process should be streamlined. There should be no limit on occupied nights as long as the owner is on site during the stay.

Josh Capdeville

Nicholas J. Kindel

From: CPCinfo
Sent: Monday, November 30, 2015 10:01 AM
To: Nicholas J. Kindel
Subject: FW: French Quarter Short Term Rentals

From: Rita and Jerry Satawa [mailto:rjsatawa@bellsouth.net]
Sent: Thursday, November 26, 2015 2:09 PM
To: CPCinfo
Cc: Paul Cramer
Subject: FW: French Quarter Short Term Rentals

Jerry and Rita Satawa live at 422 Burgundy, 70112

From: Rita and Jerry Satawa [mailto:rjsatawa@bellsouth.net]
Sent: Thursday, November 26, 2015 2:05 PM
To: 'CPCinfo@NOLA.gov'
Cc: 'pcramer@NOLA.gov'
Subject: French Quarter Short Term Rentals

I have witnessed firsthand the damage these illegal rentals cause to the legal residents 'quality of life. These partiers camp out on the balcony across the street and jeer, cat call, etc. Imagine this in your neighborhood! Please address this problem as sensitively as you would near your home.

Rita

Nicholas J. Kindel

From: CPCinfo
Sent: Monday, November 30, 2015 10:02 AM
To: Nicholas J. Kindel
Subject: FW: AirBnB bullies

From: Pamela Conway Caruso [<mailto:pamgetsmail@gmail.com>]
Sent: Thursday, November 26, 2015 3:23 PM
To: CPCinfo
Cc: John Caruso
Subject: AirBnB bullies

Black Pearl neighborhood. 70118
18 listings on that one app alone.
FOUR listings surround KIPP Believe Elementary School on Burdette Street.

Residential neighborhood turning into motel/tourist district.

Shotgun next door (7819 Dominican) owned by Mississippi resident (5 vehicles w/MS plates), claims Homestead Exemption, pays no taxes on short term rental income since 2013.

Annoying ever-changing "guest" traffic, loss of privacy, loss of parking spaces, loss of Neighborhood Watch effectiveness, risky for elementary school students, out-of-state property owner, threatened me and my dogs, labelled ME a "crazy lady" and tried to get the neighborhood against US.

I have 13 pp of screen shots from the website listing for that property alone. (Available on dropbox if you'd like)

"Rosie's Cove" is another successful illegal business near here...multiple listings (\$25/\$35 for shared floor space, plus assorted rooms. A motel AND hostel???) Tax, license & permit free business...

The city can't regulate what's illegal NOW. Why even pretend it will be better if/after the law changes?

RESIDENTIAL NEIGHBORHOODS are important and worth protecting and preserving.

"The Alliance for Neighborhood Prosperity" is an AirBnB (in Metairie!) Organized Crime bully attempt to accomplished what happened in San Francisco recently...

Please.

Pamela Caruso
John Caruso
7815 Dominican Street
NOLA 70118

Nicholas J. Kindel

From: CPCinfo
Sent: Monday, November 30, 2015 10:02 AM
To: Nicholas J. Kindel
Subject: FW: This is my home sharing story

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

From: Naomi Baum [<mailto:whatwouldnaomido@gmail.com>]
Sent: Thursday, November 26, 2015 8:35 PM
To: CPCinfo
Subject: This is my home sharing story

Dear Executive Director Robert Rivers,

Home sharing is a great way to show people the REAL New ORLEANS. People are less afraid to try different neighborhoods and local shops in areas other than the French Quarter and Frenchman when they have a guide they are staying with. I also can give them first hand experiences with restaurants, transit and local art. Plus they return home and tel their friends and family the great experience they have and then I get MORE visitors.

Its brings business.

For the home sharing done with people who are not local and renting out their whole home like a hotel- while shortening the availability on short term leases are NOT beneficial to New Orleans.

I'm happy to discuss more.

Sincerely,

Naomi Baum

Nicholas J. Kindel

From: CPCinfo
Sent: Monday, November 30, 2015 10:02 AM
To: Nicholas J. Kindel
Subject: FW: Short Term Leasing

From: Weo Kick [<mailto:weokick@gmail.com>]
Sent: Friday, November 27, 2015 5:43 PM
To: CPCinfo
Subject: Short Term Leasing

Dear Executive Director,

The unchecked short-term leasing of beds and apartments that has been allowed to exist and grow exponentially under the 'Air bnb' loophole is an unfair and unwise practice for our city and demands action for the sake of fairness to taxpaying and law abiding business owners as well as for the good of our state. The current lack of governance on the situation is allowing for a loss in tax revenue, a drop in business for those who have taken due diligence in following the proper measures and secure legal licensing, and is so completely discouraging any budding entrepreneurs from pursuing a legitimate bed and breakfast or hotel business in this city so reliant upon the tourist dollar. How can legislators not correct this and still feel they're doing this city justice??? Hold Air BnB hosts liable to pay the necessary taxes on their business and to follow the licensing requirements, or one day the experience of the New Orleans tourist will be entirely out of your reach. The Louisiana government must have made note of a few good reasons to hold our hosts to high standards up until now... please take the time to remember those reasons and realize they are still worthy of consideration. Happy neighborhoods, fair business practices, tax paying income, and accountability... these are just a few words to get the memory going.

Please do the right thing for New Orleans.

Nicholas J. Kindel

From: CPCinfo
Sent: Monday, November 30, 2015 10:02 AM
To: Nicholas J. Kindel
Subject: FW: AirBnB is bad for the New Orleans we cherish

From: Billing Office New Orleans [mailto:billingofficenola@gmail.com]
Sent: Friday, November 27, 2015 7:57 PM
To: CPCinfo
Subject: AirBnB is bad for the New Orleans we cherish

We can't believe this is even open to debate...no one wants these rentals except the very vocal very small minority who are renting their rooms out on AirBnB, real estate agents who love what its doing to the price of homes, the billionaires who own the company, and perhaps city officials who possibly have some kind of agenda. Otherwise, everyone we have spoken to, our neighbors and folks around the city, are totally against this...we don't want New Orleans ruined...we like our neighborhoods and we don't want hotel rooms on every block, with taxis, and out of towners, and losing the long time people who sell their homes and then the house sits empty except for out of town tourists. Its driving up prices, it's helping to accelerate what started after Katrina, New Orleans becoming more white, less diverse, more expensive, harder to live in.....there are some, including those on the Council, who have said AirBnB helps folks stay in their homes, by allowing them to make money renting out rooms....but that's been proven over and over again, in impartial and academic studies, to not be true....AirBnB slowly drives rents and prices up everywhere and makes it less affordable for people, and anyway, most AirBnB rooms are in more affluent, white areas.....plus, if someone needs to make ends meet, they can do what we've always done...take in roomers or boarders...no one is stopping that!

New Orleans is special and this is just going to make our city less special and unique and more driven by commerce and harder to afford to live in and less neighborly and less likely to attract people who are starting to wonder if they can afford to live here and drive away long term families who after they sell, are replaced by investors or richer folks....it is going to ruin what we love about New Orleans!

And it won't bring in

all kinds of promised revenue since folks won't report what they are renting and even if you try to regulate it it will be almost impossible to police to make sure they rent out only 1 or 2 rooms or that they live there or they are reporting everything...and they won't pay the payroll and other taxes the hotel businesses do.

There are about 2500 or so AirBnB listings on line and those are the people who want it...most people either aren't aware of this debate or if they are asked are 100% against it, but they are not weighing in because they are just going about their business, not realizing what's happening here politically. But if you were to go door to door, the overwhelming majority of New Orleanians don't want this. We love our town and we don't want it to become yet another city where everything is driven by money,

and making ends meet, trying to afford where we live,

and

where you lose the connectedness and feel of our wonderful neighborhoods. Please don't ruin our city! Please don't make it even less diverse, less affordable, hurt the working class and black neighborhoods by driving up prices city wide and making sure gentrification happens even faster than it already is.

We are different and wonderful and not like other part of the U.S. in that our culture doesn't celebrate the almighty dollar and allows us to pursue a more "European" or "Caribbean" rhythm....but that will for sure change if we allow our housing stock and prices to be overtaken by the agenda of AirBnB!!!

DON" T RUIN NEW ORLEANS!!!!

But, hey, don't take our word for it!.....:

(Read just some of these studies that have been done about the horrible effects of AirBnB in New Orleans and other towns....and

many of these are by universities or non profit places without any vested interest.....):

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"Companies like AirBnB argue that tourists who visit cities and stay in an AirBnB accommodation contribute significantly to the local economy. While tourism does contribute to the local economy, these tourists may have otherwise stayed in a Bed & Breakfast (B&B) that was put out of business because of the rise of STRs. Critics of AirBnB charge that the company does not pay its fair dues in sales and occupancy taxes, unfairly competes with hotels and B&Bs that pay taxes and are heavily regulated, and take units out of the housing stock, thereby exacerbating affordable housing problems. Furthermore, AirBnB units often are not subject to or do not abide by health, safety, and building code standards and are often not monitored or regulated. Even basic safety standards, such as having smoke and carbon monoxide detectors are recommended but not necessarily required in an AirBnB rental.

In contrast, hotels and B&Bs must have an employee on site twenty-four hours a day, abide by city ordinances such as those related to parking and follow strict health and safety standards. Hotels and B&Bs also collect sales and occupancy taxes, while AirBnB does not (in North Carolina). Not playing by the rules allows AirBnB to keep their costs down and charge renters a lower rate than hotels and B&Bs. AirBnB and rental hosts share the profits while communities must deal with the consequences such as added traffic, noise, trash, and a parade of strangers coming in and out of the neighborhood. State and local governments have to manage the complaints and address violations, thereby costing valuable staff time and money."

<http://curs.unc.edu/2015/03/26/a-roadmap-to-regulating-airbnb-and-short-term-rentals/>

XX

<http://skydancingblog.com/2015/05/29/monday-reads-air-bnb-wrecking-neighborhoods-all-over-the-country/>

Nicholas J. Kindel

From: CPCinfo
Sent: Monday, November 30, 2015 10:02 AM
To: Nicholas J. Kindel
Subject: FW: This is my home sharing story

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

From: Don Hicks [<mailto:hicksdnld@att.net>]
Sent: Saturday, November 28, 2015 2:04 AM
To: CPCinfo
Subject: This is my home sharing story

Dear Executive Director Robert Rivers,

Planning Commission,

I share a separate room and separate entry for my guests, most who cannot afford hotel rates and/or prefer to stay in New Orleans neighborhoods.

I believe the spending by Airbnb guests have a substantial impact on the local economy.

Please do not restrict use of a home lived in by the Hosts.

Thanks,

Don Hicks

Sincerely,

Don Hicks

Nicholas J. Kindel

From: CPCinfo
Sent: Monday, November 30, 2015 10:03 AM
To: Nicholas J. Kindel
Subject: FW: Airbnb Comments

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

From: Treehuggress [<mailto:treehuggress@gmail.com>]
Sent: Saturday, November 28, 2015 9:26 AM
To: CPCinfo
Subject: Airbnb Comments

I sincerely believe in a compromise between the two camps. Our neighborhoods suffer when whole houses are whored out to tourists especially when those Josie's are bought and rehabbed for that singular purpose. Neighbors disappear and rents increase. On the other hand if my neighbor has an extra room he rents out two weekends or even 4 weekends a month, I don't mind at all. Furthermore, at the present the city is not getting its due cut. Airbnb should be required to pay the equivalent fees to the city with every rental. Our city is not NY or SF and cannot support the increased rents resulting from the market push of AirBnB.

--

Love. Puppies. Power tools.

Nicholas J. Kindel

From: CPCinfo
Sent: Monday, November 30, 2015 10:03 AM
To: Nicholas J. Kindel
Subject: FW: Short-Term Rental Study

From: Marshall Gries [<mailto:mggics@gmail.com>]
Sent: Saturday, November 28, 2015 10:23 AM
To: CPCinfo
Subject: Short-Term Rental Study

Ladies and Gentlemen;

My block in the Marigny has both an illegal short term rental which is run by the live-in homeowners and an illegal rental which is run by absentee landlords. I can tell you from first hand experience that the live-in homeowners, who are our neighbors and friends, have not been the source of any problems. On the other hand, the absent property owner who rents out his two units through airBNB has been a constant problem. Homeowners who take in short term rentals to help with their finances are entirely different from absentee property owners who run their rentals as a business.

We also have a neighbor around the corner who recently evicted both of his long-term tenants and is now renting both sides out through airBNB. Result: two rental units are now off the market in an area that is screaming for full-time rentals.

I also point to the 600 pound gorilla in the room: Many homeowners residential policies will not provide benefits if the owner is using the property as a commercial establishment. I expect that someone will have to drown in a neighbor's pool before this issue will get a thorough airing. At least legal B&B's are required to comply with minimal safety regulations; illegal short term rentals do not.

Whatever plan is adopted by the City, it should should focus on the ability to control and enforce. At the end of the day, very few City residents believe that the City has the resources or the resolve to fund any meaningful enforcement (e.g., the City's inability to create or enforce reasonable noise/sound regulation).

At very minimum, I hope that the voices of the residents who are most affected will be heard over the voices of those who are simply in it as a business venture.

Sincerely,

Marshall Gries
624 St. Roch
New Orleans, LA 70117

Nicholas J. Kindel

From: CPCinfo
Sent: Monday, November 30, 2015 10:03 AM
To: Nicholas J. Kindel
Subject: FW: STR

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

From: Shirl Cieutat [<mailto:shirlcieutat@msn.com>]
Sent: Saturday, November 28, 2015 4:26 PM
To: CPCinfo
Subject: STR

Please, please save our French Quarter, I'm 92 yrs.old, lived here for 47 yrs, I see the beauty of it disappearing. Short term rentals have ruined the safety and culture of our neighborhood. Please help us to preserve our beautiful French Quarter. Thank you. Shirl Cieutat, 526 Gov.Nicholls,

Sent from my iPad

Nicholas J. Kindel

From: CPCinfo
Sent: Monday, November 30, 2015 10:03 AM
To: Nicholas J. Kindel
Subject: FW: This is my home sharing story

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

From: Colin Smith [<mailto:bridges.colin@gmail.com>]
Sent: Saturday, November 28, 2015 7:13 PM
To: CPCinfo
Subject: This is my home sharing story

Dear Executive Director Robert Rivers,

Dear New Orleans City Planning Commission,

I have been an airbnb host for the past few years, and welcome the opportunity to share with you the benefits I've discovered through my experiences on airbnb--benefits not just for me and my home, but for my guests, and for our great city of New Orleans.

This is my home sharing story.

I first dabbled with hosting on airbnb when I was out of town for work or vacation, but the positive experiences I had with guests led me to renovate the downstairs of my house (which had been previously unfinished) so I could have more short term rentals on airbnb.

What drew me to the idea of renting more frequently was mostly financial, to be honest. I was able to pay down student debt and improve my house with the money that came in from hosting on airbnb. But additionally, I take great pride in providing a first-class experience to visitors to our city, many of whom are coming for the first time. I have received rave reviews, well above the city average, because of the great lengths I take to provide the reception to my guests that they deserve in a city known for its southern charm and hospitality.

I believe that hosts like myself, through the platform airbnb provides, have been able to create a new economic engine that is drawing new visitors, more attention, and more spending to our wonderful city. I hope that your decisions will allow hosting on airbnb to not only continue, but to flourish.

Thank you for your time.

I'd welcome the opportunity to talk more, if you'd like.

Sincerely,
Colin Smith
(504) 352-8604

Sincerely,

Colin Smith

Nicholas J. Kindel

From: CPCinfo
Sent: Monday, November 30, 2015 10:03 AM
To: Nicholas J. Kindel
Subject: FW: This is my home sharing story

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

From: Byron Stuart [mailto:soopagroove@yahoo.com]
Sent: Saturday, November 28, 2015 7:28 PM
To: CPCinfo
Subject: This is my home sharing story

Dear Executive Director Robert Rivers,

I moved to New Orleans three years ago and purchased a double shotgun in the 7th ward two years ago for \$117k. The house was habitable, but very poorly remodeled after Katrina and needed to be renovated. I remodeled one side before moving into it and rented the other side as a long term rental for \$750/month (it was already rented when I purchased the house). When the renters moved out, I took the opportunity to remodel the other side, too. I borrowed almost \$50k to completely renovate the house (both sides) with new kitchens, new bathrooms, restored pine floors, restored exposed brick chimneys, new decks and brick courtyard in the back, etc. I was willing to spend this money on the house because I knew that I could pay for the remodeling using short term rental income. Without that option, I never would have been able to remodel the house.

After remodeling my side of the double, I started renting my front room on airbnb as a private bedroom and started earning about \$1500/month, which was extremely helpful in starting to pay back the \$50k that I borrowed. Then, the renters in the other side of my double shotgun moved out a few months later and after spending so much money on the house, I decided to use airbnb short term rentals for this unit instead of getting a long term tenant. I started earning an additional \$1500 to \$2000 for the short term rentals on the rental side of my double (as opposed to around \$800 to \$900 for long term monthly rent). At that point, I was not only earning enough to pay my mortgage and remodeling loan payments, but I was making some extra income. Without this extra money, it would have been very hard to justify the expense of the complete renovation.

Currently, my sister, a UNO student, and her husband, who is currently unemployed, are living with me in my side of the double shotgun and I am still using the other side of the house for short term rentals on airbnb. So, even though I'm renting one half of my double shotgun on airbnb, there are 3 permanent residents living in the other half of the house.

In October, I was laid off from my job. Frankly, without the approximately \$2500/month I earn from short term-renting the other side of my double shotgun house, I would be in financial trouble, but thanks to this extra income, I'm able to get by while I find a new job (hopefully in New Orleans because I think it's the greatest city on the planet).

I think that short term rentals in owner occupied dwellings should be allowed in New Orleans for a variety of reasons, but especially because it allows residents like me to afford a nicer house or to restore a house that might not otherwise be fixed up. Perhaps short term renting up to three or four "units" (which may be private rooms or private apartments with separate addresses) should be allowed, but only in an owner occupied building. Ensuring that the short term rentals are being rented by owners that are actually living in the house is important, both to maintain a presence of permanent local residents and to maintain the culture of the city. Locals who permanently live in the house that they rent on airbnb typically love New Orleans and can't wait to share it with out of town visitors. I give my guests a guide

with a list of great bars, restaurants and clubs that I have personally reviewed and written comments about. This provides the guests with a personal connection not only to the city, but to the neighborhood that they are staying in, and this just doesn't exist when staying in a hotel.

As a New Orleans resident, home owner and user of airbnb.com, I am in favor of allowing short term rentals within owner occupied residential buildings (up to a fourplex), but I am strongly opposed to investors being allowed to short-term rent non-owner-occupied houses in the city. I personally know of at least two LLCs that own over 20 houses each that have converted them all to short-term rentals only to make more money than renting them long term. This not only drives long term rental prices up by reducing long term rental inventory, but hurts the culture of the city and the neighborhoods and should not be allowed.

It seems to me the existing Bed and Breakfast licensing requirements need only be slightly modified to allow residents like to me to obtain a B and B license. 1) Remove the restriction of allowing only one BnB within a 500 foot radius. 2) Keep the rule that allows up to 9 rooms in a single family home, but add a new rule to alternatively allow up to four "rental units" (either private/shared rooms or private apartments) in an owner occupied residential building (a single family home, duplex, triplex or fourplex). If the City Council thinks that allowing short-term rentals in an owner occupied fourplex is too much, how about at least allowing this in a duplex (there are so many double shotgun houses around town that at least allowing this makes a lot of sense).

I hope you consider these ideas and find the balance between maintaining the culture and community of New Orleans and its neighborhoods and enabling residents to maximize rental income while providing a unique and personalized service to tourists.

Sincerely,

Byron Stuart

Nicholas J. Kindel

From: CPCinfo
Sent: Monday, November 30, 2015 10:03 AM
To: Nicholas J. Kindel
Subject: FW: AirBnB---we are opposed!!!

From: Chartrain hotels [mailto:chartrainhotels@gmail.com]
Sent: Saturday, November 28, 2015 9:28 PM
To: CPCinfo
Subject: AirBnB---we are opposed!!!

We are against allowing AirBnB short terms rentals in New Orleans for many reasons. As small business owners who contribute to New Orleans in many ways, including economically and culturally, we fear what the continued assault on our livelihood will do to us, and in turn, to the very city we love.

We hope the Commission has read this study done by Boston University, which is just one of many on the topic of whether AirBnB hurts the hotel business:

"According to a recent report from Boston University, a 10% increase in Airbnb supply results in a 0.35% decrease in hotel room revenue, which translates into a 13% impact on revenue in Austin, Texas, which is home to the highest Airbnb supply."

So, here in Louisiana we have a \$1.5 billion deficit, and in New Orleans we are always struggling to meet our obligations, yet we are going to allow an outside business person to hollow out our number one industry??? It is indisputable that the ever increasing numbers of illegal rentals are driving up residential prices; the other side of the equation is that they are also gradually driving down hotel prices. And if anyone says they don't care about legally licensed business owners, consider what would New Orleans be without its strong, vibrant hospitality economic engine? Its our city's primary source of revenue and common sense would seem to dictate that we should do everything possible to help it thrive. With every hotel dollar lost, the city and all its residents are hurt a little bit each time: there is less revenue to go around, for schools, police, fire department, roads, you name it. Is that what we want to encourage?? With more and more people shopping online for products, less and less sales tax is collected. Fewer and fewer people shop at "brick and mortar" stores. We know that very few people "self remit" the local and state sales taxes that they are required to do by law when they make these purchases online. Licensed hotel, guesthouse, and Bed and Breakfast operators are part of a sector that can be counted on to collect and remit sales taxes. Why kill what may be one of the few geese that can continue to lay the golden sales tax, property tax, convention center tax, and multiple license fee eggs? Why not go out of our way as a municipality to protect these historically reliable ganders?

It is proven that hotels and bed and breakfasts are already being hurt financially, and doing anything to allow the likes of AirBnB to continue will only escalate that. Right now the smaller hotels and bed and breakfasts are the worst impacted (we can name half a dozen sister properties that are already seeing a decline in occupancy and revenues over last year-----we sit on empty rooms when it would normally be a full occupancy time, and watch tourists spilling out of cars (Uber??) with their suitcases only to roll through the residential neighborhood blocks and arrive at someone's house; a hotel room not filled, a bunch of dollars not paid to the city that month, a lot of dollars not paid to the hotel staff

that is not needed), but the hotel industry as a whole is being hurt, even the larger hotels (there are already so many studies documenting this) and on top of everything, now AirBnB has announced its plans to start going after the business travelers. *"In January, when Airbnb CEO Brian Chesky learned that Marriott International, one of the largest hotel groups in the world, planned to add 30,000 rooms to its property portfolio in the coming year, he defiantly boasted, "We will add that in the next 2 weeks."*

<http://www.fastcompany.com/3027976/what-hotel-operators-really-think-of-airbnb>

So, less business, lower revenues, less sales tax paid, less payroll as our employment needs drop, (but unfairly, NOT less inventory tax). And anyone who thinks that will be in any way made up by legalizing and taxing currently illegal rentals by allowing owners to rent out a room (or several) in their house is being totally myopic. There is no way these people will totally and correctly self report, and it will be nearly impossible for the City to monitor or audit them if we allow the floodgates to open. We should not allow these to operate "with regulations" for that reason alone. The City says it can't monitor or enforce these illegal rentals now; how will it monitor and enforce all the myriad financial, auditing, safety, regulatory requirements in thousands of private homes? If we allow a homeowner to rent out one or a few bedrooms, as it has been suggested, it will be exponentially more difficult to make sure they are in fact living there, or staying there, or renting out only one room; you might as well throw all your laws away at that point because that's creating a system certain to fail, hugely cumbersome and expensive, and which would require so much infrastructure to regulate and monitor as to ensure and create a further culture of flaunting the law. The amount of revenue reported and paid to the city will NEVER make up for what will be lost for each empty hotel or bed and breakfast room.

And allowing AirBnB to continue in effect penalizes licensed businesses---we have huge overhead, regardless of whether a room sits empty or not, and we have to pay commercial taxes, insurance, utilities, etc. hugely disproportionate to any individual private residence room; our cost of having an empty room is much higher than any formerly private bedroom that may be now be empty or forced off the short term rental market. Recently, many of the smaller hotels were assessed a triple plus tax increase with a "per room key" real estate tax that is so onerous that it severely cuts into the already small margins many of us were working under; it in effect give AirBnB rentals yet another hugely unfair advantage. (To the degree that these short term rentals enjoy a completely unfair and un-level playing field, we would ask that our fellow small and larger licensed hotel and bed and breakfast owners consider a class action if AirBnB is allowed to continue, or, at the very least, we should explore, as an industry, withholding our monthly sales tax and placing it into escrow pending a satisfactory resolution of this issue.)

And what about all the other safety and other regulations we have to adhere to? What about fire codes and building codes, and the cost of entry such as higher taxes and fees we all had to pay and continue to pay to operate in a COMMERCIALY zoned area or property? What about the endless monitoring to ensure even quality of life issues?....what about the hotel smoking ban?---are we going to allow smoking in these thousands of residential bedrooms (and what about neighbors of these places who will have to smell visiting people sitting in the next door backyard smoking?) New Orleans's tourism industry is not only our economic engine; it upholds standards and levels of quality that will be diluted if anyone can simply run a hotel room out of their house instead.

We want to stress again that it is the small, mom and pop licensed hotels and bed and breakfasts that are suffering the biggest downturns because of AirBnB, and New Orleans should be concerned about that since unlike so many other cities, we are NOT just a city of big chains and big box stores and hotels; our small locally owned businesses are a large part of our charm and appeal and identity--take that away and we risk becoming just another small to mid sized city and we lose the very thing that

sets us apart and allows us to be such a sought after destination for travelers (not to mention a wonderful place to live for our residents). But, make no mistake, we are the canary in the coalmine, and what's happening to us, will increasingly happen to the bigger places, across the board. And the City officials won't be happy when they have to announce a downturn in revenues from those tourism dollars.

We have a few suggestions that we think are practical and would be beneficial for the City. Everyone says its impossible to stop AirBnB or to monitor it, and that allowing it to come here will bring in more revenue. We totally disagree and think that it would be far easier to restrict it by simply requiring anyone advertising to post their license number, their name and the property address. That way the City doesn't have to hire legions of inspectors to catch tourists in the act of arriving or departing; the City could simply hire people (or simply program all existing street addresses based on existing property tax bills, which would find violators automatically) to monitor the internet ads and anyone who doesn't advertise without posting this information would be fined escalating amounts (say, \$500.00 for the first time, and increasing amounts for each day the ad stays up or reappears after a cease and desist letter is issued). If the City doesn't want to use an automated computer system to monitor addresses, and wants instead to hire people, it wouldn't even have to lay out money to pay people to monitor these; lots of people would be happy to do this for a percentage of the fines collected, which should be assessed against the real estate, just like real estate taxes are. After a certain amount of time or threshold fine amount is reached, the property could be subject to seizure similar to a tax sale. You can bet that would stop people from trying to get away with these rentals.

We think it is totally bogus to say that we should allow AirBnB since otherwise people can't afford their mortgages or they need some extra income to pay for their kid's college tuition, or whatever other reason is used, as no one is preventing people from taking in boarders or roommates, as people have done for decades. And AirBnB is itself a large part of the higher cost of living here and will only continue to drive up the cost of living and real estate prices in this city; it's an ever escalating vicious cycle, almost ensuring that people are forced to take in extra income to meet their mortgages. Remember the "Big Easy," when it was truly easy to live here, when the inside joke was that you knew you were a New Orleanian when your Entergy payment was more than your rent or mortgage? We need to do anything we can to try to preserve our city being an affordable, diverse, and a welcoming place for creative, vibrant, young, professional people who are often fleeing higher priced areas. Yet, already, New Orleans is getting a reputation for being a town where its harder to find affordable places to live and its certainly making it harder than ever for its working class citizens to remain in the neighborhoods they know and love. If we want to keep a strong, diverse, city that honors its extraordinary history and unique culture, we should be bending over backwards to make sure it remains affordable and not do the opposite, allowing this outside behemoth to churn up our centuries of history and neighborhoods, by throwing steroids on the gentrification process that is already going on at a worrying pace.

If the City officials are afraid of AirBnB, they shouldn't. Please remember that it is 100% constitutional for a state or municipality to enact regulations, laws, ZONING ordinances, such as the zoning ordinance we already have in place that delineates commercial from residential areas and enterprises (hence, it is legal for us to prohibit short term rentals as we currently do, for under 30 or 60 days, unless in a licensed bed and breakfast or hotel) and it is 100% constitutional for a state or municipality to enact laws, including imposing certain restrictions on advertising in furtherance of its promoting the safety and welfare of its citizens (which such advertising requirements would do). So what exactly is the problem here?? Are we simply afraid of this billion dollar bully throwing its weight around and dragging us through the courts? Well, why then don't we join forces with other cities, such as New York, that certainly has the resources and is trying to slam down on these illegal rentals (great publicity as well---little New Orleans, standing proud to preserve its wonderful and

unique culture and way of life, the way of life that is the very thing so many people want to come here to visit or to live). How about a class action, such as the ones many state attorney generals have banded together one against other huge industries, such as the tobacco industry? If all of a sudden, we allow outside interests to dictate to us and force us to change the laws we've had on our books for years, why not bow down before any or all other interests, even including organized crime, who we're sure, would love to get to push us around and coerce us into repudiating the very zoning codes and laws our lawmakers and citizens have created and abided by for decades. I'd like to open a grocery store in my living room; why is that any different from allowing de facto hotel rooms to proliferate all over otherwise residentially zoned neighborhoods and houses just because some billionaires in San Francisco are licking their chops over how much more billions they can make pushing around entire cities????

It took seven years to study and create the new CZO. AirBNB just admitted publicly that they have been operating in New Orleans for six years. Why now, are we just studying the effects of illegal temporary rentals? We find it odd that our officials waited until after the CZO was adopted to request a study on this problem, the effect of which distorts and undermines the very purpose of what the CZO was meant to do.

We agree, as it has been stated before, that "we are a country of laws, not men." Let's hope it stays that way. Please let's not allow a few billionaires and their aggressive agenda to overturn our city's long held tradition of rules, zoning and yes, laws.

Nicholas J. Kindel

From: CPCinfo
Sent: Monday, November 30, 2015 10:04 AM
To: Nicholas J. Kindel
Subject: FW: French quarter

From: Mary Adele Baus [<mailto:mabaus@cox.net>]
Sent: Saturday, November 28, 2015 9:57 PM
To: CPCinfo
Subject: French quarter

“The continuity in function and cultural succession should be protected. Historical urban areas are home to a large number of residences, and these areas are the living form of cultural relics. Aside from the buildings, the culture attached to them should be protected as well. In other words, their functions should not be undermined and the living environment should be improved.”

I agree with this. We have lived in our 1803 home since 1973. We are witnessing the cultural heritage of the French Quarter slip away. Stop and think what New Orleans will be when the French Quarter is no longer interesting or historically important, but only another tourist destination of little interest.

Mary Adele Baus
831 Gov. Nicholls St.
70116

Nicholas J. Kindel

From: CPCinfo
Sent: Monday, November 30, 2015 10:04 AM
To: Nicholas J. Kindel
Subject: FW: This is my home sharing story

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

From: AnnMarie Roberts [<mailto:arts4work@yahoo.com>]
Sent: Sunday, November 29, 2015 8:55 AM
To: CPCinfo
Subject: This is my home sharing story

Dear Executive Director Robert Rivers,

The current regulations regarding short-term rentals are convoluted and out of date. Visitors want to come to New Orleans with their families and they want to spend time together, in a private home, and get to know the real New Orleans. And New Orleanians want to share their homes and our joie de vivre with visitors, and turn them into neighbors.

The income from these rentals will feed the community by providing funds for hiring police officers, improving infrastructure, bettering schools, providing youth/adult job training, enriching community services, et cetera. Please allow New Orleanians to better their lives and our city by allowing short-term rentals to be regulated and to operate legally.

Thank you so very much for your time and consideration.

Sincerely,
AnnMarie Roberts
member Faubourg Marigny Improvement Association

Sincerely,

AnnMarie Roberts

Nicholas J. Kindel

From: CPCinfo
Sent: Monday, November 30, 2015 10:04 AM
To: Nicholas J. Kindel
Subject: FW: Short-Term Rentals Comment

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

From: Scott McDermott [<mailto:mcdermsscott@gmail.com>]
Sent: Sunday, November 29, 2015 9:30 AM
To: CPCinfo
Subject: Short-Term Rentals Comment

Dear City Planning Commission,

We are writing to express our frustration and helplessness at the machine that has become short-term rentals in New Orleans. This sentiment has festered slowly over the past few years and came to a head in the past month when ANOTHER neighbor got displaced from his apartment so that the building owners can convert the unit into an AirBnB rental.

