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843 Santa Maria Dr. Advertisements

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**843 SANTA MARIA DR.
NAPERVILLE, IL USA**



Huge Naperville Riverside Estate

Sleeps: 16+ to 30

Bedrooms: 7

Bathrooms: 6

Minimum Stay: 1 night

Additional Guest Fee: \$20.00

Rental Rates: \$249-\$460 avg/night

Owner: Dean Batogowski



Huge Naperville Riverside Estate - Amazing Views!

1 review · Superhost · [Naperville, Illinois, United States](#)

Entire house
hosted by Dean

16+ guests · 7 bedrooms · 9 beds · 6.5 baths

\$249 / night

Check availability



Vrbo (<https://www.vrbo.com/>)



Where
843 santa maria drive naperville il usa

Check In

Check Out

Search



\$460 avg/night

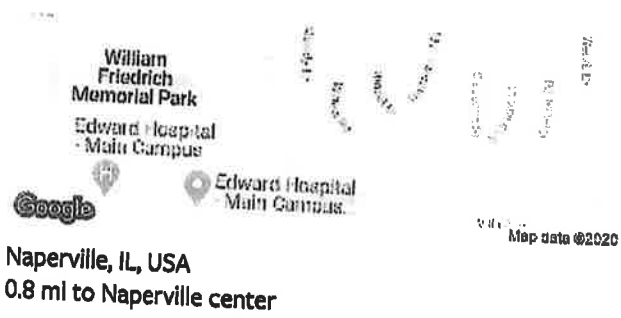
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Check In	Check Out
Guests	

Huge Naperville Riverside Estate - Amazing Views!

Book Now



Dean Batogowski
Ask owner a question

For booking assistance, call Vrbo at 888-829-7076
Property # 9366955ha

- House
- Sleeps: 30
- Bedrooms: 7
- Bathrooms: 6

 Half Baths: 1

 Min Stay: 1 night

Instant Confirmation

Pets Welcome

Air Conditioning

No Smoking

Internet

TV

This 7000 sq foot estate is nestled along a rolling stretch of the DuPage River which separates the home from the Lincoln Greenway. The beginning of Naperville's famous Riverwalk is a 4 block stroll through the East Highlands neighborhood. The home can support amazing events (contact host for event fee), corporate meetings or a

Bedrooms

 Bedrooms: 7  Sleeps: 30

Owner


**Dean
Batogowski**
Member Since
2019

**Ask owner a
question**

Languages: English

Amenities

Featured

-  No Smoking
-  Parking
-  Heater
-  Air Conditioning
-  TV
-  Fireplace
-  Washer & Dryer
-  Pets Welcome
-  Satellite or cable
-  Internet

Bathrooms

Bathrooms: 6, Half Baths: 1

Safety features

- Exterior lighting
- Smoke detector
- Fire extinguisher
- Carbon-monoxide detector
- Deadbolt lock
- First-aid kit

General

- Air Conditioning
- Heating
- Linens Provided
- Washing Machine
- Clothes Dryer
- Fireplace
- Parking
- Garage

Internet	Wireless	Hair
Towels	Internet	Dryer
Provided	Iron &	
	Board	

Kitchen

Dishwash er	Coffee Maker