From the corner of Kerlerec and Henriette Delille St. in Treme, we count at least 14, permanent short-term rental units fanning in three directions. Only 30 properties front the streets in question. The density of short-term rentals has most assuredly deteriorated the fabric of our neighborhood. I miss the musician who used to live here tooting his sousaphone as he walked into the Quarter for a gig, the neighbor with a great sidewalk garden with fountains and the kids who played with my kids.

It's annoying watching a gaggle of 16 frat boys saunter down Kerlerec with their duffle bags going to the unit that has been outfitted to house up to 20 for a bachelor party. We keep having to warn tourists who park on the street not to leave belongings visible in their car because Henriette Delille has waves of car break-ins fueled by easy targets—and their 'host' isn't sharing common sense safety details.

I'm thankful we haven't had an assault on a tourist wandering home at 3am through a neighborhood that still has rough edges. But most importantly, if AirBnB espouses an authentic 'meet the locals' experience through their rentals, the only thing short-term renters in our neighborhood are getting is a frosty look and a cold shoulder because we've had enough.

We are landlords with multiple properties in the area and could easily offer short-term rental opportunities in our units. We can certainly understand the allure and benefit—financially—and we have seriously considered joining the club. Ultimately, however, we decided to only offer legal, long-term rentals because we want neighbors who contribute to the fabric of Treme and New Marigny.

We urge you to pass reasonable legislation to severely limit short-term rentals and bring this pandemic under control.

Sincerely,
Diana and Scott McDermott

Nicholas J. Kindel

From: CPCinfo
Sent: Monday, November 30, 2015 10:04 AM
To: Nicholas J. Kindel
Subject: FW: City Planning Commission Meeting 12/8 Short-term rentals in Touro Boligny disturb the peace and violate city ordinance and governing condominium documents
Attachments: VRBO Listin 11-6-15.pdf; Judgment on Exceptions and Prelim Injunction 11-10-15.pdf

From: ssm@jgmclaw.com [mailto:ssm@jgmclaw.com]
Sent: Sunday, November 29, 2015 10:52 AM
To: CPCinfo
Subject: RE: City Planning Commission Meeting 12/8 Short-term rentals in Touro Boligny disturb the peace and violate city ordinance and governing condominium documents

Following our email of September 27, 2015 to you, on October 21, 2015, the 1109 Peniston Condominium Owners Association obtained a Preliminary Injunction against owners of a condominium unit who were represented by Bob Ellis and who were violating the governing Condominium documents by having transient rentals, Civil Action No. 2015-9612. Judge Christopher Bruno issued the Injunction from the bench on October 21, 2015. The Injunction was later issued in a signed Order. *See* attached copy of Judgment on Exceptions and Preliminary Injunction. However, despite letters from the City and Condominium document regulations forbidding transient rentals, notices from the Association Board, and now the Injunction, the condominium owners *continue to short term rent* their condominium. Within days after the Injunction hearing, the condominium owners put up their website again and continued to advertise short-term vacation rentals (STR). *See* attached website listing dated 11-6-15. The Advertisement on www.homeaway.com / www.vrbo.com does not indicate that the renter must sign a 30-day lease in order to rent the property for the weekend except in the notes which indicate "min. stay 30 days." Based on information and firm belief, the condominium owner then enters into over-lapping 30-day leases affecting the same property in the same month!

While short term rentals may work for doubles and/or single family houses, it is a disaster for apartment buildings and condominium complexes. The renters check themselves in and out at will. The Association has a series of unknown people coming in and out which breaches our safety, peaceful possession and could void Association insurance should someone get hurt and sue.

Innocent victims of STR should not have to spend thousands of dollars to prove the STR owner is wrong, and they are right. If you do allow or regulate some short term or the 30-day lease term, please reinforce it with some strict regulations and stiff fines. The owners seem to consider current legal cost just a cost of doing business.

RECOMMENDATIONS:

Change lease term to 3 or more months requiring deposit and written lease. Block ability for each new guest to start a new lease term every week.

All STRs authorized by the City should be listed in a database.

All internet websites must link to the database.

Establish penalties/fines for the owners and renters who rent STRs that are not approved on the database.

Short Term owners must pay taxes to city and be licensed.

The Owner should have to live on the property with his guests.

Condominium Association documents, a contract between all owners, must be respected and come first and cannot be overruled.

Apartment buildings and Condominiums must give unanimous written approval for STRs.

MARYFLYNN THOMAS, owner of 1113B and 1113C Peniston condominiums
504-421-8484

SUZIE MAHONEY, member of Kissy Properties LLC (owner of 1111 Peniston condominium)
504-388-3511

From: Suzanne Mahoney

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

To: cpcinfo@nola.gov

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

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

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

MARYFLYNN THOMAS
504-421-8484

SUZIE MAHONEY

504-388-3511

CIVIL DISTRICT COURT FOR THE PARISH OF ORLEANS

STATE OF LOUISIANA

NO. 2015-9612

DIVISION "F"

SECTION:

1109 PENISTON CONDOMINIUM OWNERS ASSOCIATION, INC.

VERSUS

RAYELYN H. CERNIGLIA AND JOHN M. CERNIGLIA

FILED:

DEPUTY CLERK

JUDGMENT

This matter was heard on October 21, 2015, on the Dilatory Exception of Lack of Procedural Capacity and the Peremptory Exception of No Right of Action of Defendants, Rayelyn H. Cerniglia and John M. Cerniglia, and the Petition for Preliminary Injunction filed by Plaintiff, 1109 Peniston Condominium Owners Association.

Present: Alan F. Kansas Attorney for 1109 Peniston Condominium Owners Association, Inc.
Robert J. Ellis, Jr. Attorney for Rayelyn Cerniglia and John M. Cerniglia

Considering the pleadings, memorandum, argument of counsel, exhibits, evidence, the law and for the reasons orally announced in Court:

IT IS ORDERED, ADJUDGED AND DECREED that the Dilatory Exception of Lack of Procedural Capacity and the Peremptory Exception of No Right of Action are DENIED.

IT IS ORDERED, ADJUDGED AND DECREED that the Petition for Preliminary Injunction is GRANTED. The condominium units located at addresses 1109 Peniston and 1113A Peniston shall not be used or rented for transient, hotel or motel purposes. Any lease of either unit must be in writing, and the term of the lease must be for a period of at least 30 days. The lease document must stipulate that that the lease is subject in all respects to the 1109 Peniston Condominium Master Deed, By-Laws and Rules and Regulations, and that failure by the Lessee to comply with all of the terms of such documents shall be a default under the lease.

This preliminary injunction shall remain in effect until modified by action of the Court.

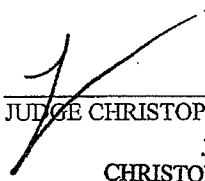
IT IS FURTHER ORDERED, ADJUDGED AND DECREED that within 15 days of the date of this Judgment, Defendants RAYELYN H. CERNIGLIA and JOHN M. CERNIGLIA shall pay a total of \$1,000.00 to Plaintiff, 1109 PENISTON CONDOMINIUM OWNERS ASSOCIATION, INC. as attorney's fees for obtaining this Preliminary Injunction.

VERIFIED

Amber Darby
Deputy Clerk

Amber Darby

JUDGMENT READ, RENDERED, AND SIGNED in New Orleans, Louisiana this
____ day of ~~October~~ ^{NOV 10 2015} 2015



JUDGE CHRISTOPHER J. BRUNO
JUDGE
CHRISTOPHER J. BRUNO
DIVISION "F"

RULE 9.5 CERTIFICATE

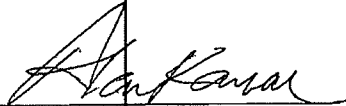
I certify that I circulated this proposed judgment/order to counsel for all parties and/or to self-represented parties by email on October 27, and that:

no opposition was received; or
 the following opposition was received:

Robert J. Ellis, Jr., attorney for Defendants, indicated his consent to the form of the Judgment.

Certified this 29th day of October, 2015.

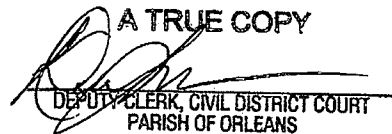
The Law Office of Alan Kansas, LLC



Alan Kansas (LA Bar # 27725)
1801 Carol Sue Ave.
Terrytown, LA 70056
(504) 210-1150
Fax (504) 617-6525

Attorney for 1109 Peniston Condominium Owners Association, Inc.

FILED
2015 OCT 30 A 8:32
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PARISH OF ORLEANS

List your property

New Orleans, Louisiana

Arrival

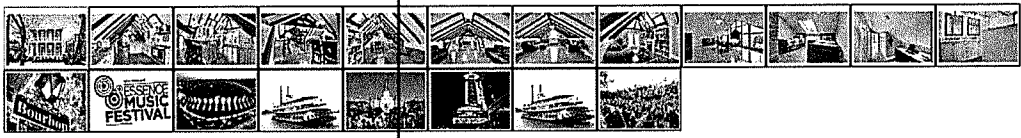
Depart

I don't have dates yet

Browse properties Home USA Louisiana New Orleans Garden District VRBO Listing #568604

Like 0

Beautiful! Garden District Penthouse Condo in the Heart of Uptown New Orleans...



Minimum stay: 3-7 nights **Pets considered:** Yes
Internet: Yes **Wheel chair accessible:** No

Property description

Spectacular New Penthouse Renovation built in the 1800's in the Heart of Uptown New Orleans. Two Bed, Two Bath, Office Area, Dual HVAC, Stainless/Granite, Large Master suite with Private Bath. Tree-Top Views, Super High-End. Enjoy your stay in the "BIG EASY" in the most demanded area of the city. Walk less than 2.5 blocks to the Historic ST. Charles Ave. and jump on the street car which will take you Uptown to the Universities or Downtown to the French Quarter for an evening of fun on Bourbon St. in a matter of minutes. Or walk only 2 blocks for shopping and dining on fabulous Magazine Street. Make sure you take the time for a walking tour of the Historic Garden District homes just a few blocks away between St. Charles and Magazine it is a must see...

Why VRBO

11/6/2015

Beautiful! Garden District Penthouse Condo In... - VRBO

Theme

Historic

Attractions

Churches	Library	Playground
Cinemas	Live Theater	Restaurants
Health/Beauty Spa	Museums	Zoo

Local Services & Businesses

ATM/Bank	Groceries	Massage Therapist
Fitness Center	Hospital	Medical Services

Leisure Activities

Antiquing	Scenic Drives	Sight Seeing
Gambling Casinos	Shopping	Walking

Sports & Adventure Activities

Basketball Court	Golf	Swimming
Cycling	Hunting	Tennis
Deepsea Fishing	Pier Fishing	Water Skiing
Fishing	Sailing	

Dining

Dining: <i>Bar counter seats 2 additional</i>	Dining Area	Seating for 4 people
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General

Air Conditioning	Heating	Living Room
Clothes Dryer	Internet: <i>wifi code located under keyboard.</i>	Parking: <i>Street</i>
Fireplace: <i>The pilot switch is located behind the lower panel. Remove the panel...more</i>	Iron & Board	Towels Provided
Hair Dryer	Linens Provided	Washing Machine

Kitchen

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

Reviews

5 from **7** traveler reviews

[Write a review](#)



Bill
New Jersey

Cool condo

First timers in New Orleans, my wife and I stayed four nights with friends who flew up from Florida. The open concept penthouse condo is beautifully furnished and finished, amazingly high ceilings, huge living room and master bedroom, with nice extra touches like the computer and printer, washer/dryer, and a reading nook off the living room. Wall of windows in master bedroom was cool but wouldn't have minded some curtains. Located on quiet residential street next to Garden District within walking distance of grocery store, St. Charles Ave. streetcar and Hop On, Hop Off bus stop. Lots of restaurants nearby on Magazine Street, French Quarter is a cab or streetcar ride away. John was great: available, friendly and helpful. We would definitely stay here again.

Stayed: September 2015 **Submitted:** October 9, 2015 **Source:** VRBO

Recommended for: Families with young children, Tourists without a car, Adventure seekers, Age 55+, Romantic getaway

Owner response:

Bill,

Thank you very much for your "Five Star" review and we are so happy that you enjoyed your first visit to New Orleans and hope to see you again soon.

Best Regards,
John

Was this review helpful? Yes No



Anonymous

Very pleasant

Very good location only few min walk to St Charles and Magazine streets. Pleasant, quiet and safe neighborhood. Prompt communication with the owner. Spacious, newly remodeled, cozy, well appointed. Superb details in wood and oiled cooper. Spotless. We travel the world through VRBO. This is one of the nicest accommodations we've encountered. I recommend without reservations.

Stayed: September 2015 **Submitted:** October 8, 2015 **Source:** VRBO

Owner response:

Anthony,

Thank you very much for taking the time to write a review. As a world traveler who uses VRBO often it means a great deal to us knowing that you think we have one of the nicest condos you have stayed in. We look forward to seeing you again soon.

Best Regards,
John

Was this review helpful? Yes No

Fabulous!

11/6/2015

Beautiful! Garden District Penthouse Condo In... - VRBO



Lynda L.

We were first time visitors to New Orleans so didn't know the areas, but couldn't have chosen a better unit or a better location. We were celebrating our daughter's fiftieth birthday so there were four of us but five on the last night as our son came in also. This unit is incredibly spacious and we absolutely loved the architecture and layout. It had everything you could possibly need, including w/d, computer and printer, Kuerig coffee and nice bottle of wine to welcome us. It was beautifully laid out with top of the line furniture and amenities. And it was spotless!!! Anyone who has stayed in other vacation rentals will recognize the attention to detail given this unit and anyone staying here for your first rental, you will be hard pressed to find another one anywhere close to this quality. The area was perfect, close to the St Charles streetcar and Magazine Street, but on a nice quiet street between these two main streets, where there was plenty of action.

We will always have wonderful memories of staying here and will DEFINITELY book this same unit should we come to New Orleans again. Thank you John, for being so very helpful and accommodating and providing such a truly marvelous opportunity for travelers to enjoy New Orleans in style and comfort!

Stayed: September 2015 **Submitted:** September 15, 2015 **Source:** VRBO

Recommended for: Sightseeing, Girls getaway, Tourists without a car, Age 55+, Romantic getaway, Families with teenagers

Owner response:

Lynda,

Thank you so much for the wonderful review. We do try hard to make our guest stays as great as possible and it makes us so happy when we have guest validate our efforts with such awesome reviews. We hope to see you again soon....

Best Regards,
John

Was this review helpful? 1 Yes 0 No



Linzy H.

Perfect!!!

We recently rented this property for a family vacation for the 4th of July/Essence Festival weekend. This was the first time my parents and grandmother have done a vacation rental and I wanted it to be perfect for them... It truly was! When you walk into the property, you are immediately impressed by the space, natural light, and cleanliness of the unit. The photos actually don't even do it justice. There is soooo much space. The master bedroom is spacious with a beautiful wall of windows, the other bedroom has two single beds, and then there are two separate living room/den areas with plenty of seating (sofa bed as well). The bathrooms are top of the line, IMMACULATE, and stocked with any products you might have forgotten at home. Every appliance in the unit is top of the line... My mom was actually getting ideas for her home remodel from the kitchen and laundry area. :-)

Once you're finished being excited about all the space has to offer, you realize how perfect the area is... Walkable and plenty of street parking. Magazine St. is a breeze to get to and there are stores and restaurants all around the property. The neighborhood is quiet, peaceful, and full of beautiful homes. I-10 is less than 5 min away and it took us 10 min tops to drive to the Superdome for Essence events. Perfect! The owner was great! He was easy to contact, flexible, and made sure we had clear directions to get into the unit on check-in day. He also provided a bottle of wine to welcome us to NOLA! I would recommend this unit to anyone looking for a great place to be with loved ones while exploring New Orleans and can't wait until the next time we can go back. You know you get five stars when my grandmother (she wins the pickiest traveler of the century award) is blown away and can't stop saying how great the property is and how "this is how we should do all our vacations from now on". Book it now!

Stayed: July 2015 Submitted: July 8, 2015 Source: HomeAway Family

Owner response:

Linzy,
Thank you so much for your awesome review! We work hard to ensure all of our guest have everything they require to enjoy their stay. We are so glad you enjoyed your stay and hope to have you back soon!
P.S.
Thank you for leaving our condo clean...
Regards,
John C.

Was this review helpful? Yes No



Anonymous
Baton Rouge

Fantastic!!!!

We came in from Baton Rouge to celebrate my girlfriend's birthday for the weekend in the big easy. We decided to target the uptown area because its an amazing part of the city filled with parks, universities, charming southern homes, restaurants, and shops. When we came across the website we fell in love with this particular unit being upstairs penthouse that was just recently remodel with wood floors, dark ceiling wood beams, chandeliers, sky light windows, spacious master bedroom, and gorgeous kitchen. The penthouse had a loft architecture which was unique and charming just like the city and we knew it would be the perfect place to stay. When we arrive, instantly we knew we hit a homerun and that it was going to be a start of a great weekend. We enjoyed taking walks down St. Charles and Magazine St taking in the sites, eating at different restaurants, and visiting some coffee shops. We had such a great time and something we will never forget. There are so many wonderful things about this penthouse and I'll highly recommend it to anyone.

Stayed: May 2015 Submitted: June 30, 2015 Source: VRBO

Recommended for: Families with young children, Sightseeing, Girls getaway, Tourists without a car, Romantic getaway

Owner response:

We are very pleased you enjoyed our condo and hope that you will visit us again.

Regards,
John

Was this review helpful? Yes No



Anonymous

AMAZING!!!!!!

Amazing is an understatement to describe this house. My group and I came to New Orleans per usual as my birthday celebration weekend. We travel a lot and have stayed in many homes in New Orleans, but let me tell you this is one of the best. Upon booking John was super helpful and kind, he is very personable and it was like I knew him already.

Ok so when you get to the house of course its in the beautiful garden district right by magazine street and St. Charles, very close is all the stores and restaurants. The house sits on a residential street of all beautiful houses, this particular house is broken up into condos and very neatly done, theres stairs that lead up to the penthouse style condo, when you walk in the architectural design takes your breath away, the sparkling

11/6/2015

Beautiful! Garden District Penthouse Condo In... - VRBO

chandeliers, the exposed beams, the skylight windows and the beautifully done touches all around makes this home special. The place is freshly renovated so your getting top of the line of everything. The space in general was very comfortable for my friends and I. I had the master bedroom (pictures do no justice). It is phenomenal, when I walked in I knew I was going to sleep good that weekend because the Bed is not only huge but extremely intricately beautiful, Its a timeless piece. I could go on and on about this house because it was just so perfect. I would recommend this place to anyone who loves great architecture and good living. Have FUN!

Stayed: April 2014 **Submitted:** April 11, 2014 **Source:** VRBO

Recommended for: Pet owners, Sightseeing, Girls getaway, Tourists without a car, Adventure seekers, Age 55+, Romantic getaway, Families with teenagers

Owner response:

I'm so happy you enjoyed your stay and had a great Birthday. We look forward to having you stay with us again when you return to the "Big Easy" and thanks for the great review...

Regards,
John

Was this review helpful? Yes No



angela c.

AWESOME!

A+ Highly Recommended

New & beautifully renovated condo with wood floors, dark beams & crystal chandeliers! Stylishly designed with two gorgeous baths and a knockout kitchen! Beautiful appointments throughout; closets, moldings etc. (I'm an Interior Designer) 2 large bedrooms/bathrooms...spotlessly clean and bright with fresh towels & linens and a state-of-the-art washer & dryer computer access with comfortable sitting areas and 2 TV's A great place to come back to after a long day out...a real gem, we loved it!

p.s. safe location too, in the Garden District- quick walk to railcar & restaurants all good.

Stayed: March 2014 **Submitted:** April 4, 2014 **Source:** VRBO

Recommended for: Families with young children, Sightseeing, Girls getaway, Adventure seekers, Romantic getaway, Families with teenagers

Owner response:

Thank You so much for your AWESOME review!

Was this review helpful? Yes No

Rates

Currency Conversion

Rental basis: Per property

Rental rates quoted in: USD

Dates Nightly Weekend Night Weekly Monthly * Event

Thanksgiving

11/6/2015

Beautiful! Garden District Penthouse Condo In... - VRBO

Nov 25 - Nov 29,
2015
5 night min stay

\$2,750
flat fee

New Year

Dec 28 - Jan 1,
2016
5 night min stay

\$4,250
flat fee

Mardi Gras WK

1
Jan 28 - Feb 2,
2016
6 night min stay

\$6,000
flat fee

Mardi Gras WK

2
Feb 3 - Feb 9,
2016
7 night min stay

\$8,400
flat fee

Jazz Fest WK 1

Apr 21 - Apr 25,
2016
5 night min stay

\$3,400
flat fee

Jazz Fest WK 2

Apr 27 - May 2,
2016
6 night min stay

\$4,080
flat fee

Essence

Festival
Jun 30 - Jul 3,
2016
4 night min stay

\$2,700
flat fee

Christmas

Nov 24 - Nov 27,
2016
4 night min stay

\$3,400
flat fee

My Standard

Rate \$325
3 night min stay

\$2,100 \$7,500

Rates are based on 4 guests; add \$50 per night, per additional guest

* Approximate Monthly rates, actual rate will depend on the days of the month you stay

Additional information about rental rates

Fees:

Pet Fee	\$25
Cleaning Fee	\$150
Refundable Damage Deposit	\$500
Taxes	Not included

Notes:

Rates are subject to change until reservations are confirmed. Minimum stay 30 days. Please contact owner for special event rates and other available terms.

Cancellation policy:

Policy available by contacting owner when booking.



Book with confidence

Paying through this free service protects your payment up to \$10,000 against listing fraud. If you are not paying through HomeAway Payments always call the owner at the number listed on our website and never use instant money transfer services such as Western Union and MoneyGram.

Don't forget your vacation protection! Get protected now

Adding our Vacation Protection services can make sure your getaway goes smoothly, no matter what. We offer Cancellation Protection, Carefree Rental Guarantee, and Damage Protection so you can truly relax.

Protect your payments in case you need to cancel.

Guarantee the rental meets your expectations.

Ensure you're prepared in case of accidental damage.

Calendar

Last updated: 11/04/2015

Arrival

Departure

Check availability

Previous

Next

November 2015

SU	MO	TU	WE	TH	FR	SA
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

December 2015

SU	MO	TU	WE	TH	FR	SA
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

January 2016

SU	MO	TU	WE	TH	FR	SA
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

February 2016

SU	MO	TU	WE	TH	FR	SA
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29					

March 2016

SU	MO	TU	WE	TH	FR	SA
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

April 2016

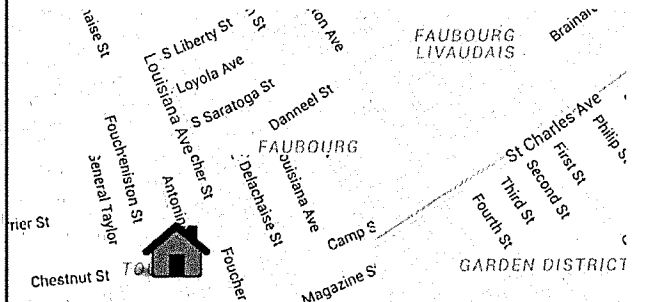
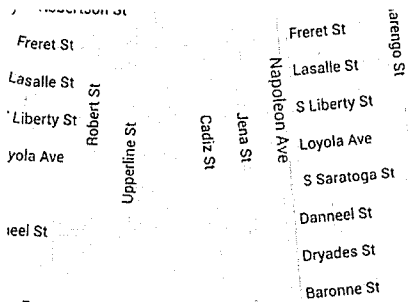
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17	18	19	20	21	22	23
24	25	26	27	28	29	30

23 Available ~~21~~ Unavailable 22 Today 23 Selected dates

Location

11/6/2015

Beautiful! Garden District Penthouse Condo In... - VRBO



Overview	Reviews	Rates	Calendar	Location	Owner Info	Photos
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Avg. Nightly **\$323**

Book It

Detailed Price

Save to my favorites



Owner

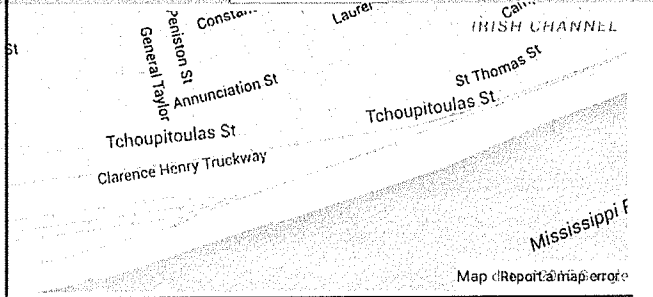
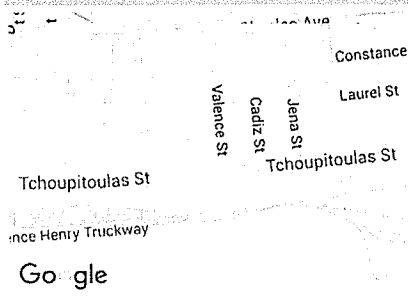
Member since: 2014

Send email

Response time **Within 12 hours**

Response rate **90%**

Calendar last updated **11/04/2015**



Nearest Airport 20 Miles
Louis Armstrong National Airport

Nearest Barpub 0.2 Miles
Prytania St. Bar

Nearest Ferry 5 Miles
Canal St. New Orleans

Nearest Golf 10 Miles
City Park

Nearest Train 5 Miles
Amtrax

Nearest Motorway 4 Miles
I-10

Nearest Restaurant 0.1 Miles
Magazine St.

Car: Not Necessary

Owner info



Year Purchased: 2013

About the owner: My wife and I are Life long residents of New Orleans and we Love our City. I am a Developer and Real Estate Agent that specializes in luxury properties. We own three beautiful condos in the Uptown area and reside on the Northshore in Mandeville. When spending the evening at the Theater or dining in the city we can't think of a better place to stay then at one of our condos.

Why the Owner Chose Garden District:

I promise you that your stay at one of our condos will be one of the best experience you will have staying at a vacation rental. My wife and I do travel and when we do we almost always stay at a vacation rental. And I can tell you my wife expects the best!! Walking into a unit it must smell and be clean... it must be well kept and offer all the convenience of home down to the smallest items. That being said when you stay at one of our condos you can't help but think you are staying in a well kept and update home that will offer you all that you should expect.

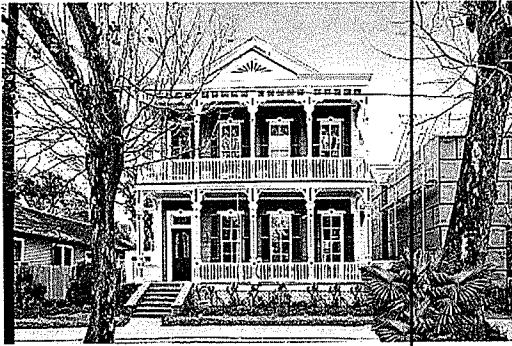
The Unique Benefits at this Condo:

This property is nestled in the heart of Uptown with everything within walking distance and transportation. Shopping, Dining and History all at your finger tips.

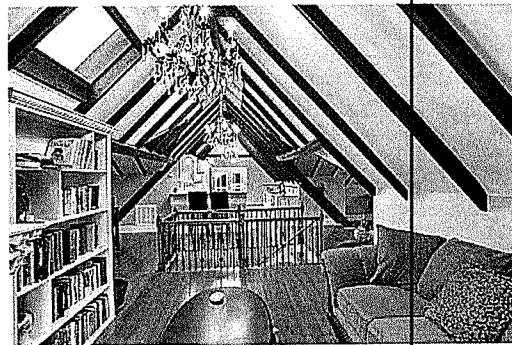
Contact us

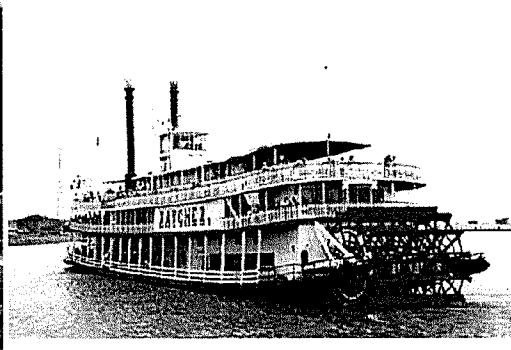
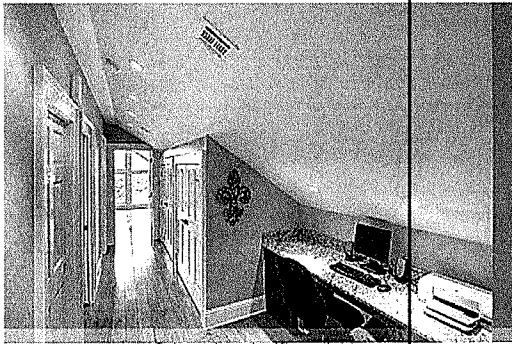
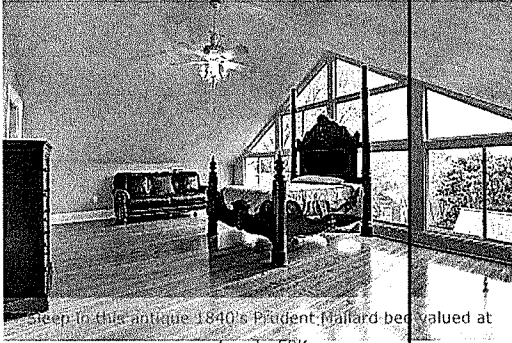
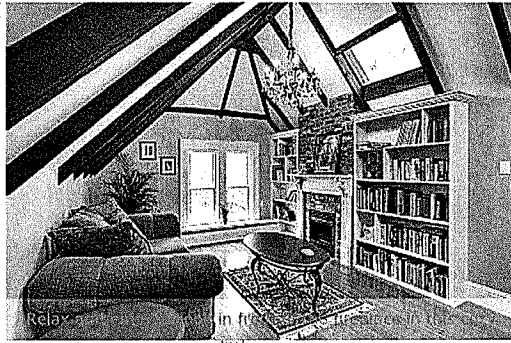
Speaks: English

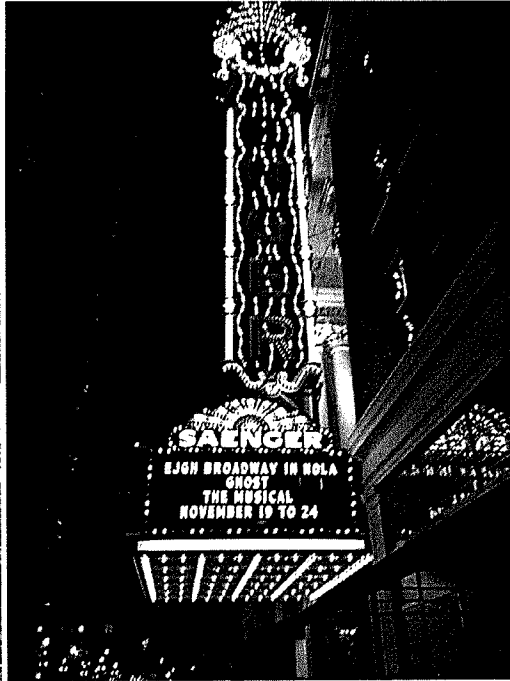
Photos



ly and... is a wonderful r...
beautiful highline kitchen







VRBO #568604

This listing was first published here in 2014.

Date last modified - Thursday, November 05, 2015

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Nicholas J. Kindel

From: CPCinfo
Sent: Monday, November 30, 2015 10:04 AM
To: Nicholas J. Kindel
Subject: FW: Private Home Sharing

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

From: 7 Tkt : :t% C q ' [mailto:kennanshaw@gmail.com]
Sent: Sunday, November 29, 2015 1:41 PM
To: CPCinfo
Subject: Private Home Sharing

Hello,

I'm writing in support of Private Home Sharing.

We list a room in our house with AirBNB. It's part of an agreement with our landlord: she collects the money and pays the insurance and taxes, while we handle the day to day, including cleaning the room, and dealing with the guests. This arrangement has been extremely beneficial for us, allowing us to live in a much nicer home in a neighborhood we feel safe in.

In addition to improving our living conditions, it's been beneficial in another way; we get to meet interesting, adventurous people from all over the world! They come here to explore this city we love, and we try to share that love with them, then send them out to spend money.

Personally, this has made a definite improvement in our lives. I also believe we're contributing to New Orleans tourism in a positive manner, too.

Thank you.

Kennan Shaw

Nicholas J. Kindel

From: CPCinfo
Sent: Monday, November 30, 2015 10:04 AM
To: Nicholas J. Kindel
Subject: FW: We New Orleanians are crying for the fate of our beloved city if AirBnB isn't stopped

From: Hannah Sax [mailto:saxeby@gmail.com]
Sent: Sunday, November 29, 2015 2:43 PM
To: CPCinfo
Subject: We New Orleanians are crying for the fate of our beloved city if AirBnB isn't stopped

As long time residents and lovers of what makes New Orleans unique and different from the rest of the country, our hearts are breaking to watch what's been happening not only in our neighborhood, but to our friends around the city, in the Bywater, St.Roch, Uptown, Mid City, everywhere. It's not even open to dispute that AirBnB and similar sites are driving prices up, changing our neighborhoods for the worse and slowly eroding a way of life that drew so many of us here in the first place. We're seeing lots of old time families who were such a part of our history and culture, being replaced by wealthier, out of town people who are either buying the house as an investment or simply are becoming the only ones who can now afford to live in a city that was always easy to live in and be, just be. (It has also been proven that AirBnB disproportionately benefits hosts in whiter and more affluent areas and anyone who says they support AirBnB here so that homeowners can afford to stay in their home, is being unrealistic.....it hurts the community as a whole by making it less affordable, and anyway, there are other ways to get income by taking in long term renters or by applying for a bed and breakfast license, like it's been done for years).

We suggest we not be bullied into accepting the specious and disingenuous arguments of AirBnB's owners and management, as lets face it, they are only interested in making as much money as possible for themselves. They couldn't care less about whether their business hollows out our culture and our neighborhoods.

Let's shut them down and refuse to be bullied! Coming up with some half way "compromise" about letting people rent out rooms if they live there, or are staying there, or if they only rent one bedroom or so, or if they limit it to a certain number of nights a year, is totally unrealistic as it will require so much oversight and manpower to monitor as to be totally unenforceable. Let people who want to run a hotel out of their house do what citizens have done before: apply for a bed and breakfast permit!! Make them go through the existing process that our lawmakers have spent time crafting. Why should anyone wanting to open a legal hotel or bed and breakfast have to get the neighbors' OK, safety and permit inspections and approvals, City approvals, but not someone who wants to just put their place on AirBnB? Why should we allow one standard for one group and another for the other???

And in order to enforce the laws we already have, just require anyone who advertises a short term rental to post on any site or ad, their city license, their name, and the address of the property, with huge, and escalating fines and penalties for repeat offenses, so that offenders can be easily tracked and regulated.

That is the only sensible and practical way to curb this monster from continuing to proliferate all over our city, driving up rents, house prices, making New Orleans less diverse and less affordable to working folks, and ruining this most wonderful city in the whole country!!!!

AirBnB increases gentrification and hurts affordability:

<http://www.alternet.org/website-exposes-airbnbs-parasitic-impact-new-york-city>

(we've actually witnessed real estate agents in open houses here recommending to their clients to buy the house since they can put it on AirBnB and get big money renting it to out of towners)

AirBnB drives up rental prices and worsens the housing shortage:

<http://www.latimes.com/business/realstate/la-fi-airbnb-housing-market-20150311-story.html>

The New York Times editorial in opposition to AirBnB because of its detrimental effects on the housing situation:

<http://www.nytimes.com/2014/05/01/opinion/the-dark-side-of-the-sharing-economy.html?ref=opinion&r=0>

Although an individual may benefit from raking in some money renting out their place, it hurts the community as a whole:

http://www.slate.com/articles/business/moneybox/2014/02/airbnb_gentrification_how_the_sharing_economy_drives_up_housing_prices.html

AirBnB disproportionately benefits white people:

http://www.hbs.edu/faculty/Publication%20Files/14-054_e3c04a43-c0cf-4ed8-91bf-cb0ea4ba59c6.pdf

AirBnB hosts don't pay taxes, and trying to regulate or restrict usage is virtually impossible; AirBnB's PR campaign in SF was full of untruths, disingenuousness and strong arming (so be careful of what they're trying to do here..!)

<http://www.48hills.org/2015/10/12/the-truth-behind-the-airbnb-lies/>

http://sfist.com/2015/10/22/passive_aggressive_airbnb_ad_campaign.php

" NOLA Rental Report, a locally produced analysis, and Inside Airbnb, an analysis by a New York software engineer, both estimated that about 70 percent of the company's listings in New Orleans are for "whole home" rentals rather than rooms in otherwise occupied residences....."Entire homes or apartments highly available year-round for tourists, probably don't have the owner present, could be illegal, and more importantly, are displacing residents," wrote Murray Cox, the Inside Airbnb report's author."

http://www.nola.com/politics/index.ssf/2015/11/in_push_for_legalization_airbn.html

Santa Monica just passed strict regulations restricting AirBnB to people staying in homes themselves, but difficult to enforce and city will need to hire more inspectors:

<http://www.scpr.org/news/2015/05/18/51728/how-santa-monica-will-enforce-its-airbnb-ban/>

.....therefore, we suggest this would be a bad idea for New Orleans, which is already strapped for cash and understaffed.

We've had zoning regulations prohibiting commercial activity in residential areas for decades and have restricted nightly rentals to licensed hotels and bed and breakfasts. Why should we, as a city, be forced to change this just because of these bullies? If people want to apply for a bed and breakfast permit, fine (and they should be subject to the same level of scrutiny, neighborhood input, and regulations as any other licensed business). But we should definitely require all people renting on these sites to post their city license number, the property address and their name. That way it will be very easy to monitor who's breaking the law just by looking at the Internet ads, rather than having to hire inspectors to go out and inspect houses or illegal activity.

Please save New Orleans!!!!

Nicholas J. Kindel

From: CPCinfo
Sent: Monday, November 30, 2015 10:05 AM
To: Nicholas J. Kindel
Subject: FW: support for Airbnb

From: Hal Durden [mailto:asubdude@gmail.com]
Sent: Sunday, November 29, 2015 3:34 PM
To: CPCinfo
Subject: support for Airbnb

Dear CPC

I am writing in support of Airbnb. My partner and I have hosted out of town guests in our small backyard cottage. When we bought the property in 2010, our property in the Marigny was intended as a retirement destination for us. My partner and I have lived the last 30 years in Seattle Washington. We worked in IT for a large corporation. It was very stressful but we made it until I was 65 and my partner 64. We sold our house in Seattle in 2014 and moved all of our belongings and our dog to the property in the Marigny. We immediately started remodeling the cottage prior to remodeling the house. During the interim between cottage completion and the start of house remodel we rented out our guest cottage through Airbnb.

The income from our Airbnb unit has enabled us to avoid taking part-time jobs. We've been able to hire local contractors including all the trade crafts. We have hosted guests from all over the US, Canada & Europe. These travelers are not people who will stay in hotels or bed and breakfasts. They want a local city experience which can only be found by staying in the neighborhoods. We recommend local restaurants, shopping and cultural spots to our guests. There is more to New Orleans than the French Quarter and our guests have experienced it.

I would support a one time registration fee of \$500, a renewable year fee of \$100 per bedroom, and a per night guest tax in line with the current city guest tax. Other than those fees there should be no other government restrictions on citizens' rights to the opportunity to supplement income and promote all of New Orleans.

Respectfully,
Harold Durden

Nicholas J. Kindel

From: Robert D. Rivers
Sent: Monday, November 30, 2015 12:27 PM
To: Nicholas J. Kindel
Subject: FW: Short Term Rentals

From: Kenneth Witkowski [mailto:kwitkow3@cox.net]
Sent: Sunday, November 29, 2015 4:36 PM
To: Robert D. Rivers
Subject: Short Term Rentals

November 29, 2015

Dear Mr. Rivers,

I am writing in regard to the Short-Term Rental meeting coming up at the CPC on December 8. I understand that a vote will be taken at that point, and I urge the CPC to vote AGAINST permitting any short-term rental that does not go through the process set up for becoming a registered Bed and Breakfast. This involves paying city taxes, carrying appropriate liability insurance, having the owner live on the premises, being limited to one B and B per block, holding an NPP meeting with the neighbors beforehand, etc.

I am concerned about removing housing units from use by full-time residents, forcing regular long-term renters into the outer reaches of the city—or simply out of town—and converting neighborhoods into centers of tourism, with the result of disenfranchising the remaining residents. There is presently a short term rental in the 2600 block of Royal Street which has been causing noise problems especially during holiday weekends so this is not an abstract issue for me. I have resided at the same address since 1978 and the area is increasingly becoming unpleasant due to the influx of non-permanent tourists who really do not care about their neighbors.

There are two long and detailed articles written by Robert McClendon and published in The Times-Picayune this morning (Sunday, November 29) make clear how very difficult it is to regulate the Airbnb industry (and it is an industry; according to McClendon, half of all Airbnb bookings in New Orleans are traceable to six percent of users) and what little success other cities have had in regulating this industry. Given the general failure of enforcement of any kind in New Orleans, we urge the City to just say No.

Thank you for your attention.

Kenneth S. Witkowski
725 Franklin Avenue
New Orleans, LA 70117

Nicholas J. Kindel

From: Paul Cramer
Sent: Monday, November 30, 2015 9:11 AM
To: Nicholas J. Kindel
Subject: FW: Short term rentals

From: M. BButler [<mailto:bethbutler.south@gmail.com>]
Sent: Sunday, November 29, 2015 6:06 PM
To: Robert D. Rivers; Paul Cramer
Cc: nramsey@nola.gov; Jason R. Williams; Stacy S. Head
Subject: Short term rentals

Please consider these recommendations from the membership of A Community Voice for the Short Term Rentals Legislation:

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

Fines need to be used to pay for a single staff person to investigate complaints and recommend fines for violations. The actual enforcement is key too, and the crime needs to fit the punishment. Non residential ownership would be highest punishable factor, so it would be the steepest, such as \$1000/per month.

Low to Moderate income neighborhoods - Owner/caretaker must reside within the same community as their rental property. This will help support local residents who are working to bring back housing in the neighborhoods that have received the fewest renovation and acquisition loans.

Thank you.

Beulah Labostrie
President Emeritus
A Community Voice
2221 St. Claude
New Orleans, LA 70117

Nicholas J. Kindel

From: Paul Cramer
Sent: Monday, November 30, 2015 9:12 AM
To: Nicholas J. Kindel
Subject: FW: Short Term Rentals

From: Devin Meyers [<mailto:devmeyers@gmail.com>]
Sent: Sunday, November 29, 2015 6:43 PM
To: Robert D. Rivers; Paul Cramer
Subject: Short Term Rentals

Dear Planning Commission,

I urge you to make an important distinction on Short Term Rentals in New Orleans - the difference between :

A) a room or half-double that is rented out by the owner (who also occupies the building)

and

B) someone who has purchased a home - does not live at the address full-time - and rents the house as an entire house more than 30 days in the year.

I think the second scenario (which is more common) poses a huge problem to our neighborhoods, our schools, and the civic life of our city.

In my neighborhood, the Bywater, there are many such houses - I can count at least 4 within a two block radius of my home. They are driving up the rental prices for everyone who rents in the neighborhood. . . and are no different from an unlicensed hotel.

Please protect our city from them!

But allow responsible home-owners to rent out a spare room or an empty half-double.

thanks,
Devin De Wulf
818 Gallier Street
New Orleans, La 70117

Nicholas J. Kindel

From: CPCinfo
Sent: Monday, November 30, 2015 10:05 AM
To: Nicholas J. Kindel
Subject: FW: status of the working relationship between PIANO and ANP on the STR issue

From: info@gvbb.com [mailto:info@gvbb.com] **On Behalf Of** Bonnie Rabe
Sent: Sunday, November 29, 2015 7:08 PM
To: CPCinfo
Subject: Fwd: status of the working relationship between PIANO and ANP on the STR issue

CPC Staff,

I am forwarding this email to you again with some additional comments. PIANO sent to you & the Council back in October before ANP formally presented their proposed ordinance to you for review/inclusion in the STR conversation and study.

I want to point out again how different all of the STRs in New Orleans are and how we shouldn't be clumped together as one entity due to our differences on many levels. Hotels vs. B&Bs vs. these other STRs renting out entire houses on various platforms. We all operate differently and are "defined" as such by the general public. This is why B&Bs were never lumped in with hotels historically, per se.

We don't function in the same way. This is also why B&Bs had a different set of rules (a variation from hotels) from when we were first recognized/established/written into the City law by way of ordinances & definitions.

We believe that the same applies to these non-owner occupied entities that you want to lump in with the B&Bs. Yes, we are all STRs by definition of rental length of stay, but this is where the comparison ends.

We implore you to recognize these properties in a different category with their own set of laws, being another sub-category of the City's STRs -

1. hotels
2. B&Bs
3. STRs/PHRs (whatever you decide to call them)

I also want to reemphasize PIANO's biggest concerns from the beginning:

1. a **level** playing field
2. importance of being owner/manager- **occupied**
3. **density** requirements to keep these properties from being intrusive in our NOLA neighborhoods & forming these investment property owners from creating these rogue hotels everywhere.

PIANO hopes that their faith in the democratic system will work here so that everyone participating will finally be equitable across the board/playing field. We wait with great anticipation to see what you recommend on this giant subject

Thanks!

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

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

From: **Bonnie Rabe** <bonnie@gvbb.com>

Date: Wed, Oct 14, 2015 at 11:37 PM

Subject: status of the working relationship between PIANO and ANP on the STR issue

To: shead@nola.gov

Cc: njkindel@nola.gov, jasonwilliams@nola.gov, sgguidry@nola.gov, lcantrell@nola.gov, districtc@nola.gov,
jcbrossett@nola.gov, jagray@nola.gov, mayor@nola.gov, CPCINFO@nola.gov, jtharris@nola.gov

Councilman Head,

I am writing to you today on behalf of PIANO to go on the record about our attempts to work with ANP on the STR issue facing our city.

At the January roundtable discussion, you encouraged all parties to "work this out" among ourselves after a proposed ordinance was withdrawn. For several months, PIANO members attended meetings with ANP and the STR Committee to try to identify common ground until ANP withdrew from the meetings at the beginning of September.

Since then, ANP has drafted their own ordinance in hopes of having PIANO in agreement to present to you. The PIANO Board of Directors spent a great deal of time reviewing every line of their ordinance and suggesting compromises that would best serve the interests of our members. Mr Uschold's reply back was that PIANO's position "*will not prevail, and that PIANO would gain more by joining ANP than it will by opposing*" them. He went on to say that "*If PIANO wishes to reconsider its position, it should do so promptly*" and that because of our difference in opinion, none of our comments would be entertained.

Please understand that PIANO does not want to eliminate short-term rentals. In fact, we see a need for them and would welcome their legal entrance into the short term rental community. However, our 2 biggest disagreement points remain **owner/operator-occupied** and **density limits**. (We even suggested expanding the current density allowance somewhat, but the word "occupied" was apparently non-negotiable.)

As small business owners who spent a great deal of effort and time to comply with zoning and regulations, we strongly believe that these 2 main points are why we unassumingly fit into our surroundings so well in every neighborhood around town. Our innkeepers are accepted neighbors because we do live on the premises and can quickly shut down unruly behavior should it occur before a complaint could arise. We are one building on a block face and are not the predominant activity of our areas.

PIANO thinks it is important for you to know that we are NOT aligned with ANP and even though we have tried several times to work towards an amicable compromise with them to no avail.

We trust that whatever the Council decides, it will include an enforceable level the playing field for all the parties that it will affect. We are confident in the city's ability to accommodate new opportunities for its citizens while at the same time honoring its commitment to its small business owners like ourselves who have played by the rules all along.

Thank you. Please contact me should you have any questions or need additional information.

Bonnie Rabe
Innkeeper & President of PIANO and the PIANO Board of Directors

Grand Victorian Bed & Breakfast
info@gvbb.com
tel: 504-895-1104; toll free: 1-800-977-0008
2727 St. Charles Avenue
New Orleans, LA 70130

Nicholas J. Kindel

From: CPCinfo
Sent: Monday, November 30, 2015 10:06 AM
To: Nicholas J. Kindel
Subject: FW: We support private home sharing

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

From: Mary Liz Keevers [<mailto:mlkeevers@cox.net>]
Sent: Sunday, November 29, 2015 7:33 PM
To: CPCinfo
Subject: We support private home sharing

Dear Planning Commission members:

I am writing in support of private home sharing. My family and I have had the opportunity to stay in AirBnBs in 3 cities over the past 2 years ~ Seattle, WA, Beverly Hills, CA and Richmond, VA, and we've had a fantastic experience each time. We love the opportunity to stay in a neighborhood in the city we visit, so that we can soak in the architecture, the neighborhood parks and shops, and the neighbors.

Our stays in AirBnBs allowed us to fall in love with the unique character of each city we visited. We were looking for a more "local" experience than a stay in a downtown hotel, or even a traditional B&B can offer. We wanted to feel more like we were living in the places we visited, and AirBnB gave that to us.

--

Mary Liz Keevers, Realtor
Licensed in the State of Louisiana
Sharpe Realty, LLC

Nicholas J. Kindel

From: CPCinfo
Sent: Monday, November 30, 2015 10:06 AM
To: Nicholas J. Kindel
Subject: FW: Supplement to the email I just sent in support of private home sharing ~ original message sent before I was finished writing

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

From: Mary Liz Keevers [<mailto:mlkeevers@cox.net>]

Sent: Sunday, November 29, 2015 7:41 PM

To: CPCinfo

Subject: Supplement to the email I just sent in support of private home sharing ~ original message sent before I was finished writing

In addition to thoroughly enjoying our AirBnB experience in Seattle, Richmond and Beverly Hills (our "hosts" were all extremely interesting and helpful people), we support the right of property owners to legally operate AirBnBs.

There must be rules in place to protect neighbors, for sure, but private home sharing is an extremely cool thing that should be encouraged to grow and flourish in New Orleans and all other cities around the globe.

Thank for seeking input on this issue.

Mary Liz

--

Mary Liz Keevers, Realtor
Licensed in the State of Louisiana
Sharpe Realty, LLC

Nicholas J. Kindel

From: CPCinfo
Sent: Monday, November 30, 2015 10:06 AM
To: Nicholas J. Kindel
Subject: FW: Short Term Rentals

From: Geoff Kleine-Deters [<mailto:gkleinedeters@gmail.com>]
Sent: Sunday, November 29, 2015 8:09 PM
To: CPCinfo
Subject: Short Term Rentals

Are a fact of life.

The French Quarter needs to be protected, absolutely!

How about tax and limit short term rentals, as otherwise, illegal ones will still happen, and NO revenue for services.

Fact is that people want to come here, want to leave their money here. And they will find a way to do so, even if the NIMBY folks try all kinds of things.

Limit, permit, tax it.

My opinion.

Nicholas J. Kindel

From: CPCinfo
Sent: Monday, November 30, 2015 10:07 AM
To: Nicholas J. Kindel
Subject: FW: Urban Conservancy Forum held at UNO on 10/17/15 discussing STRs

From: info@gvbb.com [mailto:info@gvbb.com] **On Behalf Of** Bonnie Rabe
Sent: Sunday, November 29, 2015 8:12 PM
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: Urban Conservancy Forum held at UNO on 10/17/15 discussing STRs

CPC Staff,

I attended a forum at UNO a few weeks ago where the topic of discussion was about STRs in New Orleans. You can see highlights of all of it at <http://www.urbanconservancy.org/>.

Much of it was the same things that we've been hearing and saying now throughout the city-wide discussion on this topic. However, one of the panelists was a City Planner from Durango, CO who spoke of how his tourists-based economy city has regulated STRs and can say that these laws have been successful now for over a decade! What Mr. Supino presented was as perfect a model as I've seen or heard about to date. AND IT WORKS! (For them anyway, but could be a good model for us moving forward.)

It is a legislation that is land use-based, rather than revenue/taxation based, even though it does include taxation. It addresses many of PIANO's concerns such as:

- owner/manager-occupied rather than simply having "investors" buying up/managing these rentals
- density so as not to have the ability of "take over" a neighborhood from its residents
- levels the playing field among STRs as well as neighbors and other surrounding businesses
- presents a way to preserve housing for residents so that they can co-exist happily together (like B&Bs now in New Orleans neighborhoods do)

Some of the slides to be sure to note are:

- pg 4 - housing stats
- pg 8 - reasons to regulate STRs
- pg 19 - community concerns (surprisingly similar to those echoed in NOLA)
- pg 21 - Durango's working regulations
- pg 23 & 24 - permitting
- pg 28 - monitoring & enforcement
- pg 30 - regulation trends

Here is the link for Mr. Supino's entire presentation:

http://www.urbanconservancy.org/wp-content/uploads/2015/09/Durango_STR_Regulations_NOLA3.pdf

I don't pretend to think that this exact model would work in New Orleans, but I believe that a modified version absolutely could work for us!

I implore City Planning staff to utilize this working model as an example when formulating a plan for New Orleans!

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

From: CPCinfo
Sent: Monday, November 30, 2015 10:08 AM
To: Nicholas J. Kindel
Subject: FW: Short Term Rental Public Comment Input

From: Rob White [mailto:goliad@prodigy.net]
Sent: Monday, November 30, 2015 12:17 AM
To: CPCinfo
Subject: Short Term Rental Public Comment Input

As the CPC digests the various inputs it has received and prepares its report to the City Council as directed by M-15-391, the following suggestions are offered.

- 1. The zones identified in the 3rd and 4th clauses of M-15-391 as permitted and conditional uses, respectively, for Short Term Rentals should not be expanded at the present time.**

Rationale – The City of New Orleans is preparing to experiment with governing Short Term Rentals along a bifurcated path: (i) land use; and (ii) regulatory permitting and enforcement. Both portions must work together and complement each other in order to produce a structure to govern Short Term Rentals. The City has not yet produced any version of item (ii), which renders it impossible for the CPC to develop a land use structure that will work with that aspect. Once a land use has been granted, it cannot easily be retracted or diminished. Therefore, the land use portion (i) should be preserved as-is until New Orleans has enacted the other portion (ii) and has gained some experience with governing Short Term Rentals. This is a perfect laboratory setting to evaluate the impact of Short Term Rentals on New Orleans neighborhoods, the accuracy of revenue predictions, the accuracy of enforcement predictions, and to make any adjustments that are required for the city to get this issue right, including any necessary actions at the state legislative level in order to achieve meaningful enforcement.

- 2. The conditional use identified in the 4th clause of M-15-391 should include the condition of conforming to any current or future regulations governing the permitting and enforcement aspect of Short Term Rentals.**

Rationale – it is probably self-evident, but without this condition, the governance structure falls apart.

- 3. Whole-unit rentals must not be permitted in residential-zoned neighborhoods.**

Rationale – It has become increasingly clear that whole-unit rentals drive up property prices and reduce permanent residence availability. Apart from the compelling common sense of this conclusion, all of the data that has been developed on this issue supports it, and there is no data offered by Short Term Rental advocates that disproves it. Some Short Term Rental advocates claim that this position is a “canard,” but they have failed to address either the overwhelming anecdotal evidence (e.g., Portland, Austin, New Orleans, Key West, Raleigh, etc.) or the recently emerging statistical studies (e.g., Los Angeles, San Francisco, New York City, etc.). Furthermore, in New Orleans two additional compelling data points supporting this conclusion come from the Alliance for Neighborhood Prosperity (“ANP”).

One source is the President of ANP who was asked during an interview on September 10, 2014, “Why don’t you just rent your investment property long term, instead of short term?” Her first answer was, “Because I can’t find any renters.” When challenged on that point, she clarified, “Well, not at the price I want for it.” This confession from the

mouth of the president of the official pro-STR advocating organization in New Orleans is damning – it admits that short term transient rentals raise prices above the market rates for residential rentals right here in New Orleans.

The second ANP source is from its attorney, Bob Ellis, reported from a meeting with neighborhood residents in the summer of 2015. Although he was representing a different pro-STR client at the time, one of his reported claims to justify non-enforcement of STR limitations is that property values would decline by 10% if STRs were returned to their residential use. This confession from ANP's attorney is another admission that STR's are artificially inflating rental rates in residential zoned areas in New Orleans.

4. Short-term Rentals must not be allowed when the Owner is not present.

Rationale – although this may not address the desire of a property owner to fund his vacation during Mardi Gras or Jazz Fest, that does not make any difference to the governing structure. Many commenters who replied to the CPC's invitation for comment have accurately pointed out: (1) the presence of the owner prevents the sort of bad behavior that attracts headlines; (2) the absence of the owner at the time of the rental leaves the property and the neighbors at the mercy of the transient renters; and (3) one of the key reasons that licensed B&B's are accepted by the neighborhood following a Conditional Use hearing is that they are required to have an on-site presence during the rental activities.

It has never been felt necessary to write a law about neighbors who leave town and rent their house at Mardi Gras. The City would be better off to not try to legislate that activity one way or the other, and to continue to ignore it from a macro-policy perspective. It is a gnat on the tail of the dog, which need not be disturbed. Of course if it becomes imperative to have that issue drafted into regulations or laws, then the only principled answer would be a prohibition – the City of New Orleans should not be in the business of legitimizing negative impacts on some neighbors for the purpose of enabling others to have paid vacations.

5. Density restrictions for Short Term Rentals should be included in the density restrictions for Bed and Breakfasts, not additive to them.

Rationale – the impact on neighborhoods from excessive transient rentals is a total number, not a series of numbers for one type of commercial facility plus numbers for different types of commercial activities. The submission from the Garden District Association (September 29, 2015, Andre Gaudin and Rivers LeLong) elaborates on this issue eloquently.

6. Density restrictions should further address multi-unit buildings, such as condominiums, apartments, 4-plexes, etc., by not permitting more than 1 per building, and then only if the governing documents permit Short Term Rentals.

Rationale – Out-of-State corporations are currently invading condominiums by purchasing one unit, then another, and then another, initially at above-market rates, and using them as Short Term Rentals. Soon the remaining residents are effectively forced to sell out at below-market rates, and the out-of-state corporation has the entire building. As soon as the corporation has a voting block on the condominium board, it ensures that governing documents do not prohibit STRs. The neighboring residents then discover that they are living next door to a rogue hotel in their residential zone.

Regarding owner-occupied homesteads that are 3- or 4-plexes, the justification of a resident "making ends meet" to hold onto his property disappears if the resident is effectively running the business of a transient rental. The neighbors are similarly subjected to a rogue hotel.

7. The owner must somehow make parking available for the Short Term Rental transients – either on-site, or at a parking garage of some sort.

Rationale – New Orleans parking is in short supply throughout the city. A new hotel will not be approved without an undertaking to provide off-street parking. The City of New Orleans is contemplating approving a 2600+ room hotel by

authorizing Short Term Rentals. It is inconceivable that the City would do this without requiring the seller of the room space to provide parking for the number of transient guests who could arrive.

The city parking director recently has held a series of town-hall type meetings, during which one recurring theme was that the number of available on-street parking spaces in residential areas is deliberately kept below the level of residential demand for parking. This is a resource management technique that the City uses purposefully. The logic, especially where the Residential Parking Permit program is in effect, is that at any given time there is always some number of residents who are away or otherwise don't require on-street parking. Bringing in transient renters with vehicles destroys this asset management capability, unless the transient renters are required to park off-street.

8. Short Term Rentals should be prohibited in those neighborhoods where there currently is a prohibition or a hotel moratorium.

Rationale – Express prohibition in the CZO of short term rentals for certain neighborhoods is not there by happenstance. It reflects a deliberate social policy decision that was sound at the time, and remains sound today. Oversaturation from transients is a real threat to key historical neighborhoods, as was recognized by the City. The reasons for prohibiting expansion of hotels, B&B's (and, by extension, Short Term Rentals) are still valid for the city, for the neighborhoods and for the economy. The submission from the Garden District Association (September 29, 2015) elaborates on this point eloquently.

9. Middlemen (Internet Platforms and similar facilitators) must provide all the same information to the City and the State of Louisiana as hotels and bed & breakfasts.

Rationale – This is a best practice, which the City Council has asked the CPC to provide. Without this same level of detailed information, data cannot be verified or even ascertained in some cases. Claims by outfits such as AirBnB that they are voluntarily remitting all the taxes that are due, or voluntarily eliminating members who act in violation of local law are specious unless the detailed data is provided (See San Francisco Board of Auditors report). Furthermore, this is necessary in order to have a "level playing field," which the Short Term Rental advocates claim that they want.

10. Regulation and enforcement must be established through cooperative city and state action, including any necessary new state legislation.

Rationale – This is a best practice, which the City Council has asked the CPC to provide. It is particularly important to restructuring the enforcement scheme, and to tracking revenue. See the City of New York and the State of New York regulatory and enforcement schemes.

11. Residents must have a private right of action against permit violators, and operators who do not have a permit, whether the violation falls under the to-be-invented regulatory/permitting scheme, or the CZO – see item 10, requiring state action in conjunction with the city permitting and regulatory scheme.

Rationale – This is a best practice, which the City Council has asked the CPC to provide. See San Francisco recommendations concerning "qui tam" – like actions by private citizens, some with prior notice requirements to the City, and an opportunity for the City to correct the violation. Without enforcement, nothing happens.

Regards,

Rob White
1218 Bourbon St.

Nicholas J. Kindel

From: CPCinfo
Sent: Monday, November 30, 2015 10:08 AM
To: Nicholas J. Kindel
Subject: FW: Short term rentals

From: Arlene Karcher [<mailto:awkarcher@gmail.com>]
Sent: Monday, November 30, 2015 6:56 AM
To: CPCinfo
Subject: Short term rentals

French Quarter residents know who these people are. - yet reports all are ignored.
The 900 block of Dauphine is a prime example with 2 residences running full-time illegals and at least one more part-time.

LETS MAKE THEM PAY! Short term rentals run as a business should be reported to the IRS. Airbnb and other rental advertisers should be required to report to IRS or the city can track and report suspicious activity. Unreported income is a felony. The city seems to be incapable of enforcing this illegal activity. - **lets get the Federal government involved.**

Arlene Karcher
815 Dumaine St

Nicholas J. Kindel

From: CPCinfo
Sent: Monday, November 30, 2015 10:08 AM
To: Nicholas J. Kindel
Subject: FW: Short Term Rentals

From: barry bavister [mailto:barrybavister@hotmail.com]
Sent: Monday, November 30, 2015 7:24 AM
To: CPCinfo
Subject: Short Term Rentals

I would like to provide some information in support of STRs for your consideration.
Below are some recent reviews of our our STR.

These are from visitors from all over the US; they liked the neighborhood feel, proximity to restaurants, etc. There were multiple individuals (couples, etc.) together so would not "fit" in regular hotel rooms or B&Bs; and several want to return to this property

If we ban STRs completely, people like this will probably not return to New Orleans. I urge the City to allow STRs, possibly with some restrictions such as "owner occupied" premises (which includes us).

Thank you for considering my comments.

Barry Bavister, PhD
New Orleans, LA 70115, USA

Reviews of our Rental in Uptown New Orleans

Lovely property, great location

We stayed at the house for a family wedding. The location is easy access to the Quarter via street car, and a few blocks away from a small shopping and restaurant area on Freret St. We had room for two other couples and once again thoroughly enjoyed our stay! This was our 3rd visit. Can't wait to come back.

- **Stayed:** November 2015
- **Submitted:** November 16, 2015
- **Home State:** TX
- **Source:** VRBO

Perfect Home in Uptown

The House is a perfect place to stay for a vacation in New Orleans. The location gives easy access to transportation (quick walk to St. Charles Streetcar), and the house itself is great. All the conveniences of being at home, love the shotgun style (very different) design. Having the washer/dryer was super - saved on extra packing of clothes. It was great to come home after a full day and be able to sit outside on the front porch and relax. The area was quiet and we felt very safe in walking at night to nearby restaurants and stores. People were very friendly and we hope to be back next year - maybe with a family reunion. Thanks again for the wonderful place to stay while visiting your great city....

- **Stayed:** October 2015
- **Submitted:** November 4, 2015
- **Home State:** MN
- **Source:** VRBO

Home in Uptown

We stayed in March and spent our 40th anniversary celebration in the house July 23-28. We actually rented the whole house. It feels like home away from home....very quiet with great food nearby! Highly recommend these lovely accommodations!

- **Stayed:** July 2015
- **Submitted:** August 4, 2015
- **Home State:** FL
- **Source:** VRBO

Tulane University graduation weekend

The House was perfectly suited to our needs and worked out very well. Like any older homes, (especially in New Orleans where nothing is level) upkeep is imperative and you have done a good job. The house is clean, the kitchen and bathrooms are clean. And it was quieter than I thought. Your location is fabulous . . . parking wasn't horrible as I feared since there is no driveway. Only once did we have to park around the corner, otherwise we parked right in front of the house or nearly so. I recommend anyone to rent the house, it worked well for our party of 6. Since our daughter is working in NOLA for another year, we may be in touch!! Thanks.

- **Stayed:** May 2015
- **Submitted:** May 30, 2015
- **Home State:** OR
- **Source:** VRBO

Great House and Great Location!

It's all about location, location, location and the House has a great spot in the middle of uptown New Orleans. It's a beautiful and quick walk to the Street Car on St. Charles. This is a great place to stay for Mardi Gras, Jazz Fest, French Quarter Fest, whatever, seriously if you need a place to stay in New Orleans, you'd be lucky to stay here, it was very clean and seemed well taken care of.

- **Stayed:** April 2015
- **Submitted:** May 19, 2015
- **Home State:** WA, DC
- **Source:** VRBO

An Excellant Place to Stay In New Orleans!

Again the location of this rental was perfect for the 4 of us while we were in New Orleans. Few blocks to streetcar and excellent restaurants within walking distance. The neighborhood is quiet and safe and there is parking out front. The accommodations were perfect for 2 couples and there is a full kitchen furnished. We had a great time there! Thanks you!

- **Stayed:** March 2015
- **Submitted:** April 7, 2015
- **Home State:** WI
- **Source:** VRBO

Prime location

This house was perfect in so many ways. The location was 10 a minute taxi drive from everything we could have wanted to see, it was walking distance from some of the best restaurants I have ever been to and made you feel like a local when you sit out on the Porch and talk to all your neighbors when they walk by. The house slept my 8 person party great and we even had 3 guys over 6'4" who slept great in the beds. I would highly recommend staying at the house because I sure can't wait to go back!

- **Stayed:** March 2015
- **Submitted:** April 2, 2015
- **Home State:** MA
- **Source:** VRBO

Nicholas J. Kindel

From: CPCinfo
Sent: Monday, November 30, 2015 10:09 AM
To: Nicholas J. Kindel
Subject: FW: Short term renting

From: Carol Lee Fritz [<mailto:clf6556@yahoo.com>]
Sent: Monday, November 30, 2015 7:52 AM
To: CPCinfo
Subject: Short term renting

Dear Members of the City Planning Commission.

We (my wife and I) love the uptown neighborhood in which we purchased a house. Our house is next door to our daughter's home and we intend to live there after retiring in several years. We are renting our house for long term rentals, 30 days or more, when we can't be there. Our renters are people who have shown a strong interest in spending enough time to get to know the neighborhood as well as New Orleans. They have been excited by the opportunity to get to know parts of New Orleans that are not on the main tourist routes. We think that allowing visitors to New Orleans to become acquainted with the many neighborhoods in New Orleans that are not dedicated to the tourist trade directly will:

- 1) provide an introduction to the very different flavors of those neighborhoods
- 2) help continue the rehabilitation and renovation of houses damaged or abandoned during Katrina
- 3) help bring more tourist spending to those neighborhoods

Short term rentals, through AirBnB or other methods offer the opportunity for visitors to stay in the various neighborhoods and get to know the feel and rhythms of the neighborhoods.

We think that home owners should be allowed to rent their homes for shorter terms than 30 days and that New Orleans should legalize, regulate, and tax short-term rentals. The city needs the revenue and the city's people need the jobs associated with the tourist visits. New Orleans is a unique magnet for tourists and visitors. There is clearly a demand for this type of short term rental. Please legalize short-term rentals like Airbnb and Homeaway so that they can be regulated and taxed for the benefit of our cash-strapped city.

Timothy Bond
Carol Lee Fritz

Nicholas J. Kindel

From: CPCinfo
Sent: Monday, November 30, 2015 5:12 PM
To: Nicholas J. Kindel
Subject: FW: STR Public Comment submission

From: Meg Lousteau [mailto:meglousteau@gmail.com]
Sent: Monday, November 30, 2015 4:59 PM
To: CPCinfo
Subject: Re: STR Public Comment submission

Dear CPC - there were some minor typos in my initial email. A corrected version is below. Thank you, Meg Lousteau

On Mon, Nov 30, 2015 at 7:57 AM, Meg Lousteau <meglousteau@gmail.com> wrote:
Please note that I am sending this correspondence as a private citizen, not as a representative or member of any organization.

Dear City Planning Commission members and staff:

As you consider a possible regulatory framework for short-term rentals, and pore over the hundreds if not thousands of public comments you'll receive, I urge you to keep two things in mind.

ZONING

First, your charge is to establish and maintain a framework by which land uses in New Orleans are defined and regulated. This responsibility has been recently reinforced by the passage of the Comprehensive Zoning Ordinance, which of course came years after voter approval of a Master Plan. **There can be no doubt that zoning is the law of the land in this city, nor can there be any doubt as to your obligations to use your authority to ensure that the zoning is upheld.**

Residential zoning was created to protect residential uses, and no matter how the pro-short-term-rental folks try to spin it, renting out housing units nightly is not a residential use. Common sense tells us this, as does Webster's Dictionary, which defines "residence" as: *the place where one actually lives as distinguished from one's domicile or a place of temporary sojourn.* And if that's not enough, the Secretary of the U.S. Department of Housing and Urban Development has recently defined the term transient or hotel to mean any rental for a period less than 30 days.

No doubt you've been deluged with letters urging you to ignore zoning, ignore your obligation, and cavalierly legalize the practice of short term rentals. After all, there are an estimated 2000 illegal units available in New Orleans, and these operators are eager to protect their - again, illegal - cash cows.

Even if you were to believe the self-serving "data" that make preposterous claims about the positive economic impact of this illegal industry (which demonstrates nothing more than that visitors to New Orleans spend

money), that would be beside the point. These STR supporters are asking that you set aside your very *raison d'être*.

Businesses make more money than homes, which produce no income. That is not their purpose. If we follow the pro-STR logic, then we should either allow businesses everywhere, because they make money for the city, or we should bite the bullet and do away with zoning altogether. You've probably visited Houston, a city that has no zoning, and which is often held up as an example of what New Orleanians do not want their city to be.

STRs are destructive to neighborhood stability. By definition, non-owner-occupied STRs remove permanent housing units from the local market. And the most basic of economic theories - supply and demand - leads to the inevitable conclusion that STRs drive up housing prices, especially in the neighborhoods where they are concentrated. There can be no doubt that short-term rentals threaten these neighborhoods by **removing neighbors from them**.

Zoning has served this city well, protecting our unique sense of place and sense of community. Allowing STRs to proliferate in our neighborhoods would undermine the building blocks of New Orleans and the elements that make it so special. I have yet to meet a New Orleanian who wants to see his or her neighborhood become a hotel zone.

DATA

Second, regardless of the direction of your report, **I urge you to seize this golden opportunity to compel the companies that are managing this industry - Airbnb, VRBO, FlipKey, HomeAway, etc. - to provide the same level of data to regulators that all other businesses are required to provide.** Other hotels, retail operations, and the like must supply granular data to city and state officials, and there is no reason that STRs should not be held to the same standards. Again, these are money-making enterprises, just like any other businesses, and should be treated with equal scrutiny. Claims of shielding such information from regulators because of privacy concerns are preposterous. If someone wants to operate a business, such disclosure is par for the course.

Do not be fooled by offers of voluntary compliance, which do not allow for independent verification of data. Would we agree to voluntary compliance from ABOs? Hotels? Grocery stores? Retail shops? Of course not. You may be aware that Airbnb just announced their so-called "community compact," whose flowery language suggests that this global behemoth is actually doing cities a favor, and makes vague promises about supplying information to local regulators. But in the words of New York State Attorney General Eric Schneiderman, "This is a transparent ploy by Airbnb to act like a good corporate citizen when it is anything but. The company has all of the information and tools it needs to clean up its act. Until it does, no one should take this press release seriously."

To date, no city in the world has applied this kind of regulation to the industry. By taking this position, you would be putting New Orleans at the forefront, and setting an example for other cities to follow. We can do this, and we should.

Please, and in the most airtight-possible way, insist that any platform operating in Orleans Parish supply its raw data to regulators.

IN CONCLUSION

You will almost certainly hear more from STR proponents than from those urging you to put our neighborhoods and the majority of citizens first. It's not surprising, considering that the proponents are making considerable

profit from these illegal enterprises, and that there are billion-dollar companies with paid lobbyists who are watching this situation extremely closely. Concerned citizens, who have no centralized, well-funded organizational structure, can hardly be expected to compete. But money and volume should not be the determining factors here.

New Orleans is a special place. We guard that fiercely, particularly in our neighborhoods, which have been the fonts of our much-valued everyday culture. We prize the fact that we know our neighbors, who often have keys to our homes, who look out for us, who worry if they don't see an elderly next-door neighbor on her porch for a few days. That can't happen when houses on your block are no longer homes, but hotels.

Please, take a stand. Show the world that we will do what it takes to protect the city that we love. Let New Orleans be the mouse that roared.

With sincere thanks,
Meg Lousteau
1020 N. Robertson Street
New Orleans, LA 70116
meglousteau@gmail.com
[504.621-4080](tel:504.621-4080)

Nicholas J. Kindel

From: CPCinfo
Sent: Monday, November 30, 2015 10:09 AM
To: Nicholas J. Kindel
Subject: FW: Short term rentals in NOLA

From: Erin Edwards [mailto:ese1316@gmail.com]
Sent: Monday, November 30, 2015 8:14 AM
To: CPCinfo
Subject: Short term rentals in NOLA

Dear City Planning Commission members and staff:

As you consider a possible regulatory framework for short-term rentals, and pore over the hundreds if not thousands of public comments you'll receive, I urge you to keep two things in mind.

ZONING

First, your charge is to establish and maintain a framework by which land uses in New Orleans are defined and regulated. This responsibility has been recently reinforced by the passage of the Comprehensive Zoning Ordinance, which of course came years after voter approval of a Master Plan. There can be no doubt that zoning is the law of the land in this city, nor can there be any doubt as to your obligations to use your authority to ensure that the zoning is upheld.

Residential zoning was created to protect residential uses, and no matter how the pro-short-term-rental folks try to spin it, renting out housing units nightly is not a residential use. Common sense tells us this, as does Webster's Dictionary, which defines "residence" as: the place where one actually lives as distinguished from one's domicile or a place of temporary sojourn. And if that's not enough, the Secretary of the U.S. Department of Housing and Urban Development has recently defined the term transient or hotel to mean any rental for a period less than 30 days.

No doubt you've been deluged with letters urging you to ignore zoning, ignore your obligation, and cavalierly legalize the practice of short term rentals. After all, there are an estimated 2000 illegal units available in New Orleans, and these operators are eager to protect their - again, illegal - cash cows.

Even if you were to believe the self-serving "data" that make preposterous claims about the positive economic impact of this illegal industry (which demonstrates nothing more than that visitors to New Orleans spend money), that would be beside the point. These STR supporters are asking that you set aside your very *raison d'être*.

Businesses make more money than homes, which produce no income. That is not their purpose. If we follow the pro-STR logic, then we should either allow businesses everywhere, because they make money for the city, or we should bite the bullet and do away with zoning altogether. You've probably visited Houston, a city that has no zoning, and which is often held up as an example of what New Orleanians do not want their city to be.

STRs are destructive to neighborhood stability. By definition, non-owner-occupied STRs remove permanent housing units from the local market. And the most basic of economic theories - supply and demand - leads to the inevitable conclusion that STRs drive up housing prices, especially in the neighborhoods where they are concentrated. There can be no doubt that short-term rentals threaten these neighborhoods by removing neighbors from them.

Zoning has served this city well, protecting our unique sense of place and sense of community. Allowing STRs to proliferate in our neighborhoods would undermine the building blocks of New Orleans and the elements that make it so special. I have yet to meet a New Orleanian who wants to see his or her neighborhood become a hotel zone.

DATA

Second, regardless of the direction of your report, I urge you to seize this golden opportunity to compel the companies that are managing this industry - Airbnb, VRBO, FlipKey, HomeAway, etc. - to provide the same level of data to regulators that all other businesses are required to provide. Other hotels, retail operations, and the like must supply granular data to city and state officials, and there is no reason that STRs should not be held to the same standards. Again, these are money-making enterprises, just like any other businesses, and should be treated with equal scrutiny. Claims of shielding such information from regulators because of privacy concerns are preposterous. If someone wants to operate a business, such disclosure is par for the course.

Do not be fooled by offers of voluntary compliance, which do not allow for independent verification of data. Would we agree to voluntary compliance from ABOs? Hotels? Grocery stores? Retail shops? Of course not. You may be aware that Airbnb just announced their so-called "community compact," whose flowery language suggests that this global behemoth is actually doing cities a favor, and makes vague promises about supplying information to local regulators. But in the words of New York State Attorney General Eric Schneiderman, "This is a transparent ploy by Airbnb to act like a good corporate citizen when it is anything but. The company has all of the information and tools it needs to clean up its act. Until it does, no one should take this press release seriously."

To date, no city in the world has applied this kind of regulation to the industry. By taking this position, you would be putting New Orleans at the forefront, and setting an example for other cities to follow. We can do this, and we should.

Please, and in the most airtight-possible way, insist that any platform operating in Orleans Parish supply its raw data to regulators.

IN CONCLUSION

You will almost certainly hear more from STR proponents than from those urging you to put our neighborhoods and the majority of citizens first. It's not surprising, considering that the proponents are making considerable profit from these illegal enterprises, and that there are billion-dollar companies with paid lobbyists who are watching this situation extremely closely. Concerned citizens, who have no centralized, well-funded organizational structure, can hardly be expected to compete. But money and volume should not be the determining factors here.

New Orleans is a special place. We guard that fiercely, particularly in our neighborhoods, which have been the fonts of our much-valued everyday culture. We prize the fact that we know our neighbors, who often have keys to our homes, who look out for us, who worry if they don't see an elderly next-door neighbor on her porch for a few days. That can happen when houses on your block are no longer homes, but a hotels.

Please, take a stand. Show the world that we will do what it takes to protect the city that we love. Let New Orleans be the mouse that roared.

Thanks, Erin Edwards

Nicholas J. Kindel

From: CPCinfo
Sent: Monday, November 30, 2015 10:10 AM
To: Nicholas J. Kindel
Subject: FW: Short Term Rental Comments

From: Lindsay Pick [mailto:lpick@gmail.com]
Sent: Monday, November 30, 2015 8:18 AM
To: CPCinfo
Subject: Short Term Rental Comments

To Whom It May Concern,

I believe there should be a license for short term rentals.

I also believe that short term rentals should not be pushed through the typical fire marshal process. After pursuing a conditional use license for over a year (and over \$3,000), I had the fire marshal request \$100,000's of dollars of work to a newly renovated historic camelback home in excellent shape. I learned upon looking into this that many large Bed and Breakfasts around town have not had to implement any of the requirements put on my property because they obtained their license at an earlier time. In addition many other municipalities do not require Bed and Breakfasts of any size to go through commercial review. This is an arduous process that is unfairly hindering new Bed and Breakfasts from entering the market. It would be great if Short Term Rental licenses could be a more reasonable process.

Short term rental licenses should be available to owners or renters of properties, as is now the case with Bed & Breakfast licenses. An owner or manager needs to be located on the property that is being rented, or next door to the property being rented for safety and noise control. There should be a cap on the number of buildings a person can rent out to avoid land investment and further displacement of local residents.

There have been several innovative ideas put forth on the subject of short term rentals and I would love to see one or many of them used to address larger issues in our City. One idea I thought of is a designated fund from short term rentals that would go specifically towards affordable housing and neighborhood issues, something distinct from the hotel tax that mostly goes to the State. Another is to allow short term rental licenses for doubles, allowing one unit to be rented as a short term rental and the other be required low income housing.

I believe this license needs to be a reasonable requirement to ensure that people choose to comply rather than continue to figure out ways to illegally rent their space.

Thank you very much,

Lindsay Pick
4019 Iberville St.
New Orleans, LA 70119

Nicholas J. Kindel

From: CPCinfo
Sent: Monday, November 30, 2015 10:10 AM
To: Nicholas J. Kindel
Subject: FW: Short Term Rentals

From: Lisa Orwig [mailto:bohemianlily13@aol.com]
Sent: Monday, November 30, 2015 8:39 AM
To: CPCinfo
Subject: Short Term Rentals

To Whom it May Concern:

I am writing in support of Air BnB and short term rentals. I have traveled all over the world staying in short term rentals because I love to get a feel for a city by living like the locals. When I stay in a big hotel or even a small hotel, it just isn't the same as settling into a rhythm in a neighborhood where the real heartbeat of a city can be found. I have used VRBO, Air BnB, and even some international sites to secure short term rentals. It is a wonderful way to travel.

Last year when my partner and I finally got to move into our home in the Marigny, which we've owned since the summer of 2011, we were thrilled to realize our dream much sooner than we anticipated. When we purchased our property it came with a tenant on our second floor. She paid very little to live at our home and we never raised her rent because her apartment needed a great deal of work. We kept the first floor apartment for ourselves and came to NOLA as often as we could sometimes up to six times a year. When we finally, said we were moving into our first floor apartment, our tenant said she was moving out. This was great for us because we were going be able to live in our entire house for the first time since we owned it. We soon discovered just how enormous our home is. Several months later our business took a financial hit and we were panicked about how to make things work for us to remain in NOLA. We knew many of our friends in the Bywater and many of our neighbors on our street were doing Air BnB and we had the perfect set up with two already existing apartments within our large house. All we had to do was buy a bed and get an extra coffee pot and we could be in business. How could we not try this option when it was the only way we could remain in our home in this city we love so much?

Air BnB made it simple to sign up and we felt supported every step of the way. We launched our rental at the end of March and by the first weekend in April we had a couple from New York staying at our place. Our apartment has been such huge success on Air BnB that we are now Super Hosts and we've hosted amazing people from all over the world - other travelers who want to get a feel for living in a New Orleans neighborhood. Because of Air Bnb, we have been able to remain in New Orleans solve a lot of financial heartaches and paint the front of our house improving the overall look of our block in the Marigny. This winter, we hope to save enough from our Air BnB listing that we can paint the inside of our house, which is needed desperately.

I realize there is a lot of heated argument about short term rentals and how it takes the neighborhood feel away from the city. I've read about all of the people who don't want "those kinds of people" in their neighborhood, but really, isn't this a tourist town and don't we want the tourists to get a feel for what our city is all about? All of our guests have been lovely people - people who are just like my neighbors. I see a mix of neighbors and tourists walking through my neighborhood everyday and it doesn't change the feel of the placee - it fills our neighborhood with even more diversity. Air BnB enables people to find just the right place for them to have a personal experience in a foreign city and it enables those of us with the resources (the extra space) to make some extra money. Furthermore, Air BnB is bringing a lot of money into our neighborhoods and the city because the people who stay in these rentals are eating, drinking, shopping, and buying local in places we are recommending. I am hopeful that a compromise can be made so that the city, it's people, and those of us doing Air BnB can all feel like we've won.

Sincerely,
Lisa Orwig

Nicholas J. Kindel

From: CPCinfo
Sent: Monday, November 30, 2015 4:12 PM
To: Nicholas J. Kindel
Subject: FW: Short-Term Rentals

From: Claire McIntire [<mailto:clmcintire@att.net>]
Sent: Monday, November 30, 2015 10:52 AM
To: CPCinfo
Subject: Short-Term Rentals

Dear Mr. Wedberg:

It is difficult for me to understand why we should change the laws of our city to suit the needs of Airbnb and the like. **They admit to operating here and elsewhere despite knowing that it is against local laws. How can they be trusted?** People renting out their places thus are filling their wallets on the backs of their law-abiding neighbors.

It seems incredibly naive to think that home-owners who have a proven disregard for the laws of our city would suddenly sign up to pay fees to do what they are already doing. Should we legalize something only to collect a fee? After reading the recent articles in the Times-Picayune about the process being discussed, the end result remains that the law must be enforced. How can a new law be easier to enforce than an old one? Neighbors will call a number ringing in an empty room and call City Hall on the weekday, when the renter has already left town...and wake up their tired children to go to school after they've listened to taxicab horns blasting and noisy visitors coming and going at vacationers' hours.

There is a difference between residents and visitors that necessitates they live in different places in town: residents need to be up early for work and school, while visitors are on vacation hours. Even visitors who aren't living the bachelor-party lifestyle are leading a different life than they do while they are at home. We should be allowed to live our lives as residents while we are at home, too. Let them stay in obvious hotels when they visit our home town. Then we can choose to buy a home by a hotel or to not. Isn't that how our zoning laws are designed to protect us?

It is surprising that New Orleans is able to entice any hotel chains to build here with competition for tourists from these short-term rentals. Anyone who is paying attention also has seen rents fly to the sky lately, and the ability to earn more per month from short-term rentals over long-term tenants must contribute to that.

Recent national press articles about New Orleans at the time of the Katrina anniversary had as one of their themes the wonderful nature of our neighborhoods. In my own neighborhood we all know one another, watch our children and grandchildren grow, and take care of one another. Short-term occupants in short-term rentals would not contribute to this desirable quality of our neighborhoods. **Why should we allow companies from elsewhere, such as Airbnb, to come to our city and tell us how we should be living? One of our many charms is that we are not like other cities! This is why people love to visit here. They will also love our hotels!**

Until one has had a parked car hit by short-term rental visitors or cabs blaring and people coming and going at all hours, as we have in our HU-RD-2 neighborhood, it is impossible for one to imagine the impact this change of laws would have on residents. **Difficult to enforce or not, let the current law prohibiting short-term rentals in residential neighborhoods stand. We are counting on you to protect us.**

Thank you!

Claire McIntire
4819 Carondelet Street

NOLA 701115

Nicholas J. Kindel

From: CPCinfo
Sent: Monday, November 30, 2015 4:13 PM
To: Nicholas J. Kindel
Subject: FW: Short Term Rental Support

From: Mike Donsbach [<mailto:mdonsbach@cox.net>]
Sent: Monday, November 30, 2015 12:04 PM
To: CPCinfo
Subject: Short Term Rental Support

Good morning. My name is Mike Donsbach. My wife and I own a triplex owner in the lower Garden District. We live in one of the units and rent out one unit as long term and one as short term. If we didn't do the one unit as a short term rental, our finances would have been very stretched on buying and renovating this property.

We took a run down piece of property and turned it into a show place. People will stop and take photos of our garden. Our tenants have given us nothing but glowing reviews and have told us that just being able to stay in our property would attract them back to New Orleans. We communicate with our tenants via e mail and telephone before rental to determine if they are a good fit and will not disrupt the peacefulness of the neighborhood. There has not been one complaint from any of our neighbors about our property. It has been just the opposite. They are glad we came in and did such a good job of renovation and adding value to the neighborhood.

Please keep this e mail in mind when formulating opinions about short term rentals.

Thank you,

Mike
Donsbach

Nicholas J. Kindel

From: CPCinfo
Sent: Monday, November 30, 2015 4:13 PM
To: Nicholas J. Kindel
Subject: FW: Short Term Rentals - Comments

From: Mary Caplinger [<mailto:mickey.caplinger@gmail.com>]
Sent: Monday, November 30, 2015 12:17 PM
To: CPCinfo; pcramer@nola.gov
Subject: Short Term Rentals - Comments

We believe that short-term rentals should be a permitted use for properties personally owned, a private home where the private homeowner resides full time - and is therefore on premise for any guests using the bedroom(s) or other spaces. No absentee "landlords" should be allowed to take advantage of this minimal revenue generation that a private homeowner who has a vested local interest and pays substantial local taxes, has access to.

Please understand that long-time owners of this description are doing so primarily to stay in their homes in light of the onerous and ever-increasing property taxes and other costs associated with staying in a city where such amenities as citizen safety and even dependable potable water are not ensured.

--
Mary Caplinger
[504-782-9233](tel:504-782-9233)

Nicholas J. Kindel

From: CPCinfo
Sent: Monday, November 30, 2015 4:13 PM
To: Nicholas J. Kindel
Subject: FW: AirBnB, home sharing support

From: Gabrielle Reisman [<mailto:gabor07@gmail.com>]
Sent: Monday, November 30, 2015 12:32 PM
To: CPCinfo
Subject: AirBnB, home sharing support

Hi City Planning Commissioners,

I want to write to you in support of AirBnB and other home sharing/short term rental initiatives. AirBnB has profoundly improved the quality of my and my family's lives. It allowed me to work full time as an artist, make numerous improvements to my house, offer affordable housing to my brothers who work in the neighborhood, and show visitors a part of the city I truly love.

I purchased my home, a shotgun double in the Bywater/ St. Claude neighborhood in 2009 and began using AirBnB in 2013. As a playwright at the start of a career, I must split my time between New York City and New Orleans. I rent out my side when I'm out of town, and rent the other side of the double to my brother, who owns Kebab, a restaurant on St. Claude Ave. My other brother, a musician, also lives in the house.

With the income generated from AirBnB I have been able to:

- Upgrade and bring to code the house's plumbing and install low-flush toilets
- Repaint the exterior and interior of the house and refinish original flooring
- Repair shoring and sinking beams (expected for 2016)
- Update gas heaters and air conditioners
- Regrade and improve the backyard

AirBnB income has allowed me to offer my brothers, who both work on St. Claude, a place to live at half of their apartment's rental value. It has given me the time to write five new full length plays and present work in Austin, New York, and New Orleans.

I have spoken to my neighbors about AirBnB, and have made sure guests don't park in front of neighbors' houses- a primary concern on the block. I've made sure my neighbors have my phone number so they can call me directly if anything comes up. In addition to this, I make a point to instruct my guests to be friendly and considerate, to greet people with "good afternoon" and "good night" and respect the neighborhood they've landed in.

Besides the cultural exchange that takes place when visitors stay outside of the French Quarter or CBD, their economic impact to the Bywater/ St. Claude neighborhood cannot be underestimated. I give guests a list of neighborhood recommendations- from bars and restaurants to corner stores and parks- all within a short walk or bike ride of my house. Time and time again guests have told me that this list and the places they've visited within a mile of my house made their trip to New Orleans unforgettable and make them want to visit again.

Because of how essential AirBnB income is to my current livelihood, I welcome regulation, as has happened in other cities, and would be happy to learn more about the city's plans on permitting, etc.

Thank you for your time.

Gabrielle Reisman

504.481.4091

Nicholas J. Kindel

From: Robert D. Rivers
Sent: Monday, November 30, 2015 12:58 PM
To: Nicholas J. Kindel
Subject: FW: short-term rentals

From: Janine Hannel [mailto:janinehannel@yahoo.com]
Sent: Monday, November 30, 2015 12:56 PM
To: Robert D. Rivers
Cc: Julie Jones
Subject: short-term rentals

Mr. Rivers:

I hope that the CPC will vote against short-term rentals unless they are subject to the B&B process.

In many respects, most of the problems facing our country are from sacrificing long-term solutions to short-term gains. I read one supporter of Air BnB said that due to his need for additional income, renting a room in his house for Air BnB allowed him to keep the rent low for a long-term low-income tenant whom he'd otherwise have to evict. This situation is by far the exception.

Most people renting through AirBnB have their eye on a quick buck. I know of 3 instances of this myself in the Marigny and Bywater neighborhoods. A friend frequently finds broken bottles on her driveway because her neighbor is conducting fancy AirBnB parties. I've seen the broken bottles myself. A young woman I talked to at a party expressed the intention to rent another apartment in a cheaper neighborhood so that she could use her original apartment for Air BnB to make a lot of money from it. Another neighbor has been renting his house through Air BnB and using a spokesperson to lie about it.

New Orleans is a city of neighborhoods, and Air BnB has the potential to irrevocably alter this. With regard to all housing matters, I urge the City Council to ask itself "Would I want to live next to this?"

Janine Hannel
923 Clouet St.
New Orleans 70117

Nicholas J. Kindel

From: CPCinfo
Sent: Monday, November 30, 2015 4:13 PM
To: Nicholas J. Kindel
Subject: FW: Short Term Rental Study

From: Kerry Foley Kessler [mailto:kerry.foleykessler@gmail.com]
Sent: Monday, November 30, 2015 12:59 PM
To: CPCinfo
Cc: Paul Cramer
Subject: Short Term Rental Study

Dear City Planning Commission:

I am writing you regarding the Short Term Rental Study and the following is my position as an owner-occupant of a multi-family residential property at 927 Saint Peter Street in the French Quarter.

Although economically it would be far more beneficial to me and my growing family to illegally rent my apartments as short-term rentals, I prefer to rent my apartments to full-time tenants.

Unregulated Short Term Rentals are having a significantly negative effects on my neighborhood as follows:

1. The illegal rental of Non-Owner Occupied spaces have brought more transients into my neighborhood and makes it difficult for me to know my neighbors. I know the property owners and the tenants if they have been in the block long term.
2. I firmly believe the illegal short term rentals in the FQ has diminished the availability of long-term rental housing stock.
3. Enforcement of existing rules is already a major issue in the French Quarter. The city has already failed to enforce illegal Short Term Rentals since I moved to this house with my mom in 1995. I am extremely skeptical that any new regulation would be enforced consistently.
4. If regulation and enforcement were to be adopted, here is what I would support:
 - o Limit STR to Owner Occupied properties
 - o Limit the number of rooms/apartments/spaces that may be rented on any lot of record
 - o Charge a sizable annual permit fee in addition to sales, hotel & motel tax collections
 - o Require that these properties have proof of appropriate insurance to get a certificate of occupancy via fire department inspections, etc.
 - o Limit the number of STR permits available within a given block or number of blocks
 - o Consider offering a temporary permit to owner occupant property-owners who only want to offer their properties for STR during Carnival or Special Events when the legal hotels & B&B's are fully booked.
 - o Force Air B&B, Vacation Rental by Owner, and any other sites to report financial data on every rental within the city limits. If they don't disclose all of their data, then sue the hell out of them.

Below is the economics for my house being held for rent to long term tenants. I am providing mine & my tenants age, sex, race, marital status, & profession so you have some demographic information included in your analysis.

Apt A - 400 SF unfurnished for \$800/month to 40+ Unmarried Black Male Sous Chef

Apt B - 400 SF unfurnished for \$885/month to 50+ Unmarried White Male Photographer

Apt C - 308 SF furnished, all utilities included for \$900/month to 70+ Unmarried Black Male Retired / Sect 8

Total Monthly Rental Revenue: \$2,585

Owner-Occupants:

- 38 YO Married, Caucasian Female - Finance Professional
- 39 YO Married, Caucasian Male - Attorney
- 3 YO Unmarried, Caucasian Male - Preschooler

I hope this information is helpful to those of you trying to make difficult decisions in the STR study.

Warm regards,

Kerry Foley Kessler

927-929 Saint Peter Street
New Orleans, LA 70116

(504) 296-7126 Mobile

kerry.foleykessler@gmail.com

Nicholas J. Kindel

From: CPCinfo
Sent: Monday, November 30, 2015 4:13 PM
To: Nicholas J. Kindel
Subject: FW: Comment for Short Term Rental Study

From: Christy Cook [mailto:cook_christy@hotmail.com]
Sent: Monday, November 30, 2015 4:13 PM
To: CPCinfo
Subject: Comment for Short Term Rental Study

Date: November 30, 2015

To: New Orleans City Planning Commission

From: Christy Cook, Resident of New Orleans, Faubourg Marigny

Re: Short Term Rental Study

I am writing in support of short term rentals in the city of New Orleans. I believe that short term rentals in our city's wide variety of neighborhoods offer tourists an option to experience New Orleans on a local level, interacting with residents, local small restaurants and businesses. It's not for all tourists, but for many it's the preferred way to travel. The high demand for short term rentals validates this perspective. Should short-term rentals disappear altogether, there's no guarantee that all of those same tourist dollars will go to accommodations where many tourists are staying side-by-side in more commercial areas of town, with little opportunity for local contact. Not all tourists are the same.

My partner and I have rented out our small guest cottage in the Marigny using Airbnb since last spring. The cottage sits 25 feet behind our house, offering our guests their own privacy and easy access to us should they want or need anything. We've had nothing but good experiences – nice interesting people, very responsible, who left our cottage in good shape and at the same time had their own really good experiences in New Orleans. To a person, they've all enjoyed being in our neighborhood, sampling the local music venues, restaurants and eclectic shopping opportunities. As a host, it's been a delightful experience. And I've received no negative feedback from any neighbor.

A year ago we retired and moved into a historic late 1800's house. Despite a lot of financial planning and good intentions to restore/remodel our old house, there have been numerous issues that have come up as surprises. Like many others, we now need to supplement our retirement income. Our short term rental income has so far filled the gap. Without our Airbnb income, we will need to get part-time jobs. With good educational credentials and successful business careers behind us, it will not hard to find part-time positions. But we'll end up displacing other workers, often ones whose livelihood depends on that part-time income. The end result in this scenario is a negative financial impact on our community.

I strongly believe that the city of New Orleans needs to move forward with regulating short term rentals, ending the current contentious atmosphere that has been allowed to develop. We all care about our city, we all want visitors to love our city. Time to move forward.

Thank you,

Christy Cook

Nicholas J. Kindel

From: CPCinfo
Sent: Monday, November 30, 2015 4:13 PM
To: Nicholas J. Kindel
Subject: FW: from L.A.Times: Santa Monica considers tougher restrictions on short-term rentals

From: Carol Gniady [mailto:carolgniady@frenchquartercitizens.org]
Sent: Monday, November 30, 2015 1:24 PM
To: CPCinfo
Subject: Fwd: from L.A.Times: Santa Monica considers tougher restrictions on short-term rentals

For your research into how it's going in other cities looking to establish Short-Term Rental regulations. Here's a news article from Santa Monica.

Santa Monica considering tough new restrictions on short-term rentals. Bill would block most Airbnb and VRBO listings in Santa Monica.

Santa Monica is latest city to consider tough new regulations on short-term rentals. As cities across Southern California wrestle with how best to regulate the booming short-term rental industry, Santa Monica is poised to take the hardest line yet.

Officials in the beachfront city are considering a measure that would ban most of the vacation rentals listed on Airbnb and websites like it, and set up strict new regulations for those who want to rent out space in their homes.

The use of short-term rentals has exploded in recent years, especially in tourist-friendly spots such as Santa Monica, in large part from the growth of websites such as Airbnb, which allows people to rent space in their homes, or an entire house, to visitors.

Although advocates say the sites help hosts earn extra cash and provide travelers and tourists with an alternative to traditional hotels, critics say many Airbnb units are operated like full-time hotels, and complaints have grown about noise, strangers and even their effect on rents.

In most of Santa Monica, rentals of less than 30 days have long been technically illegal, said Salvador Valles, the city's acting chief administrative officer for Planning and Community Development. But enforcement is sparse and city regulations have struggled to keep pace with the changing technology.

“We've been concerned for some time, and we know enforcement is difficult,” Valles said. “The council seems to think it's time to hit the brakes.”

Santa Monica is not the only local city wrestling with the issue. This year, West Hollywood reaffirmed its ban on short-term rentals. Malibu last month reached an agreement with Airbnb to collect taxes on rentals there. Los Angeles city officials have been studying short-term rental regulations for months, though no specific proposals have yet been made. San Francisco and Portland, Ore., among other large cities, have also enacted new rules, to mixed effects.

In Santa Monica, council members two weeks ago asked city staff to propose new regulations. Those will be debated Tuesday evening and could get a final vote as soon as next month.

The proposal would explicitly prohibit vacation rentals where the primary occupant of a home or apartment is not present - that covers about 1,400 of the 1,700 units in the city currently advertised on major short-term rental websites, Valles said.

It would allow so-called home-sharing, in which the host stays in the house and rents out a spare bedroom, couch space or other quarters, but only if the occupant filed for a city business license and pays Santa Monica's 14% hotel tax. And it would require rental sites such as Airbnb and VRBO to report to the city who is hosting, where and how much they charge.

"We've come up with a strategy that we think will help us to address the issues more directly," Valles said.

Santa Monica's move comes in the wake of a report issued last month by labor-backed research group Los Angeles Alliance for a New Economy, which suggested that thousands of apartments are being taken off the normal rental market across the Southland and instead being rented to tourists a few nights at a time. That, the group said, is exacerbating a housing shortage that's especially acute in high-demand, tourist-friendly areas such as Santa Monica.

The city has already seen rents soar in recent years, in part from an influx of well-paid tech industry workers. Losing more units — some of which are covered by rent control — risks making Santa Monica an even harder place to afford, said Denny Zane, co-chair of Santa Monicans for Renters' Rights.

"We welcome visitors, but we shouldn't be losing our rental housing to them," he said. "This is the latest in a series of threats to our existing rental market. We think local government has to take it very seriously."

Airbnb had no Santa Monica-specific data but has released figures in the past suggesting that the number of units listed full-time on the site in Southern California is quite small. And, it notes, many hosts rent out a spare bedroom or other space in their home to help pay the rent and stay in expensive markets like Santa Monica.

The company had little comment on the proposed rules, but a spokeswoman said Airbnb would notify its local hosts about Tuesday's council meeting and said it expected some hosts to turn up to comment.

Meanwhile, the company, which emphasizes home-sharing in its marketing, has taken some steps lately to push back against operators of multiple vacation rentals, booting several big Los Angeles-area vacation rental firms from its site last month.

But spokeswoman Alison Schumer said Airbnb is strongly opposed to a part of the measure that would require short-term rental websites to submit to the city data on hosts, stays and pricing. The company is fighting similar statewide legislation in Sacramento and has pushed back against similar proposals elsewhere, citing the privacy of hosts.

"We are deeply concerned about proposals that fundamentally alter the online privacy protections Santa Monica residents have come to expect," Schumer said. "Santa Monica should adopt clear, fair rules that enable residents to share their homes and we look forward to working with lawmakers in Santa Monica."

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Nicholas J. Kindel

From: CPCinfo
Sent: Monday, November 30, 2015 4:13 PM
To: Nicholas J. Kindel
Subject: FW: Short-Term Rentals: Buyers' Remorse in San Francisco

From: Carol Gniady [mailto:carolgniady@frenchquartercitizens.org]
Sent: Monday, November 30, 2015 1:30 PM
To: CPCinfo
Subject: Fwd: Short-Term Rentals: Buyers' Remorse in San Francisco

From STRC Co-chair Brian Furness: The link is to Skift, and reports on efforts to change the law passed last year to (lightly) regulate AirBnB and other internet sites. The changes are proposed, in part, because the STRs pretty much declined to register (only 170 out of an estimated 3,000) and pay taxes and fees. This pretty much parallels Portland's (OR) experience, where less than 10 percent registered.

Major elements include:

- making the listing site responsible for collecting and remitting required taxes;
- requiring listing sites to furnish usage information (including names and addresses, and dates of usage) to City authorities;
- imposing usage limits (number of days); and
- creating a city office dedicated to STR rule enforcement.

The article also includes a copy of the draft legislation.

AirBnB, according to the article, is (surprise, surprise) opposed.

Much of the new San Francisco initiative, it strikes me, might be applicable to New Orleans.

The saga of laws passed to regulate Airbnb and other short-term rental sites continues in San Francisco as the company goes head-to-head with its hometown that wants to see amendments to its law at the ballot box in November.

Signed into law last fall and effective February 1, 2015, the short-term rental law, which some call the Airbnb Law, in San Francisco requires home-sharing site hosts to register with

the city and for the sites to regularly report the addresses, room nights and revenue generated by residences rented out through platforms such as Airbnb, HomeAway and others.

THE LAW ALSO REQUIRES THE PLATFORMS TO COLLECT AND REMIT ANY APPLICABLE TRANSIENT OCCUPANCY TAX REQUESTED BY THE CITY AND RENTALS ARE CAPPED AT 90 DAYS PER YEAR PER UNIT. ACCORDING TO THE CITY, SO FAR ONLY 170 OF THE MORE THAN 3,000 HOME-SHARE HOSTS IN SAN FRANCISCO HAVE REGISTERED.

David Campos, a member of the San Francisco board of supervisors, told Skift that the law is not enforceable as it stands and that Airbnb agreed with the version of the law that was passed last year.

“The city has made it clear that they don’t have the tools to enforce this law,” said Campos. “We were and are looking at other laws around the country now passed to regulate home-sharing. The law that was drafted in San Francisco was really drafted by Airbnb and the irony is that Airbnb refuses to comply with the law that it wrote. It’s using it’s very sizable political muscle in San Francisco.”

The Amendments

Campos said this “political muscle” takes the form of large sums spent against local leaders backing proposed amendments to the law, such as Campos’ amendment that would:

- Require booking data be provided by Airbnb on a quarterly basis regarding the number of days units that are being rented;
- Place a 60-day hard cap on the number of days the unit can be rented each year;
- Impose penalties against any units not registered by Airbnb and other platforms, \$1000 per day or more per unit for each day the unit isn’t registered, and
- Give neighbors the backing and support to take the platforms to court and impose civil penalties against any violations.

San Francisco Mayor Edwin Lee introduced his own amendment, which calls for capping all short-term rentals at 120 days per year and creating and funding a new city office to register, investigate and enforce short-term rental laws.

“Airbnb investors spent hundreds of thousands of dollars against me in my recent campaign” for the state assembly, said Campos. “New York has at least been willing to do what San Francisco has refused to do up to this point, which is requiring hosts to provide data. But because Airbnb has political power in this city, they targeted all leaders like myself

who questioned them. People here are afraid of them. But people realize that something has to be done and we'll see what happens."

"I think that [Airbnb] has decided that if it can't get its way on its own turf that they won't be able to win anywhere else and that's why they've drawn a line in the sand in San Francisco."

Campos said the newly formed ShareBetter Coalition in the city is working to put the proposed amendments on the ballot in November. The coalition includes tenants, housing rights advocates, landlords and labor groups who have until June to collect enough signatures to get the amendments on the ballot this fall.

Airbnb's Side

Campos said he visited Airbnb at its San Francisco offices last week and that it was "a nice and cordial conversation but they made it clear they're not budging."

Airbnb set up a site aimed at opposing state legislation that "would make it more difficult for Californians to share their homes and pay the bills."

An Airbnb spokesperson told Skift: "Instead of trojan horse proposals designed to effectively ban home-sharing, lawmakers should focus on making it easier for San Franciscans to share their homes and follow the rules."

Airbnb said last year its business contributed nearly \$469 million to the San Francisco economy and that the average San Francisco Airbnb host earns \$13,000 per year from using the site. The company also claims 72% of Airbnb properties are outside of traditional hotel districts in neighborhoods that haven't benefitted from tourism in the past.

Campos said the city isn't scared this legislation would discourage other home-share platforms from wanting to do business in San Francisco.

"We're open to anyone who wants to meet with us. We've met with HomeAway and had some conversations about this law," said Campos. "But Airbnb has been the focus because they wrote the law and they're calling the shots. My sense with HomeAway is that they just want to have a seat at the table. They feel their concerns weren't taken into account at all with how the law was drafted."

http://skift.com/2015/04/24/san-francisco-wants-to-toughen-airbnb-law-at-the-ballot-box/?utm_campaign=Daily+Newsletter&utm_source=hs_email&utm_medium=email&utm_content=17304526&hsenc=p2ANqtz-904axbLJ-

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Nicholas J. Kindel

From: CPCinfo
Sent: Monday, November 30, 2015 4:14 PM
To: Nicholas J. Kindel
Subject: FW: STR Study: Gambit Weekly 5/28/15 article

From: Carol Gniady [mailto:carolgniady@frenchquartercitizens.org]
Sent: Monday, November 30, 2015 1:33 PM
To: CPCinfo
Subject: STR Study: Gambit Weekly 5/28/15 article

From Gambit Weekly, May, 2015 - great article about the effects STRs have on Bywater neighborhood.

"There's 140 (Airbnb) rentals in this neighborhood," Thomas says. "How would people feel if they got a notice on their door tomorrow that some hotel was planning to demolish perfectly good housing and put up a 140-room hotel? You'd be pretty upset about that. ... But it's hidden in plain sight, and it's a beast with 1,000 heads. You shut down one and another one pops up."

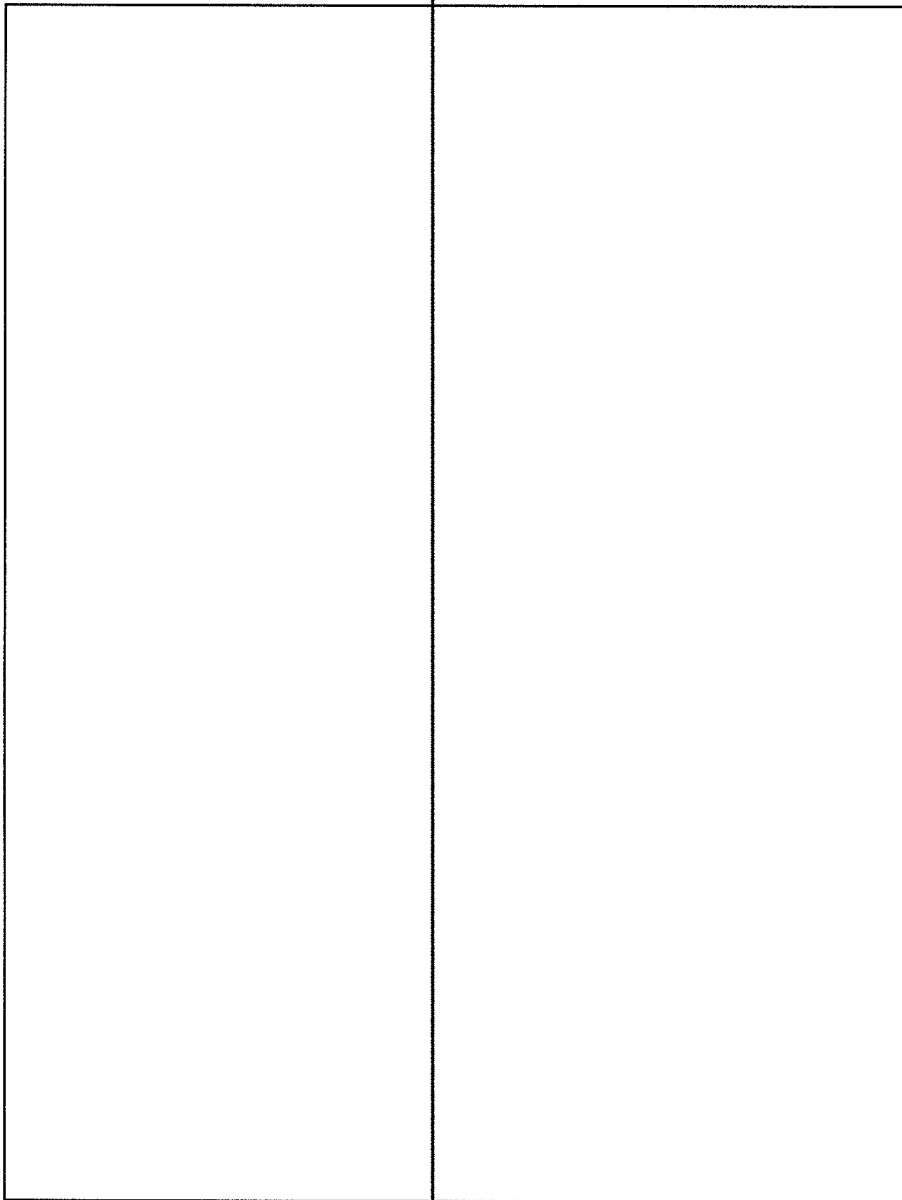
<http://m.bestofneworleans.com/blogofneworleans/archives/2015/05/28/who-needs-neighbors-when-weve-got-brunch-new-orleans-artists-respond-to-airbnb>

"Who needs neighbors when we've got brunch?" New Orleans artists respond to Airbnb

by [Alex Woodward](#)
May 28, 2015

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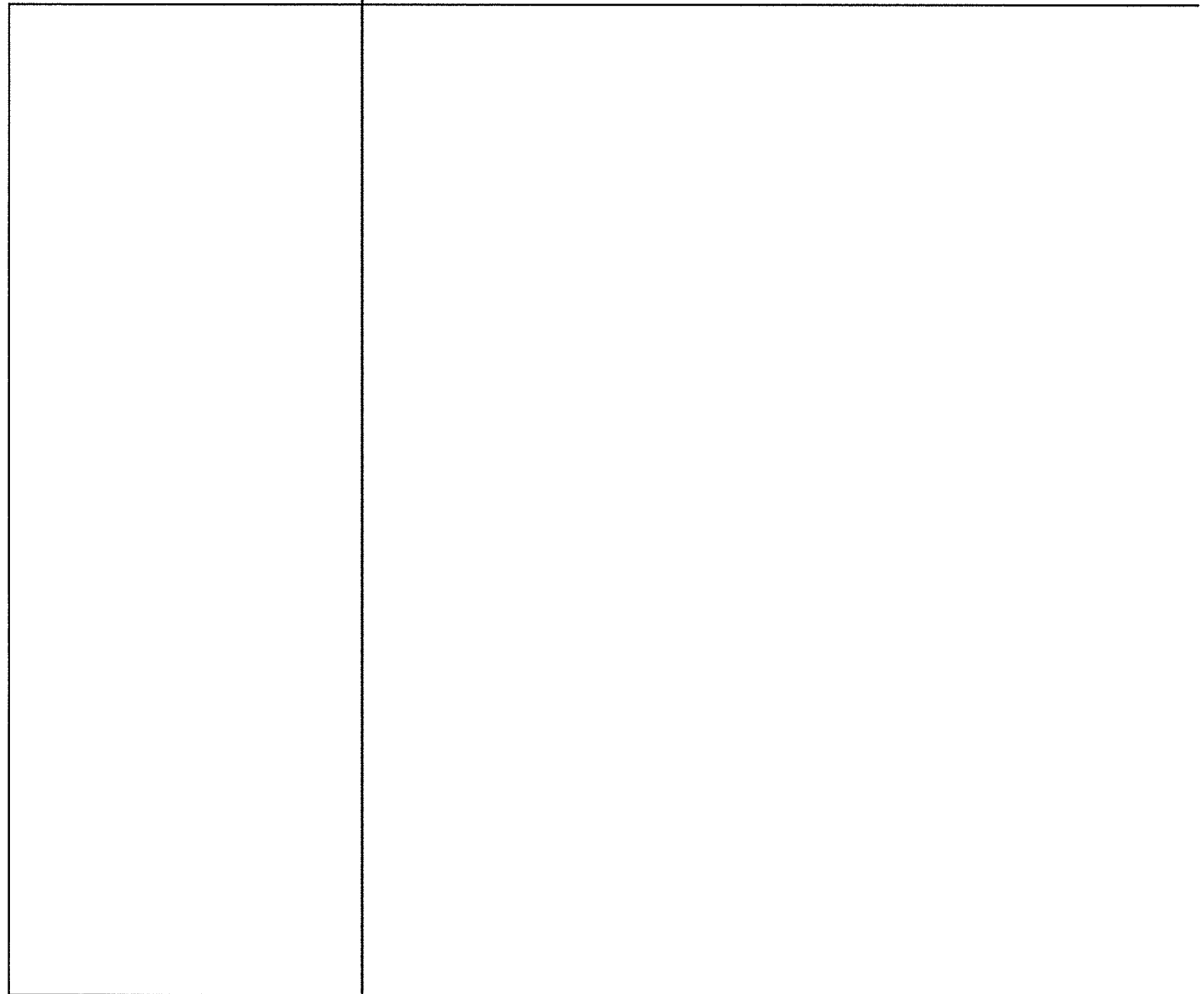


- PHOTOS COURTESY CAROLINE THOMAS

Over Memorial Day weekend, a Coney Island-style stand-in popped up on a porch on Royal Street in Bywater. The art piece featured two Bywater caricatures on a satirical billboard: "Welcome to the Bywater, where the vacation never ends!" Artist Caroline Thomas, who paints Mardi Gras floats for Royal Artists, created the piece and posted photos on Facebook. The spread went viral. Meanwhile, dozens of people — including many out-of-town visitors — posed for photos, gawked at and talked about the piece outside her home.

And her neighborhood is full of those visitors. Most of her block offers a room (or entire home) on Airbnb, she says. She counted 140 Airbnbs within her neighborhood, compared to just a handful of apartments for rent listed on sites like Craigslist.

"We noticed over the past six months a definite shift in the neighborhood," she says. "Big packs of tourists where you see 20 people going down the street with rolling suitcases and you're like, 'What's happening?' ... We walk outside and people are taking constant photos of our house. At first it was charming, then you start to feel like an animal in a zoo."



"We would sit around after work and drink a beer and we noticed we were just complaining about it all the time," says Thomas' roommate Charlotte Horne-Hoonsan, who helped create the piece. "We both didn't want to be overly negative. We wanted to do something that was kind of funny and wouldn't make anyone feel bad but like, 'Did you know this was happening?' ... In designing it with the places you put your heads in, we want to attract tourists and not make them feel bad, be a photo op and take advantage of that — but also say, 'Do you realize you're staying on a block with a whole bunch of other people who are just visiting? This isn't your authentic experience for paying

double whatever you would've paid staying in the Garden District.'

"We had a problem to work out ethically. How do we really feel about this? What is actually wrong? We do want people to rent out their place for Jazz Fest. We're all side hustle people here. I think (Airbnb's) original idea was to be a step up from Couchsurfing. But when we realized how many people were renting out entirely rentable apartments..."

"While I don't get paid directly by any kind of tourist, Mardi Gras is what it is for its tourism, and certainly the city wouldn't be as tolerant and block off half the city for parades because of tourism," Thomas says. "I try to be an ambassador for the city. But when I'm wearing a costume — and I'm patient with taking pictures with people and making people go home saying 'New Orleans does it best' — I want to be able to take that off and go home and know my neighbors and have that space. ... If New Orleans wants to really support its creative arts — because that's its biggest asset — this could be a gold mine they could conservatively mine for years and have it be an attraction that's a golden example of New Orleans. Or we could strip it out in a couple years and have nothing left."

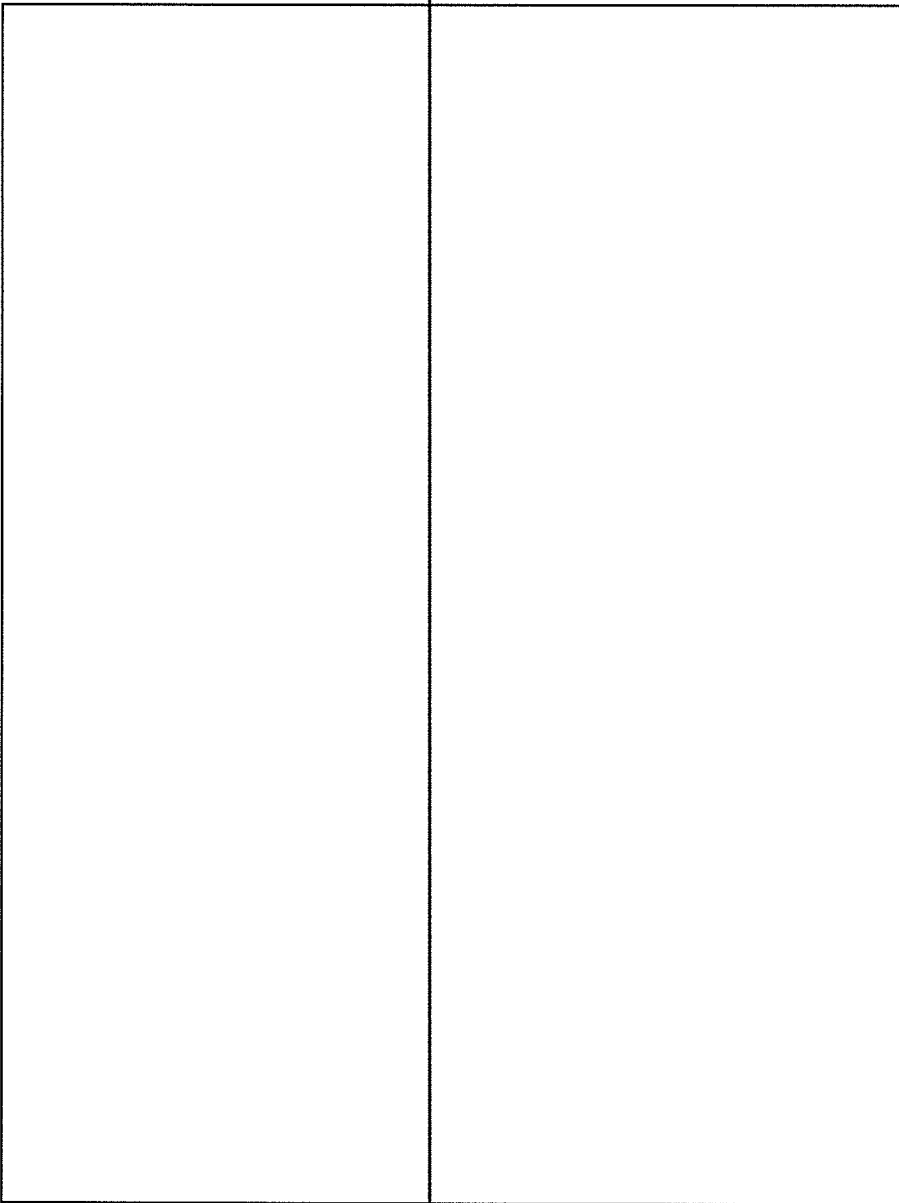
Thomas says her neighbors have largely enjoyed the art, which has generated a lot of in-person conversation about the state of the neighborhood's affordable housing and what to do about Airbnb's long-term creep into the city.

"I've had a lot of conversations with neighbors since putting it up, which has been great, just to have it out in the open," she says. "But then other ones are like, 'I'm doing Airbnb because my property tax last year was \$300 and now it's \$2,000.' Or, 'I want to stay in my house.' I think a lot of people who are renters are doing the same thing. Their landlord may often be an absentee landlord, and the landlord raises the rent, and they're like, 'Well, my roommate moved out, I'll just put that room on Airbnb so I can afford to stay here.' Which just makes the problem worse in the long run by taking more property off the market. ... I don't know what's going to happen in the summertime when nobody wants to visit here and we have all these empty houses. The crime has

already gotten worse. Anytime there are a lot of tourists around, muggers just see targets."

Charlotte's car was stolen from in front of the house last year. She walked around the neighborhood with a New Orleans Police department officer asking people if they had any surveillance camera footage or saw anything suspicious — then realized her neighbors were only temporary and just there on vacation.

"There's 140 (Airbnb) rentals in this neighborhood," Thomas says. "How would people feel if they got a notice on their door tomorrow that some hotel was planning to demolish perfectly good housing and put up a 140-room hotel? You'd be pretty upset about that. ... But it's hidden in plain sight, and it's a beast with 1,000 heads. You shut down one and another one pops up."



"Perfectly good renters are being evicted because their landlords have realized how profitable it is for landlords to use Airbnb, and it's a lot less wear and tear on their property," Charlotte says. "We're not against 'progress' or 'change' — we understand those things happen, and we know we're a part of the gentrification process. We don't think the argument is really about that. When I moved from Port (Street) to here six years ago, this (neighborhood) was all people living here. Young people, old people, all types of people. ... We got used to that. Then we noticed how far away from that we've gone. There still are people living on this block, and that's great, but we're so worried that they're going to figure out how much their place is worth and they're going to sell."

Thomas says New Orleans renters, which are on average paying 41 percent of their income on rent, "are one abscessed tooth away from eviction."

"Everyone I know who's trying to get an apartment, they're all through Realtors, and you have to prove you make three times the rent — that means the majority of New Orleanians aren't even eligible to apply," she adds. "On top of that, if you're a busker or making most of your money in cash and tips, there's no way you can even prove you make the money you make. It kind of becomes another way to push out the creative class."

Airbnb and renters' rights also were brought up in a discussion about gentrification in the city at The Big Issue forum last night at Tulane University. One person told the panel that she had been evicted to make room for Airbnb. District B City Councilmember LaToya Cantrell said she doesn't doubt that Airbnb is contributing to higher rental rates within the city, and her office is working with at-large councilmember Stacy Head on legislation to address Airbnb — though it's unclear whether that will strengthen enforcement or provide an infrastructure to legalize those rentals. Hotels, bed and breakfasts and neighborhood organizations, meanwhile, still are trying to get the city to enforce short-term rental laws already on the books.

Thomas hopes the art piece was a first step in getting her neighbors engaged in talking about affordable housing.

"With all the conversations happening about this," she says, "it will make people at the very least who are renting out properties like this to have to think about it more and be more conscious. 'Maybe I shouldn't do this all the time. Maybe I should be more picky. Maybe I should get a renter in here.'"

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Nicholas J. Kindel

From: CPCinfo
Sent: Monday, November 30, 2015 4:14 PM
To: Nicholas J. Kindel
Subject: FW: Another San Francisco article on how STRs deplete housing stock, need to share data

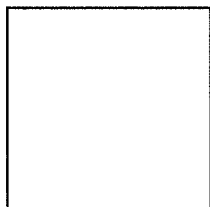
From: Carol Gniady [mailto:carolgniady@frenchquartercitizens.org]
Sent: Monday, November 30, 2015 1:38 PM
To: CPCinfo
Subject: Another San Francisco article on how STRs deplete housing stock, need to share data

The city of San Francisco issued a budget report on housing availability - the link at the end of the online article goes to the 54 page report. The article is cut and pasted, below for your convenience.

“A new report by the Budget and Legislative Analyst Office states what many have long been arguing about Airbnb and other short-term rental sites. They’re decreasing the amount of available permanent housing in San Francisco. The independent agency’s report also recommends several policy options to restrict short-term rental companies’ impact. For one, companies like Airbnb should turn over address and booking information of its many hosts so that the city can enforce restrictions.”

<http://blog.sfgate.com/inthemission/2015/05/14/report-says-airbnb-depletes-housing-should-share-its-data/>

Report: Airbnb Cuts into Housing, Should Share Data



Susan Whetzel (left) speaks outside of her old apartment, now an Airbnb, with Supervisor David Campos. Photo by Daniel Hirsch.

By [Daniel Hirsch](#) Posted May 14, 2015 5:00 pm

A new report by the Budget and Legislative Analyst Office states what many have long been arguing about Airbnb and other short-term rental sites. They’re decreasing the amount of available permanent housing in San Francisco.

The independent agency’s report also recommends several policy options to restrict short-term rental companies’ impact. For one, companies like Airbnb should turn over address and booking information of its many hosts so that the city can enforce restrictions.

Using data scraped from Airbnb's site, the report estimates that between 5,249 and 6,113 listings exist in San Francisco. These units could be responsible for taking between 925 and 1,960 long-term rental units off the market. Based on the number of vacant units available for rent in the most recent survey, that impacts amounts to as much up 23 percent of the rental market citywide. In the Mission, Airbnb listings are estimated to consist of up to 29 percent of the rental market.

"We've known short-term rentals will impact the housing market in San Francisco, this report proves this is happening" said District 9 Supervisor David Campos at a press conference Thursday following the report's release. His office had requested the report but said he thought the numbers were conservative, given that Airbnb had not shared any information other than what's publicly available on their site.

"By example of New York, the numbers are likely to be much higher," said Campos. "When New York finally subpoenaed Airbnb for data, the numbers were greater than anything previously seen." So far San Francisco has not done this and Airbnb has not volunteered any information.

The report also makes clear what is obvious from a casual glimpse at Airbnb listings. It's significantly more profitable to rent to short-term vacationers than long-term renters. In some neighborhoods, a building owner can earn an average of as much as \$2,000 more a month in short-term rental revenue than they would renting to long-term tenants, according to the report.

Thursday's press conference was held outside the former apartment of Susan Whetzel at 18th and Church. After living in the apartment for 11 years, Whetzel was evicted and now all three units in her old building are available on Airbnb. She last paid \$1,700 a month, now her old unit rents for \$250 a night on Airbnb.

Whetzel isn't alone. The report states that the neighborhoods with the most evictions also have the most Airbnb listings.

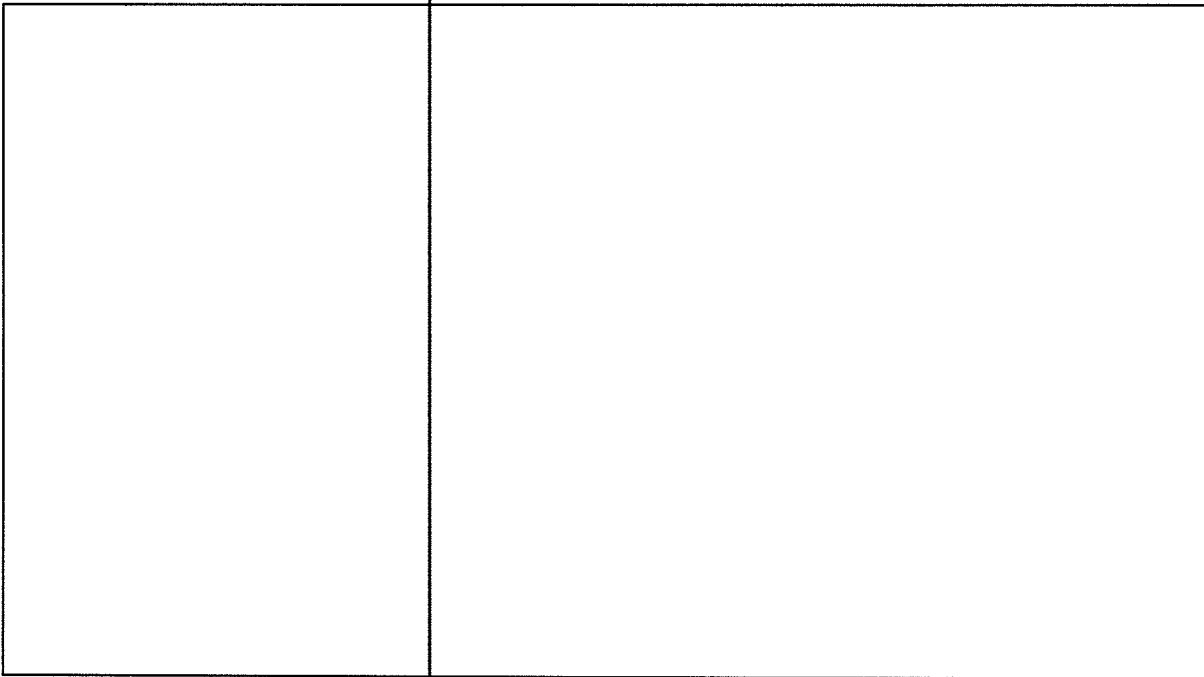


Chart by the San Francisco Budget and Legislative Analyst.

Since San Francisco passed legislation in October 2014 legalizing and regulating short-term vacation rentals, city leaders have stated that the law is unenforceable and needs fixing—this includes the Board of Supervisors Planning Commission, and Mayor Ed Lee. About 500 properties have been registered after the city made it a legal requirement to do so, but Airbnb alone has up to 6,000 listings in San Francisco.

Several potential fixes to the measure are in the works, and the Board of Supervisors Land Use and Economic Development Committee is likely to vote on amendments next week. Legislation proposed by Campos, along with Supervisors Eric Mar and John Avalos, is the most stringent.

For one, Campos wants to restrict short-term rentals to 60 calendar days. The law passed in 2014 currently restricts hosts to renting out their property for than 90 days when no host is not present, but if a host is present there is no cap. Legislation supported by Mayor Lee and Supervisor Mark Farrell would change this to a blanket 120 days, and would create a new city office for enforcement.

According to the legislative analyst's report, the fewer days a property owner is able to use short-term rental services, the more property owners are likely to convert their vacation properties to long-term rental housing.

The report predicts that due to the shift in profitability the 120 night cap—if followed by all hosts— would only reduce the number of Airbnb units by 7 percent. A 90 night cap, would decrease the number of listings by 15 percent. A 60 night cap, would decrease listings by an estimated 27 percent.

“Casual renters will not be effected,” said Campos Thursday of the legislation he endorses. “This is about entire homes being taken off the housing market, we need to prevent that.”

The report differentiated between casual hosts, those who generally only rent out an extra room or their entire home when they're out-of-town, and commercial hosts, those who rent out entire apartments for a substantial portion of the year—defined as over 58 days. It found that a likely 68 percent of Airbnb hosts are casual ones. Campos' legislation would take aim at commercial hosts.

“We need to put a check on these hoteliers who are gobbling up the city,” said Sara Shortt, executive director of the Housing Rights Committee, at Thursday's press conference. “We are losing people from San Francisco because of Airbnb.”

For any of the legislation to be enforced, Campos says that Airbnb and other companies needs to turn over their data about which units are being listed and for how many nights a year—something Airbnb has been resistant to doing and the Planning Commission has voted not to require the company to do so. The company says it won't hand over the information due to concerns about privacy. Unlike Campos' legislation, measures proposed by Farrell and Mayor Lee would not require Airbnb to turn over its host information.

As part of its recommendations, the report suggests the Board of Supervisors should enact legislation requiring that hosting sites like Airbnb turn over their book information on a quarterly basis.

“Internet commerce is a universal part of so many Californians’ lives, and sharing economy platforms like Airbnb have a duty to protect the private data of our community,” wrote Airbnb spokesperson David Owen in a recent blog post. “Lawmakers have a responsibility to protect their constituents’ important privacy interests.”

“The fact of the matter is that confidentiality will be protected... small businesses provide confidential information to the city all the time, and that information is kept confidential,” said Campos. “Unless we see their data, enforcement is not going to happen.”

For tenants like Whetzel, who is in the midst of a lawsuit for wrongful eviction with her former landlord Peter Louie, regulating the short-term rental economy earlier could have kept her from having to move.

“I don’t think I’ll be able to find another place,” said Whetzel, who’s currently staying at her next door neighbor’s house. “I see tourists regularly having parties in my old backyard. It’s sad, that used to be my home.”

See the entire report below:

City Budget and Legislative Analysis Report on Short-term Rentals

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Nicholas J. Kindel

From: CPCinfo
Sent: Monday, November 30, 2015 4:14 PM
To: Nicholas J. Kindel
Subject: FW: Continuation of Skift Article on SF Housing, Senate Committee on Transportation and Housing Report

From: Carol Gniady [mailto:carolgniady@frenchquartercitizens.org]
Sent: Monday, November 30, 2015 1:47 PM
To: CPCinfo
Subject: STR: Continuation of Skift Article on SF Housing, Senate Committee on Transportation and Housing Report

San Francisco's 2015-2016 Senate Committee on Transportation and Housing Bill, which outlines the loss of housing stock, the need for rental platforms to share data and the importance of enforcement.

http://skift.com/wp-content/uploads/2015/04/201520160SB593_Senate-Transportation-And-Housing-.pdf

SENATE COMMITTEE ON TRANSPORTATION AND HOUSING

Senator Jim Beall, Chair 2015 - 2016 Regular Bill No: SB 593 Hearing Date: 4/21/2015

Author: McGuire Version: 4/6/2015 Urgency: No Fiscal: No Consultant: Randy Chinn

SUBJECT: Residential units for tourist or transient use: hosting platforms **DIGEST:** This bill 1) requires electronic "hosting platforms" (e.g., Airbnb) to regularly report the addresses of, nights of use at, and revenues obtained by residences that were leased through the platform; 2) prohibits the hosting platforms from offering properties if prohibited by law; and 3) requires the platforms to collect and remit any applicable transient occupancy tax if requested by the local government. **ANALYSIS:** Renting a home or room has never been easier because of the rise of several internet platforms. VRBO and Homeaway have for years been a source of vacation rental listings. More recently, Airbnb has expanded the availability of rentals to include individual rooms as well as homes, encouraging many property owners and renters to join the rental market. Existing law authorizes cities and counties to levy occupancy taxes for the privilege of occupying rooms in hotels, inns, homes or other lodging. This bill: Requires the hosting platforms to report quarterly to the city or county the following: The address of each property that was offered and rented during the quarter The total number of nights the property was rented The amounts paid for the occupancy Prohibits the hosting platform from facilitating the rental of a property if such rental is prohibited by the city or county. SB 593 (McGuire)

Page 2 of 5 Authorizes a city or county to establish civil fines on the hosting platforms of up to \$1,000 for a first day of violation, \$2,000 for a second day of violation, and \$5,000 for subsequent days of violation of these provisions. The platform must be given written notice of the violation and 30 days to correct the violation before a fine may be imposed. Requires the hosting platform to collect the applicable transient occupancy tax if requested by the city or county. **COMMENTS:** 1. Purpose of the bill. The author believes that online vacation rental businesses, described as hosting platforms in the bill and exemplified by Airbnb and VRBO, force cities to bear the costs and burdens of their operation. Increased and undisclosed tourist traffic alters neighborhood character, creating additional demands on public safety. The author contends that the hosting platforms frequently ignore local government prohibitions on the renting of residences for less than 30 days and fail to collect and remit applicable transient occupancy taxes. Moreover, the increase in short-term vacation rentals reduces the availability of already scarce affordable housing. 2. Business is taking off. Founded in 2008, Airbnb, a California company based in San Francisco, claims to have served over 25 million guests with growth

of almost three times compared to 2013, according to one estimate. (Airbnb was originally founded as AirBed and Breakfast, giving an indication of its roots as a bedroom-sharing service.) Homeaway, another online vacation rental company, had over 1 million listings at the end of 2014, 17% more than 2013. The growth in online vacation rentals has created growing pains, particularly in Los Angeles and San Francisco. Supporters are concerned about unfair competition with hotels, the loss of housing, and short-term vacation rentals arising in residential neighborhoods. But the benefits to vacationers and individuals renting out their homes and apartments are undeniable, attested to by the remarkable growth of these businesses. 3. Level playing field. Some parties raise concerns about fair competition in that properties rented through the online hosting platforms often don't assess the hotel tax, which can be 10% or more. To the extent that traditional hotel rentals are lost to lodging rented through the hosting platforms, cities will suffer revenue losses. 4. Loss of housing stock. Relatively new concerns have arisen over the effect of these vacation rentals on the character of neighborhoods and the availability of SB 593 (McGuire)

Page 3 of 5 housing. The Los Angeles Alliance for a New Economy (LAANE), a nonprofit, asserts that Airbnb has taken more than 7,300 units out of the rental market, turning them into vacation rentals. In Venice, 12.5% of all housing units have become Airbnb units, without public approval.¹ Late last year San Francisco approved an ordinance legalizing short-term rentals with restrictions while reinforcing its prohibition against the conversion of residential housing into full-time de facto hotels. Many cities restrict or bar short-term rentals of less than 30 days. 5. A hotel in every neighborhood. While the increasingly widespread availability of short-term rentals has given vacationers more choices, it can burden neighborhoods with unwanted guests. Cities can control where hotels are placed, and neighbors can have input when a residential usage is changed to a commercial usage, but short-term vacation rentals can pop up anywhere without oversight or regulation. Public safety officials may have more difficulty finding a responsible party to deal with a problem tenant in a short-term rental than a tenant in traditional lodging. 6. The hub of the wheel. This bill recognizes the hosting platform as the center of the vacation rental universe, connecting renters with properties. From the perspective of a local government that wishes to collect its hotel taxes and regulate which properties are available for short-term rentals, it is certainly convenient to do so as the hosting platform has complete knowledge of which properties are rented, when they're rented and how much they're rented for. Denying a property access to the platform literally takes the property off the market, a very effective compliance tool. 7. Opponents' concerns. Airbnb objects to being used to enforce legal obligations on the individuals making properties available on their site, known as hosts. It believes it is an invasion of privacy to reveal information about its hosts, particularly with no limitation on how that information is used. There may be alternative ways to accomplish the goals of this bill which reduce the obligations on the hosting platforms: Who is offering? An alternative to making the hosting platform provide the rental information is for the local governments to go onto the hosting platform and search for properties in their jurisdiction. This should be a relatively simple search. 1 Airbnb, Rising Rent, and the Housing Crisis in Los Angeles, March 2015. Roy Samaan for LAANE. SB 593 (McGuire)

Page 4 of 5 How much are they making? The best way to ensure accurate information about how much and how many days a property was rented for would seem to be by getting it from the hosting platform. Such information could be obtained directly from the host, but there are obvious incentives for fudging the numbers. Enforcing local restrictions. Cities impose varying restrictions on short-term rentals, from prohibition to no restriction at all. When a city prohibits short-term rentals, it is easy to identify violators on the hosting platform. The most effective way to enforce the prohibition would be for the platform to bar the listing. When a city allows a specific number of rental days, it is harder to know when there is a violation, because a property could be made available on multiple hosting platforms and through more traditional rental mechanisms. But the city could aggregate the information obtained from the platforms. At that point the city could identify violators and enforce its rules through the platforms to bar the listing. There is precedent for using an intermediary to enforce the law: The California Public Utilities Commission can require telephone companies to disconnect service from moving companies who violate their regulations. Collecting the hotel tax. Airbnb has negotiated agreements with several cities, including San Francisco, San Jose, and Malibu, to collect and remit hotel taxes. Other negotiations are in progress. Airbnb is concerned that the bill language may impose a tax liability upon it.

8. The sharing economy. New internet-based business models are challenging and disrupting traditional businesses. These new models are often ill-fitted to existing laws and regulations. The impacts and consequences of these new business models are not yet fully realized. This bill attempts to reconcile the benefits from one of these new business models with the effects on competitors and community values. 9. Double referral. If this bill is successful, it should be referred to the Rules Committee where a referral to the Governance and Finance Committee will be considered.

RELATED LEGISLATION: SB 761 (Hall) — Requires the hosting platform to provide notice to renters subleasing their property that they may be in violation of their lease. SB 593 (McGuire)

Page 5 of 5 FISCAL EFFECT: Appropriation: No Fiscal Com.: No Local: No POSITIONS: (Communicated to the committee before noon on Wednesday, April 15, 2015.) SUPPORT: California Association of Boutique and Breakfast Inns California Association of Code Enforcement Officers California Hotel and Lodging Association California Police Chiefs Association California Professional Firefighters California State Association of Counties California Teamsters Public Affairs Council Neighbors for Overnight Oversight Rural County Representatives of California Santa Cruz county Conference and Visitors Council UNITE-HERE, AFL-CIO OPPOSITION: Airbnb Internet Association -- END --

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Carol Gniady
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Nicholas J. Kindel

From: CPCinfo
Sent: Monday, November 30, 2015 4:14 PM
To: Nicholas J. Kindel
Subject: FW: Home sharing

From: hammerp@yahoo.com [<mailto:hammerp@yahoo.com>]

Sent: Monday, November 30, 2015 1:49 PM

To: CPCinfo

Subject: Home sharing

Dear CPC

I support private home sharing, through sites like Airbnb, VRBO, and HomeAway. When home sharing guests stay local, they spend local too. An overwhelming percentage of home sharing listings are outside the typical tourist zones so guests get to explore neighborhoods they would not normally see.

Since it's usually more affordable, they stay longer and spend more during their trips, following the recommendations of their hosts for activities, shops and restaurants. A new economic activity study found that 42% of Airbnb guests' spending stays in the neighborhood where their listing is located.

"New technologies are driving change in the world at a pace we have never seen before and opening a world of opportunities for many.

Home-sharing is also bringing economic benefits to parts of the UK that had previously missed out on the advantages of tourism. Shops, bars and restaurants that are beyond traditional tourist zones are now enjoying a renaissance thanks to a growing number of visitors to our country that are looking for new and different travel experiences.

Matt Hancock, the UK Minister for Business, Innovation and Skills, recently said in an op-ed in the New York Daily News about home sharing.

Let's be part of the new wave of technology and economic growth, and stay at the forefront of the new tourism. To ban home sharing would be another step backwards for New Orleans.

Thank you. Stephen Patterson. Mid-City , Nee Orleans

Nicholas J. Kindel

From: CPCinfo
Sent: Monday, November 30, 2015 4:14 PM
To: Nicholas J. Kindel
Subject: FW: Another San Francisco Article
Attachments: L.A. proposes banning __rogue hotels__.pdf

From: Carol Gniady [<mailto:carolgniady@frenchquartercitizens.org>]
Sent: Monday, November 30, 2015 1:53 PM
To: CPCinfo
Subject: Fwd: Another San Francisco Article

In Los Angeles, from June 2, 2015 L.A. NOW, the attached demonstrates that California may be suffering "Buyer's Remorse" after San Francisco legalized STR's. Once again, there is a call for data sharing and enforcement. See attached PDF.

Los Angeles considers banning "rogue hotels" by restricting AirBnB sites to owner-occupied properties only.

--
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L.A. Now

California: This just in

L.A. proposal would block Airbnb hosts from creating 'rogue hotels'

By EMILY ALPERT REYES

JUNE 2, 2015, 6:41 PM

Two Los Angeles lawmakers are proposing new regulations to bar people from renting out houses or apartments for short stays if the home is not their primary residence — a rule aimed at preventing local housing from being bought up and operated like hotels.

“We cannot tolerate how a growing number of speculators are eliminating rental housing and threatening the character of our neighborhoods,” City Councilman Mike Bonin said Tuesday.

The measure, introduced by Bonin and Council President Herb Wesson, is aimed, in part, at rentals brokered through websites such as Airbnb. Their explosive popularity has pitted the companies and a newly organized network of hosts against housing advocates, neighborhood activists and hotel unions worried about the effects of the rapid rise.

Under the proposed rules, Angelenos could rent out a spare room, back house or a whole house or apartment for short stays, as long as it was their primary residence. Unlike neighboring Santa Monica, which recently adopted some of the strictest regulations in the nation, L.A. would allow someone to rent out their own home while out of town.

However, Angelenos could not rent out any home that was not their main residence for short stays, nor any unit that is covered by rent control. By imposing those restrictions, Bonin argued that the city would protect genuine “home sharing” while cracking down on “rogue hotels.” The proposed rules also would require short-term rentals to collect the same kind of city taxes as hotels.

Rental hosts have praised platforms such as Airbnb for providing them both an economic lifeline and a way to share a slice of their lives with travelers. But the phenomenon of commercial owners renting out entire homes or apartment buildings has stirred alarm about rental units being pulled off the market.

“No one is opposed to home sharing,” Venice resident Linda Lucks said at a council meeting

Tuesday. However, “kicking out residents and long-term tenants who’ve been there for years in order to make a bigger buck is not home sharing.”

Airbnb has repeatedly said that the vast majority of its L.A. hosts are the “primary residents” of the homes they list, using the platform to help make ends meet. In reaction to the new proposal, a company spokeswoman said Tuesday that although many details remain to be worked out, the plan appears promising.

“This proposal demonstrates L.A. is embracing home sharing and the peer-to-peer economy,” Airbnb spokeswoman Alison Schumer said.

But a representative of the Los Angeles Short Term Rental Alliance, which includes rental owners and operators, said the plan was too “one-size-fits-all.”

Vacation rentals are “part of the fabric of Los Angeles, and they’re getting shortchanged,” said Robert St. Genis, its director of operations. He said members of his group were especially concerned about how the city would define a “primary residence” for someone who splits their time between different places.

Bonin and Wesson also want the city to back a proposed state law, SB 593, that would require Airbnb and other online rental platforms to report the addresses, number of nights rented and amount paid for such rentals to cities and counties. Airbnb has balked at that idea, saying it would be a violation of user privacy.

“It’s not the city’s job to stifle this kind of innovation,” said Harvey Slater, a rental host who testified at a city council meeting Tuesday against backing the state law.

Bonin and other supporters counter that cities cannot enforce any rules without the requested information, which does not include personal data such as renters’ names. Under existing city codes, renting out rooms or a whole home for short stays already is illegal in most residential stretches of Los Angeles. But city officials have said it is extremely challenging to enforce the rules, partly because many websites do not list rental addresses.

Follow @latimesemily for what's happening at Los Angeles City Hall

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Nicholas J. Kindel

From: CPCinfo
Sent: Monday, November 30, 2015 4:14 PM
To: Nicholas J. Kindel
Subject: FW: Short-term Rental Comment
Attachments: GoodmanFeb2016.docx

From: Jeffrey B. Goodman [mailto:jeffreybgoodman@gmail.com]
Sent: Monday, November 30, 2015 1:54 PM
To: CPCinfo
Subject: Short-term Rental Comment

First, thank you again for so many of the CPC staff to meet with me and Dwight Norton last month; I hope I helped move this debate in a productive manner towards workable solutions. For all the rhetoric and shouting and passion about short-term rentals, everyone I've talked to - from hosts to guests to neighborhood people - want a system that works, that is fair, and that does the best for New Orleans.

Because it is so long, I'm going to paste my comment below. Also, I've attached a copy of my article for Planning Magazine on urban planning responses to this industry.

Also, the panel sponsored by Urban Conservancy that I participated in has the presentations uploaded here: <http://www.urbanconservancy.org/project/short-term-rentals/>

Sorry for the flurry of comments and pieces. I've been running a two-year research project on this so I have too much to say.

Cheers,

JBG

COMMENT!

For all the rhetoric and shouting and passion about short-term rentals, everyone I've talked to - from hosts to guests to neighborhood people - want a system that works, that is fair, and that does the best for New Orleans.

But what does a that look like? And how do we justify the regulatory choices we make? While I have tried to be very detached in my research, I do have a proposed framework based on data, on interviews, and on the larger context of our city. Is it complete? No, of course not. But I hope it can be a baseline for the next phase of designing a new system, one that balances the opportunities and challenges of this industry.

In some ways, the problem with STRs are both very large and very small. Yes, there are several thousand listings across the city, especially concentrated in the Marigny and Bywater, and we've all heard anecdotes about the trouble unregulated visitors can create. Yet, as my research found, 6% of listings on Airbnb were responsible for 47% of the bookings, meaning half the people stayed in just 150 units. Getting a hold on these

few hosts, the ones who truly are running hotels in everything but name, would go a long way to mitigating issues.

The main element in new regulation needs to be a affirmation that in order to build as much inherent accountability into the hosting experience 'remote hosting' will simply not be allowed. While not all operators are 'bad actors,' without the brake that existing b&bs need to have, the consequences of remote hosting fall on neighbors, neighborhoods, housing markets, and, ultimately, the City's code enforcement. (It also makes a mockery of the idea that people are using Airbnb just to get by when a host has 25 properties available.) One permit per person per year, for either their dwelling or their adjacent unit - this is simply a way to separate out the professionals and speculators who should be getting true commercial permitting or be out developing hotels.

Speaking of commercial permitting, safety is a fundamental goal of regulation. Many of the basic things hosts do already and Airbnb strongly encourages: fire extinguishers, carbon monoxide detectors, emergency plans, etc. These need to be mandatory, along with hurricane evacuation planning, and - to borrow an idea from Portland that combines safety and accountability - hosts contact information needs to be given to neighbors. None of this is particularly controversial; the issue is really about inspections. To follow the commercial code set by the state Fire Marshal, many hosts would need to upgrade their homes at a cost of thousands of dollars - a standard that may be too high. At the same time, current b&bs have had to meet this code, and invest their money in alterations; why should they be punished for following the law? I haven't been able to meet with the Fire Marshal, but this is a huge sticking point.

Also, insurance. Airbnb now offers \$1M policies; this is not good enough. (Burn down two homes in the Marigny and you're there.) Since so many home insurers will cancel policies for 'commercial activity,' anyone seeking a permit needs to demonstrate insurance coverage that will cover significant damages and personal liability.

No two neighborhoods in New Orleans are alike, even in short-term rentals. While we need to have consistent standards, we also need to focus on particular neighborhoods and their particular neighborhood issues based on research. Though there are Airbnbs across the city, a few areas have a particular concentration and a particular concentration of aggressive users: Marigny, Bywater, Lower Garden District, French Quarter (though that's more a second-home market,) and seasonal groupings around Jazz Fest in Mid-City and Mardi Gras along St. Charles Ave. (For the rest of the city, that lack of listing density means we can rely on a complaint-driven system to bring attention to trouble.)

STRs are not causing gentrification city-wide - their numbers are too small - but in places like the Marigny, already a difficult place for renters, the concentration is worrying. I think in these neighborhoods we should adopt caps, maximum number of permits available in a geographic area, in order to set an upper-bound on the activity. This number could be adjusted based on monitoring and discussion, but let's start there. Other density issues might be addressed through a similar system to Durango's one-per-block spacing.

I want to spend a brief moment to talk about an argument discussed by the representatives of Airbnb and many hosts; that STRs are a great economic rising tide, lifting middle-class people and small businesses. Throughout my research, I've accepted every anecdote I've heard, from the single mother renting her father's old house to the young couple funding daycare. I've met many wonderful people who do want a good system but to say that we should be very permissive with STRs because it'll help so many New Orleanians simply does not jibe with the reality of our city. One third of all houses in New Orleans lack the Internet. Eighty percent of units need a major repair. Sixty percent of renters are cost burdened. There are major barrier to this marketplace for the people who need the money the most and that is clear from the map of listings - it's the Bywater and not St. Roch, it's the Marigny and not the 7th Ward, it's the Lower Garden District and not St. Thomas. (My own survey of profile pictures says about 80-90% of hosts on Airbnb in New Orleans are white.) This economic argument cannot be the justification of regulation if we value developing equity.

Finally - finally! - I want to talk enforcement. Without enforcement, nothing really matters. The City of New Orleans has a great opportunity to learn from other cities' mistakes and develop an enforcement system that has teeth while not be adversarial. The key to this will be working with the listing companies to prevent anyone without permits from creating a listing and participating in the STR marketplace. Airbnb has resisted any sort of local responsibility but times are changing; New Orleans, if it comes with a reasonable proposal built on trust and partnership, can use pressure on Airbnb's brand to get a lockout system. (They need examples of working with cities after their Pyrric victory in San Francisco over Measure F.) The City, hosts, neighbors, and listing companies need to share responsibility for enforcement. That doesn't sound radical, but if New Orleans puts together that system, we'd be the leading city in the country on this issue.

This has been a very long comment; I apologize. As some CPC staff know, I have too much research to discuss; let me know if there's any data I can share or ideas I can share research on.

Could You BNB My Neighbor?

Since I live in New Orleans, I live near a bar. People are always walking by my house to this bar so perhaps one day I start offering beer to passersby from my porch. Perhaps I sell a beer or two – I could always use the money – and people here have always sold drinks as a hustle during Mardi Gras, so what is the difference? Perhaps I sell beer all the time and people start coming to my house instead of the bar and maybe I pick up a sponsorship and a little press. Soon, people are coming from miles around to my house, spending money at shops in my neighborhood; everything's great. If I were then to go my local alcohol board, or my zoning board, or my neighborhood association, and argue that since my house-bar is so popular, the rules need to be rewritten to accommodate me – well, I would be run out of town on a rail.

Yet, in some ways, this is the path taken in regulating another controversial industry: short-term rentals. Backed by billions of investment dollars and an aggressive strategy of 'disruption' which favors expansion above cooperation, companies like Airbnb, VRBO, and others have generated as much controversy as they have profits, stubbornly resisting cities' attempts to rein the industry in.

Of course, what these platforms offer is nothing new; homeowners have taken in lodgers since the first settlement of cities. But with such a huge scope – over 33,000 cities on Airbnb alone - how do we balance the potential benefits of these websites with their real impacts on our communities?

Opposing Narratives

Because the debate over short-term rentals intersects with so many issues – the role of government, what constitutes a business, the rights of neighbors, and on and on – attempts at regulation can generate impassioned responses from hosts and residents alike. These narratives can be difficult for planners to reconcile.

In the view of short-term renters, hosting has been a great boon for individuals to make a little extra money, for neighborhoods to see tourist dollars, and for cities to promote tourism. The kindly old woman with a bedroom to let to excited millennials; this is the narrative that Airbnb and others focus on when expanding and promoting their rental listing services. Regarding a San Francisco ballot measure, an Airbnb spokesman said, "This initiative, at the end of the day, is an attack on the middle class of San Francisco, who share their homes to help make ends meet. Home-sharing in this city is a lifeline for thousands."¹

However, to opponents, Airbnb's hoodie-and-flip-flops vibe obscures a \$25 billion behemoth whose business model has depended on ignoring local regulations in the name of growth and profit. Abetted by these platforms, hosts flout safety, housing,

¹ <http://www.wsj.com/articles/san-francisco-to-vote-on-limits-to-home-sharing-1445679003>

and zoning codes, turn quiet homes into frat parties, drive up rent by displacing residents, outcompete bed-and-breakfasts, and fail to pay their share of taxes. (The company relies on its hosts to remit taxes in 99.9% of cities it operates in.)² Opponents' narrative focuses on the absentee landlord with a portfolio of crash pads for bachelor parties; they say this is the reality ignored by Airbnb that planners have to clean up. As one exasperated neighbor in Austin says, "[Hosts] are leveraging our neighborhood for their profit, telling people to come stay in this beautiful place...and they are making people miserable."³

These competing identities have meant particularly contentious fights over regulation. In San Francisco, a proposed short-term rental ordinance led to twelve-hour public meetings, allegations of vote tampering, and a \$10 million proposition fight.⁴ (Though Airbnb and the other short-term rental companies prevailed in the end, Airbnb's ad campaign for the proposition essentially told San Franciscans where they could stick the tax money the company pays. People were not amused.)⁵ In New York, where the State Attorney General sued Airbnb to access the company's data, the media has run story after story on the fight over short-term rentals – one example, "The Dumbest Person in Your Building Is Passing Out Keys to Your Front Door!"⁶

There is no monolithic 'short-term host' but a spectrum of users (couch-surfing holdovers, the empty-nesters, the young couples, and, yes, the speculators and profiteers) and a spectrum of uses (occasional hosting, seasonal hosting, and, yes, the faux-hotel.) All of them, to some degree or another, have taken advantage of a regulatory Wild West in order to make money without proper oversight and without proper accountability.

Getting Past the Noise

In order to regulate an industry effectively, planners need to understand how these platforms are being used, by whom, and what kinds of impacts they have on neighborhoods.

This is somewhat easier said than done; Airbnb and other companies do not freely release data, citing privacy concerns. When they do use data, the companies present a glowing picture of their activity, one that seems irresistible: Airbnb guests stay

² <https://www.airbnb.com/help/article/653/in-what-areas-is-occupancy-tax-collection-and-remittance-by-airbnb-available>

³ http://www.nytimes.com/2015/10/10/your-money/new-worry-for-home-buyers-a-party-house-next-door.html?_r=0

⁴ <http://archives.sfoxaminer.com/sanfrancisco/planning-commissioner-changed-controversial-airbnb-vote-after-text-message-from-mayors-office/Content?oid=2930360>
<https://pando.com/2015/04/25/stickering-it-to-the-man-airbnb-packs-sf-city-hall-for-public-meeting-on-home-sharing-law/>

⁵ <http://www.engadget.com/2015/10/21/airbnb-ads/>

⁶ <http://nymag.com/news/features/airbnb-in-new-york-debate-2014-9/>

twice as long and spend twice as much a typical visitor, with nearly half of all spending occurring in local neighborhoods.⁷ According to the company, more than half of its hosts are 'low to moderate income' and say hosting helped them stay in their homes.⁸ In New York City, Airbnb claims to have generated \$632 million in economic activity in one year alone.⁹ Opponents note, fairly, that the company has no reason to release numbers that paint their activity and their tactics in a negative light.

In order to get a clearer picture of the realities on the ground, researchers have had to rely on other means of gathering information, largely by 'scraping' the public listings of these websites. (Airbnb, in turn, claims that this type of data is flawed – but not flawed enough, apparently, to release the actual information without a subpoena.)¹⁰

Either by automated tools or through simple spreadsheets, trolling through Airbnb can give planners at least a broad outline of their local market, from average price per night (useful in calculating tax revenue) to the characteristics of the units available, like number of bedrooms, amenities, and safety equipment. Even a general map view can help planners see which neighborhoods are most affected or need greater enforcement.

Using these approaches, researchers have undercut Airbnb's narrative. The Real Deal, a New York-based real estate journal, found short-term rentals caused residents of some neighborhoods to pay an extra \$825 a year in rent by removing units from the market.¹¹ In New Orleans, far from helping a broad group of residents, nearly 50% of all bookings came from just 6% of listings, with some hosts making hundreds of thousands of dollars from dozens of properties without paying a cent in occupancy tax.¹²

While Airbnb claims hosts, on average, book only six days a month, that average conceals a huge spectrum.¹³ Using the number of reviews as a proxy for activity, planners can start to separate the mom-and-pops from the professionals. If a fourplex listing has over a thousand reviews a year or a host has twenty properties available, you are probably not dealing with a dabbler.¹⁴

More damningly, some reports cut at the heart of Airbnb's supposed benefits: tourism dollars. The Office of Economic Analysis for the City of San Francisco, considering the reduction of long-term residents and housing caused by full-time

⁷ <https://www.airbnb.com/economic-impact>

⁸ <https://www.airbnb.com/economic-impact>

⁹ <http://blog.airbnb.com/economic-impact-airbnb/#new-york>

¹⁰ <http://therealdeal.com/blog/2015/10/14/how-much-does-airbnb-impact-nyc-rents/>

¹¹ <http://therealdeal.com/blog/2015/10/14/how-much-does-airbnb-impact-nyc-rents/>

¹² <http://nolarentalreport.com/>

¹³ <http://publicpolicy.airbnb.com/supporting-small-business-san-francisco/>

¹⁴ <http://nolarentalreport.com/>

hosting, wrote that for every 1,000 units lost to short-term tourist rentals, the City's economy loses more than \$250 million each year, far exceeding the benefit from visitor spending and hotel tax.¹⁵

This is not to say short-term rentals are all bad or all good, just that the reality of these marketplaces is complex. Planners have to get into the data, fragmented though it may be, in order to begin to categorize activity for regulation.

How To Regulate?

For planners, the way forward with regulation is a three-part process: 1. Establishing a baseline level of safety and accountability; 2. Developing regulatory nuance based on your local context; 3. Ensuring enforcement on the ground and online.

1. Establishing a baseline level of safety and accountability

In its Terms of Service, Airbnb is very clear, repeatedly, that the hosts on its platform are 100% responsible for following local laws on everything from safety and zoning to taxation and sex offender registries.¹⁶ While any short-term rental should have to conform to local building, occupancy, health, and safety codes, it is up to the local planner to ensure properties are compliant.

Above all else, the safety of guests, hosts, and neighbors is the highest priority in regulating the short-term rental market. Airbnb and other companies, as part of their response to local push-back about safety, has adopted a policy of assisted self-policing for their hosts by offering free smoke detectors or fill-in-the-blank emergency plans. Yet, for all the talk about a 'commitment to safety,' a host does not actually need any safety feature, or proof of its existence or operation, in order to list. A host can simply click 'Next.'¹⁷

Similarly, though Airbnb heavily promotes a 'million dollar host guarantee' to protect against damage caused by its service, the details are not as iron-clad. The guarantee does not cover personal liability, shared or common areas (a big issue for condos,) and is specifically described as "not insurance."¹⁸ But because many home insurance companies consider short-term renting a commercial use – and thus not covered under the standard policies – hosts may find themselves at the center of a huge and complicated fight that would make a trial lawyer drool; if a guest booked on Airbnb burns down a condo building and a firefighter is injured in the process, how is that legal mess going to sort itself out? The easiest solution is to require short-term renters to carry the appropriate insurance, one that specifically covers their activity.

¹⁵ http://www.sharebettersf.com/why_we_need_prop_f

¹⁶ <https://www.airbnb.com/terms>

¹⁷ This can be confirmed by signing up. See <https://www.airbnb.com/terms>

¹⁸ <https://www.airbnb.com/guarantee>

But being a good host means more than just installing a few fire extinguishers; it means taking steps to avoid imposing on your neighbors' quality of life. No one wants to deal with loud guests, or litter, or parking issues, whether from a long-term or a short-term tenant. Beyond strengthening and enforcing existing nuisance laws, some cities have tried to include more direct accountability into their regulations; basic ideas like having hosts give out contact information to neighbors to report bad guests or only allowing owner-occupied rentals.¹⁹ Serial offenders should face punishments that disincentivize their behavior, such as the loss of permits or escalating fines.

Ultimately, despite all the hype about the so-called 'sharing economy,' short-term rentals are fundamentally a commercial use, one that cities have regulated successfully in the past as bed-and-breakfasts, inns, motels, hotels, or SROs. In places that have traditional bed-and-breakfasts, innkeepers complain – rightfully so – that competing with unregulated Airbnb units harms them doubly; as small-business owners and as residents.²⁰ Since the act of hosting is the same whether the units are booked through an app or through the classifieds or through word-of-mouth, for many issues – from safety to zoning to garbage fees to taxes - planners should simply hold a short-term rental unit to the same standards as any other similar business.

2. Moving Past the Yes & No

When pressure to 'do something' about short-term rentals comes down from City Hall or up from neighbors, the debate is often framed as a yes or no; anything goes or not in my backyard. The answer will probably be somewhere in between and while it can be a laborious process, tailoring regulation to your city's particular situation can pay dividends.

As detailed at last year's APA conference, the experience of a few Colorado destinations, Durango and Aspen, can serve as a good example of adapting regulation to local needs.

Durango, a small city that serves as a regional center for the Four Corners, faced tremendous housing pressures after growing rapidly over the past decade. With vacancy rates dipping below 1% in some neighborhoods, groups like college students, retirees, and service industry workers had increasingly limited options within the city; every unit became precious as prices went up and incomes stayed flat.²¹ At the same time, Durango welcomes thousands of tourists each year, drawn to the nearby natural beauty, redeveloped downtown, and seasonal festivals. Short-term rentals catered to some visitors, and the popularity (and notoriety) of these

¹⁹ http://www.oregonlive.com/front-porch/index.ssf/2014/07/portland_legalizes_airbnb-styl.html

²⁰ <http://www.bestofneworleans.com/gambit/kevin-allman-and-alex-woodward-on-short-term-rental-laws-in-new-orleans/Content?oid=2594351>

²¹ 'Housing, Lodging, and the Sharing Economy,' Phillip Supino et al., APA 2015

units led Durango's city government to develop new regulation. Through research and a series of community meetings, Durango's planners were able to identify three main areas that needed addressing in their city: impacts on tourism, impacts on neighborhoods, and – most importantly – impacts on housing.

Though the problem was general, planners knew that one neighborhood, encompassing much of the downtown to the local university, had an especially tight market.²² Neighbors also expressed a concern about 'dark blocks,' where the spread of short-term rentals on specific streets leaves few permanent residents.²³

Durango's solution involved limiting the density of allowed short-term units within groups of blocks, effectively preventing the clustering of Airbnb rentals in a neighborhood while still accepting the use as permissible. By making a determination that preserving housing availability was the ultimate community goal, one that both transcended and intersected with short-term renting, Durango's planners could fit the discussion over Airbnbs into a larger narrative about the future of their city.

Aspen had a different problem: empty units. A world-famous destination with seasonal ebbs and flows of tourists, the city is burdened by a hodge-podge of residential properties – condos, ski villages, second homes – that sit disused much of the year. By legalizing and standardizing requirements for short-term rentals, Aspen's planners were able to enhance the city's tourist economy while still maintaining control over important issues like permitting, taxation, and safety of individual units.

Both Durango and Aspen found the key to controlling these concerns would be by treating short-term rentals as small businesses, allowing them to justify the use of their regulatory tools like zoning and licensing in ways that were consistent, understandable, and enforceable.

Regulating short-term rentals will always be contentious – anything involving money and neighbors usually is – but the debate can be more productive and transparent if there is a broader purpose to proposed ordinances as viewed through a lens of local values and local context.

3. Ensuring enforcement on the ground and online.

For short-term rentals, as for anything, regulation is only as good as its enforcement. Cities, both large and small, have struggled in this regard, creating huge opportunities for abuse while frustrating city officials and neighbors alike when long-debated ordinances do little to quiet complaints.

²² 'Housing, Lodging, and the Sharing Economy,' Phillip Supino et al., APA 2015

²³ 'Housing, Lodging, and the Sharing Economy,' Phillip Supino et al., APA 2015

Though it is often spoken of as a one concept, the short-term rental industry is really made up of two interrelated markets, each with its unique challenges in developing accountability and enforcing regulation. One market is made up of the millions of local hosts - the actual places where people stay - that interact directly with neighbors. These hosts have to navigate (or disregard) local ordinances and are, even as absentee investors, a part of the community. The other market, the listing companies like Airbnb and VRBO, has been harder to engage in enforcement efforts or tax collection, repeatedly pushing all responsibility to local hosts and local governments.

This policy line – that Airbnb, despite any illegal activity on its site, is essentially blameless – results in awkward complications for enforcement. In New Orleans for example, Airbnb has a special tab on its website giving tips about how hosts can follow city rules; get a permit, pay your taxes, report nuisances, etc. What it leaves out is telling: that renting for less than 30 days is illegal.²⁴ Instead of either confirming permit-holders or hard-wiring the law into their business – and thus cutting down the amount of activity that violates local rules - Airbnb punts; a host would have to manually set a minimum stay of 30 days for himself within Airbnb's own platform to be compliant, no proof of permit needed.

At a local level, in other major cities, new short-term rental ordinances become undone by flaws in enforcement. In San Francisco, a much-discussed ordinance has only had 282 signups out of 6000 listings with only 27 units de-listed for bad behavior; evidence, critics say, that the self-policing and self-reporting model pushed by Airbnb (and the Mayor's Office) is deeply flawed.²⁵ In Austin, after a New York Times expose found some party houses continue to rage on even after racking up sixty code violations, finger-pointing ensued: Airbnb blames the city for allowing serial violators to continue operation while Austinites wonder why Airbnb keeps letting the houses list.²⁶

Repeatedly, Airbnb has stonewalled even modest attempts at involving the company in local enforcement, with an almost Uber-like mix of bravado and petulance. Chris Lehane, Airbnb's head of global policy and public affairs, compared San Francisco's Measure F, which decreased the maximum number of rental days from 90 to 75, to something "even ISIS or the Taliban wouldn't do..."²⁷ (When was the last time a Marriott or a Hilton spokesman said that?) Want Airbnb to send data about how many nights units are used or how much money is being made? The company claimed this is akin to illegal wiretapping.²⁸ Airbnb does not even have a phone

²⁴ <https://www.airbnb.com/help/article/867/new-orleans--la>

²⁵ <http://www.48hills.org/2015/02/17/almost-nobody-registered-airbnb-law/>

²⁶ http://www.nytimes.com/2015/10/10/your-money/new-worry-for-home-buyers-a-party-house-next-door.html?_r=0

²⁷ <http://fortune.com/2015/11/02/airbnb-rentals-san-francisco-election/>

²⁸ <http://www.wvgazette.com/article/20151106/GZ03/151109656/1102>

number for governments to call to remove listings; you cannot view Airbnb's contact information unless you sign in to the site.²⁹

A simple option, like requiring a listing company to match a permit number to a city database in order to list, would immediately curb many of the worst abuses and reduce the number of listings that need monitoring. Unable to convince Airbnb to collaborate on such a system and frustrated by only one in ten hosts having permits, Portland, Oregon started fining all the listing companies \$500 per violation for every listing that was not permitted.³⁰ The code enforcement officer's message was clear: if a city goes through the hassle of writing a new ordinance, why should anyone without a permit be allowed on these sites?

Conclusion

The antagonistic system, the Wild West system, in place today simply does not work for city governments to enforce their laws, does not help legitimate hosts compete with 'bad actors,' and, ultimately, does not allow Airbnb and other short-term rental companies to live up to their own rhetoric of 'belonging everywhere.' Rental units need to be fairly treated as a business, regulations need to be tailored to each city's unique situation, and enforcement needs to hold everyone accountable. Whether in Silicon Valley or Main Street USA, the old adage is still true: good fences make good neighbors.

²⁹ https://www.airbnb.com/help/contact_us Really!

³⁰ <http://skift.com/2015/02/23/airbnb-faces-big-fines-in-portland-if-hosts-dont-get-city-permits/>

Nicholas J. Kindel

From: CPCinfo
Sent: Monday, November 30, 2015 4:14 PM
To: Nicholas J. Kindel
Subject: FW: Insurance Warning Issued to Short Term Rentals

From: Carol Gniady [mailto:carolgniady@frenchquartercitizens.org]
Sent: Monday, November 30, 2015 1:54 PM
To: CPCinfo
Subject: Fwd: Insurance Warning Issued to Short Term Rentals

State issues insurance warnings regarding short term rentals

By Egan Wendland, Reporter May 8, 2015 0

The Louisiana Department of Insurance is warning homeowners and renters of the risks associated with short-term rentals. Insurance Commissioner Jim Donelon said the recommendations are in response to what he sees as a growing issue across the state, especially in New Orleans.

Short-term rentals have been the topic of much discussion by the City Council and neighborhood associations, who say the practice is disruptive and drives up rental prices, forcing potential long-term tenants to look elsewhere. Tourism officials worry about the tax revenue the city loses because of it.

Landlords say the business is needed to accommodate a growing number of tourists who want a more authentic New Orleans experience.

In a tip list distributed this week, the LDI said that both guests and hosts could face losses if property is vandalized or someone is injured, and many homeowners' policies don't cover such situations.

"I think it's a significant problem and I think on a daily basis folks are coming face to face with the reality of this danger," Donelon said.

Donelon said homeowners' policies often have an exclusion for commercial activity, leaving them without protection if an accident occurs due to a short-term rental. He said though there have not been any high-profile cases of serious damage in Louisiana, he anticipates issues in the future.

"I would speculate that there probably have been issues already, because the practice is common these days...and there are going to be kitchen fires, and trip and falls and dog bites," he said.

The rentals also often fall outside of local zoning or housing laws and regulations, so one may have to hire legal counsel for defense.

The LDI warns that in New Orleans, which prohibits unlicensed short-term rentals, insurance companies may simply deny claims. Donelon recommended the use of commercial policies, such as those used for beach vacation rentals.

Some short-term rental websites, such as AirBnb, offer insurance coverage up to \$1 million. Donelon said that would generally be sufficient, but added that homeowners should pay attention to the fine print.

Read more: <http://neworleanscitybusiness.com/blog/2015/05/08/state-issues-insurance-warnings-regarding-short-term-rentals/#ixzz3ZZEOv67F>

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Nicholas J. Kindel

From: CPCinfo
Sent: Monday, November 30, 2015 4:15 PM
To: Nicholas J. Kindel
Subject: FW: STR Study: Airbnb Hurts San Francisco Housing Says City Report

From: Carol Gniady [mailto:carolgniady@frenchquartercitizens.org]
Sent: Monday, November 30, 2015 1:56 PM
To: CPCinfo
Subject: STR Study: Airbnb Hurts San Francisco Housing Says City Report

Airbnb Hurts San Francisco Housing Says City Report[1]

Alice Truong, Quartz

If you asked Airbnb about its impact in San Francisco, the company would direct you to a rosy economic impact study that found the home-rental marketplace helped contribute \$469 million to the local economy, with the average host earning \$13,000 a year.

Ask San Francisco Supervisor David Campos, however, and he'd point you to a report released today that found between 925 and 1,960 housing units[2] in the city are sitting vacant so they can be rented out on Airbnb—a big problem for a small city with not enough housing and skyrocketing real-estate prices. Just this month, San Francisco set a new record for median home prices at \$1.23 million.

The report, requested by Campos and compiled by the city's budget analyst, identified 6,113 Airbnb listings in San Francisco in December 2014. Most of these hosts (between 3,107 to 4,517) rent out the homes they live in. However, the report focuses largely on commercial hosts, who don't live in their units and rent them out for income, raising concerns of possible evictions "if a landlord concludes that they can earn more from short-term rentals than from a long-term tenant." [3] (According to another recent report from the city's planning department, a host would have to rent out a unit on Airbnb for 257 days to reap more income than renting it to a tenant.)

In the fall, San Francisco passed a law to regulate short-term rentals, limiting stays to 60 consecutive days. Hosts are also required to register with the city and pay a 14% hotel tax. Other cities, including Portland and Chicago, have imposed similar restrictions, and Airbnb remains illegal in New York City. However the report notes that because Airbnb does not provide San Francisco with addresses or booking information, the city's ability to enforce is severely restricted. So far, only 579 hosts have applied to register with the city, with 282 certificates granted. [4]

With the apparently low rate of compliance, the report is recommending the city enact legislation that requires companies like Airbnb and vacation-rental site VRBO to provide hosts' addresses and booking information and give San Francisco's planning department the ability to fine platforms listing unregistered hosts—measures that Airbnb says “would make it even harder for middle class families to stay in San Francisco and pay the bills.”

In a statement Airbnb provided to Quartz, the company argued that its service is not causing the city's affordability problem, and that the city's planning department could itself be doing more to solve it: “Home sharing,” the statement said, “is an economic lifeline for thousands of San Franciscans who depend on the extra income to stay in their homes.”

[1] From Skift, an on-line provider of information on the travel and lodging industry. Accessed 5/16/15.

[2] AirBnB offers approximately 1,600 units in New Orleans; listing services, such as Vacation Rental by Owner (VRBO) and HomeAway, offer hundreds more.

[3] Landlord/property owner property purchases and evictions have also been reported in New Orleans.

[4] In Portland, the registration rate is less than 10 percent.

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Nicholas J. Kindel

From: CPCinfo
Sent: Monday, November 30, 2015 4:15 PM
To: Nicholas J. Kindel
Subject: FW: STR Study: Paris

From: Carol Gniady [mailto:carolgniady@frenchquartercitizens.org]
Sent: Monday, November 30, 2015 12:00 PM
To: CPCinfo
Subject: STR Study: Paris

Here's a report on STR activity and enforcement efforts from Paris. The article is in French, provided for your convenience below the link is the English translation.

http://immobilier.lefigaro.fr/article/operation-coup-de-poing-a-paris-contre-les-locations-touristiques-illegales_b5c5e39e-fec7-11e4-8db8-6d43728bd2a8/

Blitz in Paris against illegal tourist rentals

The Mayor has launched this Wednesday morning a 3-day operation to control 80 buildings of the Marais. In the tourism sector, many units are rented illegally via sites like Airbnb. For several years, the city of Paris is at war against landlords renting several furnished apartments for short stays. This time, she decided to focus its (low) means in the Marais (4th arrondissement). Since Wednesday morning, 20 officers from the housing and habitat management responsible to regulate these locations, must carry out spot checks in 80 buildings. Addresses identified on the basis of reports from neighbors or simply visiting rental Internet platform (type Airbnb, Housetrip, Wimdu, etc.) As a reminder, if a Parisian owner can legally rent his principal residence in his absence, he does not hold true for second homes. To offer this type of accommodation to tourists for short stays, it is indeed necessary to change the use of places with financial compensation to the key. The 4th district is losing inhabitants "The phenomenon of tourism furnished rentals are generally develops in Paris, said Ian Brossat, Deputy married for Housing. But the trend is particularly clear in Montmartre, Saint-Germain and the Marais. In the latter area, this proliferation is probably one of the causes of population decline in the 4th district. It went from 42,000 inhabitants in 1990 to 37,000 today. While Paris is repopulated, only the 4th and 6th arrondissements losing population.

According to the Parisian elected 400-500 apartment are checked each year. But when our officers visit an apartment, they control the entire building, he says. Audits in 2014 which resulted in 20 convictions owners representing 56 rented dwellings with a total of 560,000 euros (\$624,422 US \$11,150 per dwelling or \$31,322 per owner) in fines. According to Ian Brossat, 500 owners have made the voluntary approach to regularize their situation in 2014 or by changing the allocation of their homes either by returning to the traditional rental market. We conduct these operations as tourist homes are losing in Paris of living area, said Ian Brossat. And also because the return trips they generate are sources of nuisance for residents. Even local traders, including mouth, complain about this phenomenon that makes them lose clients. In the future, other punch operations may follow.

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Nicholas J. Kindel

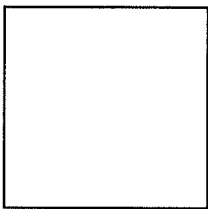
From: CPCinfo
Sent: Monday, November 30, 2015 4:15 PM
To: Nicholas J. Kindel
Subject: FW: STR Study: Court decision: Airbnb Illegal in New York City

From: Carol Gniady [mailto:carolgniady@frenchquartercitizens.org]
Sent: Monday, November 30, 2015 2:06 PM
To: CPCinfo
Subject: STR Study: Court decision: Airbnb Illegal in New York City

In New York City, measures to enforce illegal STRs produced a rare court decision (attached at the end of the article), which essentially says you can't run a hotel out of your apartment.

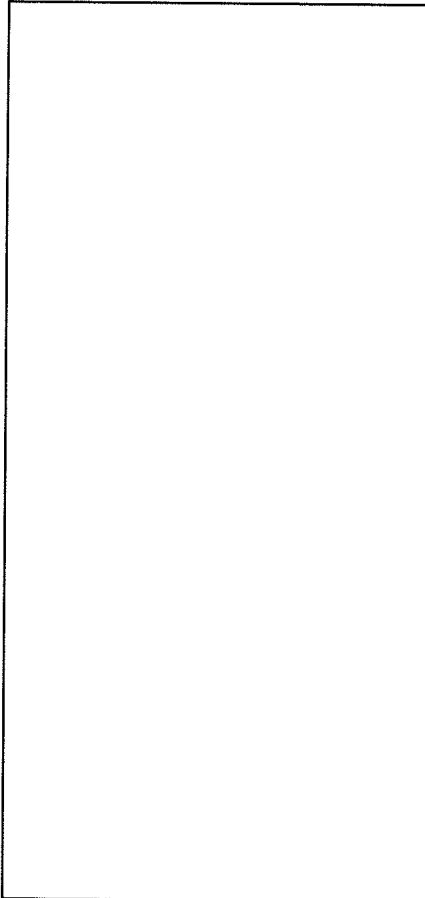
<http://valleywag.gawker.com/airbnb-is-illegal-in-nyc-509032767>

Airbnb Is Illegal in New York City



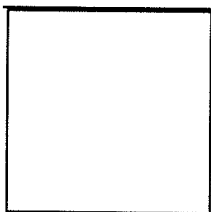
Sam Biddle

Filed to: AIRBNB5/21/13 9:44am



The world's most popular room-renting service is now illegal in the largest city in the United States, CNET reports. This could be a setback.

The sublease startup, which is largely enjoyed but occasionally disastrous, is now out of New York—pending appeal—for violating the city's "hotel law." (Read the full court decision below) You see, you can't run a hotel out of your apartment (even a very shabby one in a cramped studio apartment) for the same reason you can't pretend your car is a taxi and let people pay you for rides, sans license. Obviously the Silicon Valley disruption set doesn't care much for either of these notions, and Airbnb hasn't paid that law any attention. Now it'll have to—and it should, given how useful the service is (so long as it doesn't result in your apartment being destroyed without recourse) in a city where it can be a colossal nightmare to find an affordable bed.



Sleazy Airbnb Is 'Very Sorry' For Wrecking Your Apartment

Now that a horrifying trail of destruction — wrecked apartments, scammed renters, terrible service...Read more gawker.com

The company—recently valued at \$2.5 billion—is of course, not going to just lie down and take this. Without access to New York, that valuation might lose a few zeros.

Airbnb provided us with the following statement:

This decision runs contrary to the stated intention and the plain text of New York law, so obviously we are disappointed. But more importantly, this decision makes it even more critical that New York law be clarified to make sure regular New Yorkers can occasionally rent out their own homes. There is universal agreement that occasional hosts like Nigel Warren were not the target of the 2010 law, but that agreement provides little comfort to the handful of people, like Nigel, who find themselves targeted by overzealous enforcement officials. It is time to fix this law and protect hosts who occasionally rent out their own homes. 87 percent of Airbnb hosts in New York list just a home they live in — they are average New Yorkers trying to make ends meet, not illegal hotels that should be subject to the 2010 law.

Decision and Order for NOV 35006622J

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Nicholas J. Kindel

From: CPCinfo
Sent: Monday, November 30, 2015 4:15 PM
To: Nicholas J. Kindel
Subject: FW: comments on short term rentals
Attachments: Dear Executive Director of the CPC.docx

From: Jo Faulk [<mailto:jfaulk@esacadiana.com>]
Sent: Monday, November 30, 2015 2:10 PM
To: CPCinfo
Subject: comments on short term rentals

Dear Executive Director,
Thank you for the opportunity to submit comments on this issue.

Sincerely,
Josephine Faulk, member of the ANP

Dear Executive Director of the CPC

I respectfully submit to you my thoughts on short term rentals in New Orleans.

At this point in my life short term rentals impact my life on nearly every level.

It is the source of income that allows me to support myself and my husband who is on the heart transplant list and was forced by his physical limitations to retire before he wanted to. With social security as our other retirement income (I am a retired teacher) it is what allows us to continue to flourish and contribute to the financial stability and growth of our community.

My short term rental properties are in two houses I renovated/restored. These houses were foreclosures in very poor condition; vacant four and five years. They are now lovely houses where I live and have both long term rentals and short term rentals. The short term rental income allows me to offer long term rentals for a reasonable, affordable monthly amount. These houses were blight in the neighborhood.

My short term rental properties provide extra income for those in the neighborhood who help me do yard maintenance, outdoor cleaning, housekeeping and linen laundry. Several of my neighbors have had wonderful interaction with the short term rental guests, providing out of town visitors with incredible experiences that are unique and invaluable in contributing to a positive perception of New Orleans.

The people who rent my short term properties are generally looking for a place that hotels are not able to provide. I am able to comfortably accommodate parties of 10 who want to cook together, sit around a dining table together and stay together in a place that allows them to celebrate reunions, birthdays, weddings, etc. These short term renters want a homey, comfortable environment to return to as a group after a long day or night of exploring and celebrating.

I spend my short term rental income in New Orleans! It doesn't leave the city in corporate accounts. I pay property taxes; spend my income in local businesses and plan to continue to purchase and restore/renovate derelict houses in the city. As a member of ANP I look forward to working with the city and contributing to the sales tax base.

I live in the house I have a short term rental listing in and next door to the house where I have a second short term rental. Since I live on the premises I am available to both the renters and the neighbors to ensure everyone has an opportunity to benefit from the short term rentals.

Because of the income from the short term rentals,
I am able to financially take care of my family,
provide several long term rental units at reasonable rental rates,
bring income into the city,
provide extra income to individuals in the neighborhood.

It is my hope New Orleans will work out an equitable plan to allow short term rentals to operate and thrive in the city. The variety of places offered to our out of town guests through short term rentals in addition to our wonderful hotels continues to make New Orleans a destination city.

New Orleans is known for its relaxed, celebratory, creativity. We are a vibrant, diverse community and short term rentals can positively contribute to the financial security and national perception of our home!

Thank you for your time and consideration of this important issue.

Sincerely,

Josephine Faulk –

member of the Alliance for Neighborhood Prosperity

Nicholas J. Kindel

From: CPCinfo
Sent: Monday, November 30, 2015 4:15 PM
To: Nicholas J. Kindel
Subject: FW: STR Study: Los Angeles example - whole house rentals are "bad Airbnb," passes tough regulation

From: Carol Gniady [mailto:carolgniady@frenchquartercitizens.org]
Sent: Monday, November 30, 2015 2:15 PM
To: CPCinfo
Subject: STR Study: Los Angeles example - whole house rentals are "bad Airbnb," passes tough regulation

<http://www.latimes.com/business/la-fi-airbnb-20150610-story.html#page=1>

June 10, 2015: Los Angeles Times
At Airbnb, growth brings scrutiny, regulation

Airbnb touts "home sharing" in its ads and political campaigns, but nearly two-thirds of its listings in L.A. and other big markets are for whole units. Above, Hope Arnold is shown in 2013 on the couch she slept in when renting out her bedroom in Silver Lake. (Anne Cusack / Los Angeles Times)

Tim Logan Tim Logan

Airbnb is caught between investors' appetite for growth and rising protests over its effect on neighborhoods

Airbnb started with three air mattresses on the floor of a San Francisco apartment. Seven years later, it's worth as much as Marriott.

The short-term rental giant, which connects travelers with spare bedrooms or entire homes, has raised enough investor money to value the company at \$20 billion. Airbnb "hosts" now list 1.2 million rentals worldwide.

Now the Silicon Valley firm finds itself caught between investors' appetite for fast growth and rising protests over its effect on neighborhoods and hotel jobs. The company's swift rise has come in a regulatory gray zone, avoiding the strict rules governing hotels or traditional landlords.

Airbnb continues to promote an image of helping mom-and-pop homeowners raise a little extra cash, but its platform has drawn far bigger operators who buy properties to rent out full-time. That's brought both profits and headaches, particularly as the company considers an initial public offering that could bring even more pressure for growth.

Cities from New York to Santa Monica are trying to figure out how best to zone, tax and oversee this new industry. As they do, they're getting an earful from hotel workers' unions worried about the effect on their jobs, housing advocates worried about a shortage of affordable apartments, and neighbors wary of strangers on their block every day.

Airbnb faces scrutiny

Emmett O'Reilly, who has been an Airbnb host and user for 3 1/2 years in Venice, appears at a rally outside Santa Monica City Hall in May. He fears Santa Monica's restrictions on short-term rentals could spread to Venice. (Allen J. Schaben / Los Angeles Times)

Airbnb has responded with a battalion of lobbyists, especially in big states such as California and New York, along with beefed-up PR operations. It has hired veterans of Silicon Valley, the Obama administration and big labor unions.

To Nathan Blecharczyk, one of the trio of Airbnb co-founders who still run the company, these are good problems to have. It was just seven years ago that his friends Brian Chesky and Joe Gebbia laid out those air mattresses for people coming to a San Francisco design conference. Now, every night, 400,000 people use their website to do something similar.

When we started, everyone thought you'd be crazy to allow strangers to stay in your home. "Now all the fear is that everyone is doing it.

- Nathan Blecharczyk, one of the trio of Airbnb co-founders

Like Google and Uber, Airbnb has even achieved that emblem of digital age ubiquity: Its name has become a verb.

"When we started, everyone thought you'd be crazy to allow strangers to stay in your home," he said. "Now all the fear is that everyone is doing it. It shows the power of this concept, and the opportunities here."

But for the company's many critics, these questions cut to the core of Airbnb's business model, and in some ways to the entire concept of the so-called sharing economy, which includes rising car-sharing giants such as Uber that also face vexing regulatory battles.

To Steve Unger, a Portland, Ore., innkeeper who writes a blog on the short-term rental industry, it's like Airbnb is two companies.

One is what Unger calls "Good Airbnb." That's a website that enables people to rent out spare bedrooms for extra cash and meet interesting travelers over homemade pancakes. This is what you see in the company's ads and hear from the hosts Airbnb brings to testify at public hearings.

Then there's "Bad Airbnb," a platform that allows landlords to easily rent whole apartments or homes to a parade of strangers, taking them off the traditional housing market entirely. They operate as unlicensed hotels where who-knows-what might happen, and nobody seems to be responsible.

"I'd like to see the Good Airbnb flourish," he said. "I'd like to see the Bad Airbnb go away."

The thing is, Bad Airbnb makes a lot of money.

The company charges a 9% to 15% fee on each listing, making bigger rentals a lot more profitable. On a \$360-per-night three-bedroom apartment in Venice, for instance, Airbnb's cut on a two-night stay in June would be more than \$100. Rent the same dates in a \$95-per-night spare bedroom nearby, and the company collects just \$29.

While the company touts "home sharing" — the spare-room rental — in its advertising and political campaigns, nearly two-thirds of listings in L.A. and other big markets are for whole units, according to a recent study by the Los Angeles Alliance for a New Economy, a labor-backed think tank. Those units generate 89% of the company's revenue in Los Angeles, the organization estimates.

Airbnb disputes the the group's study, but observers say its findings suggest the company has little interest in reining in full-time operators.

"Airbnb profits from transactions," said Yassi Eskandari-Qajar, city policies program director at the Sustainable Economies Law Center in Oakland. "There's no incentive for them to put limits on how many people can do this, how much they can charge or how many homes they list."

But, she notes, Airbnb is mindful of political pressure. And when pushed, it has agreed to changes.

It has worked out deals to collect taxes — which are typically left up to hosts to pay — in several cities, including Malibu. In April, amid protests in Venice, it booted about a dozen large full-time rental firms from its site in Los Angeles. Now, it's trying to forge compromises with officials in a number of cities across the country, including L.A., over new regulations.

"There's a perception out there that Airbnb doesn't want there to be rules. We think rules would be fantastic," Blecharczyk said. "We think rules would help our community, but not necessarily the rules that have simply existed for decades."

Airbnb is trying to tell its own story. The company has dispatched a team of community organizers in L.A. and elsewhere to help mobilize hosts that best reflect the "Good Airbnb."

One afternoon last month, dozens of hosts showed up on the lawn outside Santa Monica City Hall for a rally against a law banning full-unit short-term rentals. They hoisted signs like "Home Sharing = Affordable Housing" and "Let Us Host" and eagerly shared their experiences.

Mary Williams was there. A single mom who lives in Century City, she rents out her converted garage on Airbnb. It helps pay the bills, she said, and she meets lots of interesting people, like the Australians who were staying there the week of the Santa Monica rally.

Putting a friendly face on Airbnb helps policymakers and critics alike understand it, said Williams, who has spoken several times to neighborhood councils that were considering anti-short-term-rental measures. When they meet the real people the company helps, she said, many opponents change their minds.

"City councils are starting to get it," she said. "Before, there was a lot of ignorance. But we're getting the message through."

They didn't get it in Santa Monica. That night, the City Council unanimously passed one of the toughest short-term rental laws in the country, rendering about 70% of units listed in the city illegal. It's a law Airbnb can't afford to see duplicated in other cities.

Now, Manhattan Beach is considering a similarly strict measure, and the Los Angeles City Council is weighing a proposal that would bar people from listing short-term rentals of units that are not their primary residence, a rule meant to prevent homes from being bought up and run like hotels.

The company has a fine line to walk between getting right with the law and squelching its own growth, especially if it plans to go public.

Any successful public stock offering would hinge on continued rapid growth. At \$20 billion, the company's purported valuation is already a rich sum for the market to swallow, said Sam Hamedah, chief executive of PrivCo, a private company research firm.

Airbnb's closest publicly traded rival, vacation rental site Homeaway, clocks in at less than \$3 billion. Hamedah says he's seen Airbnb's number of listings flatten out lately. Investors — and maybe federal securities regulators — will have a problem with the fact that most of its listings in big cities may be technically illegal.

"An IPO filing would have more red flags than a military parade," he said.

Blecharczyk says the company has no "near-term" plan to go public. Its investors, he said, take the same long-term view as its executives.

"They're not so concerned about what happens next year," he said. "They're looking at 10 years out."

In the 10-year plan, as Blecharczyk sees it, these tensions will all get worked out. Battles with unions and regulatory defeats like Santa Monica will end up looking like bumps in the road. Sensible regulations will be crafted. More people will become more comfortable with the concept. And the company that evolved from three air mattresses to a controversial adolescence will emerge as a permanent pillar of a global sharing economy.

"We believe very strongly that there's a great value here for guests, for hosts and for cities," he said. "It may take time for that to be recognized. But we think people will come around."

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Nicholas J. Kindel

From: CPCinfo
Sent: Monday, November 30, 2015 4:15 PM
To: Nicholas J. Kindel
Subject: FW: Short Term Rental Comments

From: kmssoap [mailto:kmssoap@aol.com]
Sent: Monday, November 30, 2015 2:16 PM
To: CPCinfo; LaToya Cantrell; Susan G. Guidry; DistrictC; James A. Gray; Stacy S. Head; Jason R. Williams; CouncilDistrictD
Subject: Short Term Rental Comments

Comments on Short Term Rentals

The Marigny is inundated with short term rentals. I have had the opportunity to observe the impact on my neighborhood first hand, and agree that it needs to be addressed in some form. The current legislation is not viable. It's a complicated issue, but there are some simple solutions.

The idea of creating short term rentals as a portion of one's home is nothing new. Before the internet "sharing" communities came along, we called them boarding houses, inns and stage stops, all of which were generally proprietor occupied. That tradition can, and should, survive today, in an essentially unencumbered form. Renting out the back bedroom should not be a complicated endeavor nor weighted down with cumbersome permits and fees. The city does not have the desire or ability to enforce such regulations, and creating laws we do not intend to enforce widens the economic divide, as those with means seek remedy through civil action, while the rest of us are expected to tolerate the lawlessness or bear the legal wrath of more fortunate (and often more recent) neighbors.

This limited form of short term rental can strengthen neighborhoods by helping long term residents stay in their homes in the face of rising expenses. They provide visitors with access to hosts who can intimately share the joys (and perils) of their neighborhoods and allow some of the wealth attracted by our tourism industry to be shared with others.

Unfortunately, many of our STRs fall into a different category entirely. Owners or tenants are acquiring entire properties and blocks of properties to be used as de facto hotels. This degrades the fabric of our neighborhoods. A concentration of visitors without urban survival skills attracts predators, and the use of multiple properties as STRs drives up rents. I am sure many other commenters can expound quite eloquently on these perils, so I won't waste your time going on about them.

Our housing stock, and the large number of double shotgun houses, is very conducive to providing small scale economic stability to a wide swath of our citizenry, and the decimation of that housing and rental stock after Hurricane Katrina has ushered in an era of extreme economic inequality. Allowing individuals to claim large swaths of the existing stock for uses other than primary residences creates further instability.

So, how do we address this with legislation?

Allow STRs in an individual's primary residence and make STR companies require proof of residency in the form of proving a Homestead Exemption. This should be very uncomplicated and easy to comply with legislation, without a lot of "gotcha" clauses. We all know what a primary residence is. In order to make this practical, it may require some sharing of databases. Then, make the fines for violation very steep. I'm talking about hundreds of thousands of dollars, or even forfeiture of property for repeat offenders. The city would only have to take one or two million dollar condos for property owners to get

the message, and enforcement should be profitable enough to make it a priority. Remember, these are internet savvy individuals who can be easily reached through electronic media, so it will be difficult to claim ignorance of the law. Require the STR sites to distribute the law to their clients.

There also needs to be some mechanism for tenants who are renting out a spare room, as they are not eligible for the Homestead Exemption. This should be the only slightly complicated part of the law.

Once you have enacted a law that is clear and easy to follow and placed dire penalties for the failure to do so, we can begin to address this issue. But on this I am emphatic. Any law that is bogged down with unnecessary clauses and prohibitions invites violations by predators and abuse by neighborhood associations. Grant clear and simple privileges and make the consequences for abusing them steep enough to attract attention.

Heidi Diekelman
916 Spain St

Nicholas J. Kindel

From: CPCinfo
Sent: Monday, November 30, 2015 4:15 PM
To: Nicholas J. Kindel
Subject: FW: Short-term rentals

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

From: Jackie [<mailto:jackie@mff.ch>]
Sent: Monday, November 30, 2015 2:22 PM
To: CPCinfo
Subject: Short-term rentals

I am opposed to unregulated short-term rentals for our city. It is about greed and not protecting the culture and architecture of our city, both becoming more and more fragile. If the city is unable to monitor then all STRs should be illegal that are not under the established B&B program.

Jackie Gamble
1550 Second St, apt 3- I

Sent from my iPhone

Nicholas J. Kindel

From: CPCinfo
Sent: Monday, November 30, 2015 4:16 PM
To: Nicholas J. Kindel
Subject: FW: STR Study: Los Angeles Times, Nov. 3, 2015: Next steps for regulation in San Francisco

From: Carol Gniady [mailto:carolgniady@frenchquartercitizens.org]
Sent: Monday, November 30, 2015 2:24 PM
To: CPCinfo
Subject: STR Study: Los Angeles Times, Nov. 3, 2015: Next steps for regulation in San Francisco

After recent failure to pass Proposition F in San Francisco, other propositions are now on the horizon focusing on affordable housing and a "neighborhood stabilization plan" that puts a moratorium on further development until an area stabilizes.

<http://www.latimes.com/local/lanow/la-me-ln-san-francisco-housing-ballot-20151102-story.html>

Los Angeles Times, Nov. 3, 2015

Airbnb fight: San Franciscans ponder housing, housing and housing on ballot
Tenants Protest AirBnb, Alleging Illegal Conversions Of Rent-Controlled Apartments
A protester with the San Francisco Tenant Union, seen in 2014, hangs a sign on the exterior of a city building that allegedly evicted all of the tenants so that the units could be converted to Airbnb rentals. (Justin Sullivan / Getty Images)
Lee Romney Lee Romney Contact Reporter

Most California voters weighing in on ballot measures Tuesday face school district bond issues or yawn-inducing parcel taxes. Here in San Francisco, however, the very soul of the city is at stake. Or at least that's how it feels to many.

The issue at the heart of it all: housing.

"When people can't afford to live in the city, it just changes overnight," Michael Reiner, 24, said Monday as he prepared to hop on his bicycle in San Francisco's Mission District and carefully ride home carrying three vinyl records he had just purchased at a nearby thrift store.

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"I think it's the defining issue for the city," added the advertising industry freelancer, who moved here two years ago and "got lucky," finding a Sunset District rental.

Everything you need to know about San Francisco's Airbnb ballot measure
Everything you need to know about San Francisco's Airbnb ballot measure
Perhaps most visible of a host of housing-related measures on the ballot here is Proposition F, which would tighten restrictions on short-term housing rentals, taking aim most pointedly at Airbnb in the hometown of the sharing economy tech giant, valued at \$25 billion.

The measure would limit rentals to 75 days a year whether or not they are hosted (even if a resident is renting a room in their home while they are still there); crack down with potential misdemeanor charges on hosting platforms that list unlawful short-term rentals; and allow “interested parties” such as neighbors to sue companies that don’t play by the new rules, among other requirements.

Airbnb has spent more than \$8 million to defeat the measure -- giving it an even higher profile as an emblem of the widening inequities that define today’s San Francisco.

That’s the San Francisco where a revved-up tech economy has driven the unemployment rate down to 3.2% and where an influx of young, wealthy tech workers and a dearth of available housing has driven the median price of a one-bedroom apartment to \$4,000 a month.

The buckets of cash spent by Airbnb, Reiner said, was “maybe the thing that most convinced me” to support Proposition F.

Protesters storm Airbnb's San Francisco headquarters a day before vote on regulations
Protesters storm Airbnb's San Francisco headquarters a day before vote on regulations
“It just seems that we need to keep big corporations in check,” Reiner said.

Opponents counter that the measure has unfairly become a scapegoat for anxieties over a housing crisis with much broader causes than short-term rental housing.

Patrick Hannan, campaign manager for No on Prop F, said it “disingenuously asserts [that] it addresses the housing crisis. ... Thousands of apartments will not suddenly become available.”

Regardless, a scapegoat it is.

“Yes on Proposition F,” Adrian Martinez, 27, said, pumping his fist in the air as he passed by the Uptown, an old-school Mission District bar that sported a pro-Proposition F sign. (“Fix the Airbnb Mess,” it reads.)

Martinez, the guitarist for the band Motor Inn and a sound technician for other musicians, moved to the Outer Mission from Las Vegas in 2005 but along with his sister and a couple of roommates lost his housing six months ago.

They were evicted from their \$2,000-a-month digs for what was supposed to be a legal move-in by a relative of the owner. But a friend of Martinez’s saw the place listed on Craigslist not long afterward, he said -- for \$4,500.

He’s now subletting space in a warehouse, but it’s not stable.

“I’m not homeless. I’m not fully settled,” he said, his long black hair swinging as he hustled down Capp Street with brisk long-legged strides.

The shift in who can and cannot afford to be here is “sucking the soul out of the city,” he said. “It feels, like, sterilized. I mean, where’s the edge?”

Airbnb finds a foolproof way to tick off San Francisco voters
Airbnb finds a foolproof way to tick off San Francisco voters
Proposition F is just one of a number of ballot measures targeting the housing crisis

Proposition I, for instance, takes aim at the Mission District in particular, where displacement has been particularly pronounced. It would place a moratorium on market-rate housing development here for at least 18 months while a “neighborhood stabilization plan” is crafted to ensure affordable housing is created.

Voters will also decide whether to approve a \$310-million affordable housing bond -- heavily backed by Mayor Ed Lee, who has presided over the boom and is running virtually unopposed for a second term.

That bond measure, Proposition A, would help finance construction, acquisition and preservation of housing affordable to low- and middle-income households; rehabilitate and preserve affordable rental apartments to prevent eviction of long-term residents; fix up dilapidated public housing; and fund rental assistance and home ownership down payment programs for middle-income residents, including teachers.

Yet another measure, Proposition K, would allow surplus city property to be used to build affordable housing for a range of needs -- from the homeless to those with incomes up to 120% of area median income.

Larger projects -- with more than 200 units -- would include some for those earning up to 150% or more of the area median income.

Indeed, for some residents here, protecting the middle class is just as important as finding housing for those who have been forced onto the streets or the sofas of friends and relatives.

Justine McClain cradled her 6-month son in her arms while pushing her older boy -- nearly 2 -- in a double stroller in San Francisco’s Cole Valley neighborhood Monday evening.

Of 14 women in her moms group, all but two left over the past year or two, as they grew out of their one-bedroom apartments and found they could not afford anything larger, said McClain, a stay-at-home mom now who considers herself fortunate because she and her husband own their place.

“It’s sad to me, because this neighborhood has so many resources for kids,” she said. “And so many people can’t stay. ... What I see right now is there’s no place for working families, [even] families earning \$250,000.”

McClain, like Reiner, had already voted by mail on Monday. But unlike Reiner, she opposed the Airbnb measure, saying she didn’t like “the idea that neighbors are tattling on each other” and that it would place undue burdens on San Francisco’s Planning Department.

“Airbnb,” she said, “is a tiny piece of a huge housing problem.”

Times staff writer Tracey Lien, in San Francisco, contributed to this report.

Twitter: @leeromney

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Nicholas J. Kindel

From: CPCinfo
Sent: Monday, November 30, 2015 4:16 PM
To: Nicholas J. Kindel
Subject: FW: STR

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

From: Terrell Corley [<mailto:terrellcorley@bellsouth.net>]
Sent: Monday, November 30, 2015 2:29 PM
To: CPCinfo
Subject: STR

As a resident of the French Quarter since 1967 I have seen the erosion of the neighbor. It has been corrupted by locals as well as out of towners who want to use it as a money pit. I is a cancer which keeps spreading throughout New Orleans. Please put enforceable restrictions on this.
Sent from my iPad

Nicholas J. Kindel

From: CPCinfo
Sent: Monday, November 30, 2015 4:16 PM
To: Nicholas J. Kindel
Subject: FW: Short term rentals

From: Frank Ferraro [mailto:sundevil911@gmail.com]
Sent: Monday, November 30, 2015 2:30 PM
To: CPCinfo
Subject: Short term rentals

Dear City Planning Commission members and staff,

As you consider the possibilities for regulatory framework on short-term rentals, I ask simply that you put our residents and neighborhoods first.

Short term rentals are overwhelmingly concentrated in our city's most historic and vulnerable neighborhoods. We already have laws that specially regulate these fragile and significant areas. These laws must continue to protect the residents and stewards of our neighborhoods. The historic neighborhoods are in jeopardy of disappearing as we know them.

Please remember that those who are here for a weekend have different reasons to be here than we do. Neighbors make a neighborhood, and their investments go far beyond a short-term stay. As long as we maintain protection of our neighborhoods as the top priority, we can be sure that regulations will be in the best interests of our city. This will ensure that our residents will thrive, and the visitors will follow.

Sincere thanks for your diligence on this overwhelming issue,

Frank T. Ferraro

1010 Bourbon Street

New Orleans, LA 70116

Nicholas J. Kindel

From: CPCinfo
Sent: Monday, November 30, 2015 4:16 PM
To: Nicholas J. Kindel
Subject: FW: STR Study: Los Angeles Times, July 19, 2015: Rental sites like Airbnb aren't as innocuous as they pretend

From: Carol Gniady [mailto:carolgniady@frenchquartercitizens.org]
Sent: Monday, November 30, 2015 2:32 PM
To: CPCinfo
Subject: STR Study: Los Angeles Times, July 19, 2015: Rental sites like Airbnb aren't as innocuous as they pretend

Another Los Angeles Times article looking at the effects of STRs, particularly whole house rentals on available and affordable housing stock and effects on neighborhoods.

"The rental or subletting of rooms, apartments or homes to transient tenants, even where strictly illegal, used to be sufficiently scattered to be winked at. Once Airbnb and its fellows provided the means to turn this activity into a commercial enterprise, its potential to destabilize whole neighborhoods became impossible to ignore. The character of a building, block, neighborhood or entire city is inextricably linked to the nature of occupancy, whether it's a community of owners, longtime renters or tourists. Cities thrive as melting pots of cultures, economic strata, and professionals and artists, not as homogenized housing for visitors."

<http://www.latimes.com/business/hiltzik/la-fi-hiltzik-20150719-column.html#page=1>

Be sure to also read the LAANE report, link is below - report is long but worth the read.

<http://www.laane.org/airbnb-report/>

Rental sites like Airbnb aren't as innocuous as they pretend

Airbnb

Airbnb enables residents or owners of homes and apartments to connect online with would-be short-term renters. (Justin Sullivan / Getty Images)

Michael Hiltzik Michael Hiltzik Contact Reporter

The Economy Hub

You could look at the recent proposals to clamp down on San Francisco's short-term housing rental market as the city's attempt to call Airbnb's bluff.

Airbnb is the high-tech start-up that allows residents or owners of homes and apartments to connect online with would-be renters of their spare couches, rooms or entire units. The firm, the most prominent of several "room-

sharing" sites operating nationally, says its "typical single-property host" rents out space for 66 days a year, which sounds fairly innocuous.

So San Francisco, like Los Angeles, New York and some other cities, is offering to go easy on modest "sharing," in return for the collection of lodging taxes and strict enforcement of the rules against turning housing into unlicensed hotels.

The pushback from Airbnb suggests that there's more to the phenomenon than a few families making a few bucks. Airbnb describes the influx of casual lodgers into residential neighborhoods as though it's an unalloyed blessing. In an appeal this spring directed at small-business owners in San Francisco, the firm bragged that "72% of Airbnb properties are outside of traditional hotel districts, in neighborhoods that haven't benefited from tourism in the past." That's a boon to businesses in those outlying districts, the firm implied.

What we're trying to stop is the phenomenon of people buying buildings and evicting tenants so they can rent to tourists for three to four times as much.

- Dale Carlson, spokesman for Sharebetter SF

City officials and many of their constituents aren't so sure. "We want short-term rentals to be part of San Francisco," says Dave Campos, a San Francisco County supervisor who proposed stricter regulations. "But there's a commercial short-term rental industry that buys entire buildings and rents them all out. That's changing the character of the neighborhood and taking housing stock away from people who need it."

Campos says illegitimate rentals have effectively taken 1,900 long-term housing units off the San Francisco market at a time when the city is experiencing a historic housing shortage.

Housing activists urge city to investigate Airbnb rentals at Hollywood site
Housing activists urge city to investigate Airbnb rentals at Hollywood site

But fighting back against this trend hasn't been easy, in part because Mayor Ed Lee has been supportive of San Francisco-based Airbnb. A Campos measure that would have limited all short-term rentals to 60 days a year per unit, raised penalties for violations and required quarterly reports of rental activity was rejected last week by the county Board of Supervisors. The board opted to retain a cap of 90 days per sublet, with no limit on rentals during which the host remains on hand. Campos says that's a huge loophole, as it's almost impossible to verify.

The battle isn't over. A measure limiting all short-term rentals to 75 days a year has qualified for the city ballot in November.

At the heart of the debate is the question of just what business Airbnb is in. In a report the firm released last month, former Clinton and Obama administration economist Gene Sperling asserted that Airbnb was "an economic lifeline" to middle-class families beset by income stagnation over the last 15 years.

Sperling described the available space in a home as an "otherwise underutilized asset," an odd way to describe a room, or even a couch, that no one may happen to be occupying at a given moment. He cited "internal Airbnb data" to assert that the "typical" single-property lister on Airbnb was collecting \$7,530 a year for an average of 66 days a year, a sizable "raise" for a median household earning \$52,770 in 2013.

But the reality that concerns municipal officials is the drastic expansion and commercialization of short-term rentals. There are indications that owners or managers of single or multiple properties available for rent year-round provide a disproportionate share of the market's volume.

A study issued in March by the Los Angeles civic group LAANE found that although 52% of the listing hosts on Airbnb in L.A. were on-site hosts offering private or shared rooms, they accounted for only 11% of revenue in the market. Leasing companies offering two or more whole units constituted 6% of all listing hosts but accounted for 35% of revenue.

"We all agree on the principle of protecting real sharing," Roy Samaan, the study's author, told me. "But the scale and professionalism of these new platforms have really ramped up the negative effects."

The Airbnb-style platform is a good example of how technology can turn an innocuous situation into a problem. It used to be no big deal, for instance, to have a listed home phone number when it appeared only in your local phone book; now that any listed number can be accessed from anywhere in the world with the click of a mouse, who doesn't feel a certain loss of privacy?

The rental or subletting of rooms, apartments or homes to transient tenants, even where strictly illegal, used to be sufficiently scattered to be winked at. Once Airbnb and its fellows provided the means to turn this activity into a commercial enterprise, its potential to destabilize whole neighborhoods became impossible to ignore. The character of a building, block, neighborhood or entire city is inextricably linked to the nature of occupancy, whether it's a community of owners, longtime renters or tourists. Cities thrive as melting pots of cultures, economic strata, and professionals and artists, not as homogenized housing for visitors.

In tight housing markets such as San Francisco or Los Angeles, the expansion of short-term rentals has been shown in some surveys to reduce the availability of long-term rental units. In San Francisco, accusations that landlords are evicting tenants have become commonplace.

"What we're trying to stop is the phenomenon of people buying buildings and evicting tenants so they can rent to tourists for three to four times as much," says Dale Carlson, a spokesman for Sharebetter SF, the community group that placed the short-term rental cap on the November city ballot.

Just last week, housing activists in Hollywood demanded the city investigate whether the owners of a local apartment house have illicitly converted it into a hotel by offering short-stay rentals via Airbnb.

The rules proposed or enacted by cities across the country have closely reflected local conditions. In New York, where the housing shortage is dire, the law forbids virtually any short-term rental of a residential unit. The city is proposing to sharply ramp up enforcement and penalties, in part because state Atty. Gen. Eric Schneiderman has charged that 72% of private short-term rentals violate the law.

Santa Monica, which treasures its aura of community, its history of rent control and its upscale single-family neighborhoods, enacted one of the strictest new laws in the country in May, banning as many as 1,400 of the 1,700 listings then appearing on Airbnb and two other rental sites.

In Los Angeles, Councilman Mike Bonin and Council President Herb Wesson have proposed allowing only the primary resident of a home or apartment to rent it out for short stays, and barring short-term rentals of rent-controlled units.

San Francisco's housing crisis, which is heightened by demand from an influx of high-tech company employees, places the city "at the cutting edge of this issue," says Carlson.

A proposal for a \$300-million bond to build up to 1,200 units of affordable housing will appear on the same ballot as the proposed cap on short-term rentals. "The irony is that we're asking taxpayers to pay more for a problem that Airbnb has created and exacerbated," Campos says.

Michael Hiltzik's column appears every Sunday. Read his blog, the Economy Hub, every day at latimes.com/business/hiltzik, reach him at mhiltzik@latimes.com, check out facebook.com/hiltzik and follow [@hiltzikm](https://twitter.com/hiltzikm) on Twitter.

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Carol Gniady
Executive Director
French Quarter Citizens, Inc.
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Nicholas J. Kindel

From: CPCinfo
Sent: Monday, November 30, 2015 4:16 PM
To: Nicholas J. Kindel
Subject: FW: Short-Term Rental Study

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

From: Carolyn Dunn Goodwin [<mailto:carolyndg2004@yahoo.com>]
Sent: Monday, November 30, 2015 2:34 PM
To: CPCinfo
Subject: Short-Term Rental Study

Good Day:

Please proceed with care on the issue of short-term rentals. What you recommend and the City Council adopts will affect the value of our homes. This was made clear to me during our last condo meeting. We were meeting to lengthen the time a unit could be rented. All owners but one do not want Airbnb type rentals in our condo building and it has been a nuisance and potential liability. The one owner has continued to rent through Airbnb despite condo rules and the disapproval of his fellow owners. We were surprised to see the lawyer for the Alliance for Neighborhood Prosperity walk in the door. Saying he was there to impart information, he proceeded to say that the value of our property would go down if we did not allow short-term rentals. These are the intimidating tactics being used on homeowners who are trying to protect their property and neighborhoods. If you cannot see the forest for the trees at this point, consider deferring your deadlines. It's just too important to not get it right.

Regards.....Virginia Carolyn Dunn Goodwin
Home Owner
713 Burgundy
Nola

Nicholas J. Kindel

From: CPCinfo
Sent: Monday, November 30, 2015 4:16 PM
To: Nicholas J. Kindel
Subject: FW: STR Study: Barcelona combating illegal STRs, looks into tourism management

From: Carol Gniady [mailto:carolgniady@frenchquartercitizens.org]
Sent: Monday, November 30, 2015 2:37 PM
To: CPCinfo
Subject: STR Study: Barcelona combating illegal STRs, looks into tourism management

Barcelona example

<http://www.theguardian.com/travel/2015/jun/28/will-people-barcelona-revolt-against-soaring-tourist-numbers>

Will the citizens of Barcelona revolt against soaring tourist numbers?
With the Catalonian city hosting five times as many visitors as 20 years ago, there is a feeling among some locals that the financial benefits are not worth the hassle
Barcelona

The Eixample district, with the Sagrada Familia church, in Barcelona. Photograph: Amos Chapple/Rex
Stephen Burgen in Barcelona
Sunday 28 June 2015 15.37 EDT Last modified on Monday 28 September 2015 11.42 EDT

First there were mutterings, then there were street protests, but now Barcelona is showing signs of “tourist phobia”, the city’s guides are warning.

As many as nine million visitors are expected in Barcelona this year, crammed into a few small areas of a city of 1.6 million inhabitants, more than five times the number who visited 20 years ago. With the weak euro attracting ever more tourists, and as many as 2.5 million visitors disembarking from cruise ships a year, residents are feeling besieged.

“People push us, give us dirty looks and make nasty remarks when we’re showing tourists around,” said Mari Pau Alonso, president of Barcelona’s Association of Professional Tourist Guides.

Even Jordi Clos, head of the city’s hoteliers’ association, which wants to see visitor numbers rise to 10 million, says there is an “urgent need” to make citizens more sympathetic to tourists, given the “sense of being overwhelmed” that people have experienced in recent years.

“If we don’t want to end up like Venice, we will have to put some kind of limit in Barcelona,” said Ada Colau, the city’s new mayor, shortly after she was elected in May. She is proposing a moratorium on new hotels and licences for apartments rented to tourists.

A survey for the Exceltur tourist group revealed that there are now twice as many beds available in tourist apartments – some 138,000 – as there are in hotels.

Tourist flats offer a more attractive and economic deal to visitors, and their owners can expect rents at least 125% higher than they would receive from long-term tenants. While many are let through large online organisations, such as Airbnb, others are offered by homeowners trying to make ends meet during Spain's prolonged recession.

Barcelona's beaches

Barcelona's beaches show another side to the city. Photograph: Manu Fernandez/AP
Tourists spend 25m euros (£18m) a day in the city, and the industry accounts for 15% of Barcelona's GDP and about 120,000 jobs. No one wants to drive tourists away, says Colau, but if the city becomes a "theme park" people will stop coming.

Ciutat Vella, the heart of old Barcelona and one of the most popular districts among tourists, has lost 13,000 residents in eight years, driven out by high rents and the relentless noise of tourism. Many areas, such as the famous Las Ramblas or the area around the Sagrada Familia church, are in effect no-go areas for residents.

Colau suggests encouraging tourists to visit other parts of the city, but visitors are drawn to the old city, the Antoni Gaudí buildings and Barceloneta's beaches. The city is the Mediterranean cruise capital and ships, some carrying thousands of passengers, have a huge impact. Passengers are disgorged at the city's main sights and then leave, having bought little more than a souvenir and a bottle of water during their time ashore.

Their social impact is seen by many as hugely outweighing their financial contribution, leading some, Clos among them, to suggest a tax on cruises. So far, the 7m euros annual tax on hotels has been spent on promoting tourism, but the Catalan parliament is now considering using it to alleviate the industry's effects.

Francesc Muñoz, professor of urbanisation at Barcelona's Universitat Autònoma, goes further. "Why can't hotel chains finance schools and nurseries?" he asks. "Why can't cruise companies pay for roadworks?" That way, he argues, residents would see some palpable return for putting up with the tourist invasion.

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Carol Gniady
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Nicholas J. Kindel

From: CPCinfo
Sent: Monday, November 30, 2015 4:16 PM
To: Nicholas J. Kindel
Subject: FW: Please legalize Short Term Rentals

From: Tomas Kazanova [<mailto:tom.kazanova@gmail.com>]
Sent: Monday, November 30, 2015 2:38 PM
To: CPCinfo
Subject: Please legalize Short Term Rentals

Dear City Planners,

Short term rentals should be a part of the cities plan to grow. What most short term renters want is to experience the city from a neighborhood prospective and that's just what most Airbnb/Homeaway guests receive. As a short term rental owner, I have a few suggestions that would/could make this work for the owners and the city.

1. Landlords should only be able to rent out to people if they live on property. That way if there are any issues with the guest the resident is there to address them quickly. Some houses have servant quarters that make great Airbnb rentals, and the home owner is just a few steps away. In this scenario there is someone that the city/neighbors can hold responsible.
2. Make each Short Term land lord pay a tax per unit. That payment should come with a permit number that must be submitted to Airbnb/Homeaway before the unit can be offered up for rent. Hold airbnb accountable, as our partner to make sure that each renter is compliant. That should help enforcement.
3. Make failure to comply a steep price to pay - and take no prisoners. A crew of one or two compliance officers should be able to a manage with Airbnb's help.
4. Tax each nightly stay - make airbnb pays that directly to the city.
5. Limit Airbnb rentals to 1 per block face/ if more than one exists auction off the right to short term rent.

I think there's a lot of ways that the city, the landlords and airbnb can all win. Its just a matter of coming together and making this work for the city. If you need any further help have comments or questions feel free to email or call

regards,
Tom Kazanova
312.610.0213

Nicholas J. Kindel

From: CPCinfo
Sent: Monday, November 30, 2015 4:17 PM
To: Nicholas J. Kindel
Subject: FW: STR

From: Diane Simoneaux [<mailto:dsimoneaux504@gmail.com>]
Sent: Monday, November 30, 2015 12:40 PM
To: CPCinfo
Subject: STR

Dear City Planning Commission members and staff,

As you consider the possibilities for regulatory framework on short-term rentals, I ask simply that you put our neighborhoods first.

STRs are overwhelmingly concentrated in our city's most historic and vulnerable neighborhoods. We have myriad laws that specially regulate these fragile and significant areas. These laws must continue to protect the residents and stewards of our neighborhoods.

Please remember that those who are here for a weekend have different reasons to be here than we do. Neighbors make a neighborhood and their investments go far beyond a short-term stay. As long as we maintain protection of our neighborhoods as the top priority, we can be sure that regulations will be in the best interests of our city. This will ensure that our residents will thrive, and the visitors will follow.

Sincere thanks for your diligence on this overwhelming issue,

Don't kill the FQ for residents!!!
Thanks
Sent from my iPhone

Nicholas J. Kindel

From: CPCinfo
Sent: Monday, November 30, 2015 4:17 PM
To: Nicholas J. Kindel
Subject: FW: Short Term Rentals in the Quarter

From: gpm@aol.com [<mailto:gpm@aol.com>]
Sent: Monday, November 30, 2015 2:41 PM
To: CPCinfo
Subject: Short Term Rentals in the Quarter

Dear City Planning Commission members and staff,

I am a full time resident of the Quarter, and have been for the past 11 years. As you consider the possibilities for regulatory framework on short-term rentals, I ask simply that you put our neighborhoods ahead of commercial and entertainment interests. It is frustrating for residents such as my wife and I, who have written to our City Council representative, and to the Planning commissioner and been ignored on this serious issue.

Short term rentals are overwhelmingly concentrated in our city's most historic and vulnerable neighborhoods. We already have myriad laws that specially regulate these fragile and significant areas. These laws must continue to protect the residents and stewards of our neighborhoods. In my neighborhood, there are blatant violations of the current laws, where websites advertising "bachelor and bachelorette parties" (see this example: http://www.innthequarter.com/dauphine_suites.htm of what was previously a private residence until 2013). Every Thursday afternoon or Friday morning, taxis unload a dozen or more young people looking for a "fun weekend". They sit out on balconies in our previously exclusive residential neighborhood, and "party" loudly until early morning. Sunday mornings, they are scooped up until the next batch arrives. There are 5 openly STR locations just in our block on Dauphine Street. There is no economic incentive for the owners of these locations to provide affordable workforce housing for our citizens.

Please remember that those who are here for a weekend have different reasons to be here than we do. Neighbors make a neighborhood, and our investments go far beyond a short-term stay. As long as we maintain protection of our neighborhoods as the top priority, we can be sure that regulations will be in the best interests of our city. This will ensure that our residents will thrive, and the visitors will follow.

I hope that the commission will take the perspective of tax paying residents into consideration when it considers this issue.

Sincerely,

George and Zofia McGunagle

Nicholas J. Kindel

From: CPCinfo
Sent: Monday, November 30, 2015 4:17 PM
To: Nicholas J. Kindel
Subject: FW: Short Term Rentals

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

From: G B Bilby [mailto:gladeb@bellsouth.net]
Sent: Monday, November 30, 2015 2:42 PM
To: CPCinfo
Subject: Short Term Rentals

As a resident of the French quarter and the Marigny, I strongly object to the continued proliferation of short-term rentals in our neighborhoods. As zoning laws stand now, these uses are not permitted. Continued use of private houses and apartments, for commercial gain other than long-term rental, goes against the simple laws of economics for the city and the taxpayers. These units do not pay commercial taxes, or the same utility rates as permitted businesses. They do not carry commercial insurance, and do not follow the same regulations as legal businesses, whether through occupational licenses or ADA compliant access. It is usually these visitors in the non-permitted short-term rentals that are here to party, and more often than not, do not contribute to the well-being and safety of the neighborhood.

We already have an abundance of laws that regulate our neighborhoods, our architecture, and the tourist zones. These existing laws must continue to protect the residents of these neighborhoods, the very people that keep these special properties alive and maintained on a 24/7 basis. We seem to already have major problems with crime, the homeless in commercial and residential areas, graffiti, and trash - without adding more to the already 10 million plus visitors. Managing what we legally have at present would be a proper start. Thanks for your consideration, and I trust that your diligence will benefit our fragile neighborhoods and the people that follow the law.

WHEN THERE IS NO EFFORT TO ENFORCE THE LAW, THERE IS NO DESIRE TO FOLLOW IT.

Thanks,
Glade Bilby

Nicholas J. Kindel

From: CPCinfo
Sent: Monday, November 30, 2015 4:17 PM
To: Nicholas J. Kindel
Subject: FW: STR Study: Barcelona example #2: Tourist cap

From: Carol Gniady [mailto:carolgniady@frenchquartercitizens.org]
Sent: Monday, November 30, 2015 2:42 PM
To: CPCinfo
Subject: STR Study: Barcelona example #2: Tourist cap

Barcelona, again. Full article follows - July 14, 2015 - inthesetimes.com

"A 2004 study published by Tulane University sociologist Kevin Fox Gotham in Urban Studies indicates it may be wrong to blame tourists alone. The transformation of a city into a place that caters to tourists over residents is also the result of targeted investments by developers, often supported by city governments.

Cities seeking more economic development partner with these investors to become more attractive to tourists and upper-income residents by building hotels, entertainment venues and upscale housing. Suddenly, traditionally working- and middle-class neighborhoods are inaccessible to residents of modest means."

<http://inthesetimes.com/article/18149/should-cities-ban-tourists>

Is Banning Tourists the Solution to Gentrification?

A 'tourist cap' might be in the works in Barcelona to fight rising costs of living and disorderly behavior.

BY MARTIN DE BOURMONT

Cities seeking more economic development partner with these investors to become more attractive to tourists and upper-income residents by building hotels, entertainment venues and upscale housing. Suddenly, traditionally working- and middle-class neighborhoods are inaccessible to residents of modest means.

Barcelona's new mayor, Ada Colau, thinks what her city needs is a "tourist cap"—a moratorium on new hotel licenses and a limit on the number of tourists entering the city.

Colau proposed these restrictions June 1, soon after winning office on a left-wing slate backed by Podemos and the Barcelona en Comú Party. Once considered a source of vigor for the local economy, tourism is now seen by many Barcelonans as a scourge, responsible for overcrowded streets, disorderly behavior (including incidents of streaking) and an increasing cost of living.

"[Tourists] have urinated onto my balcony, they have set fire to laundry, someone defecated in the building's hallway," Nando Prieto, whose building now rents rooms to tourists, told Vice. The English-language newspaper The Local reports that a growing market for short-term tourist apartments is "leading to rampant real estate speculation."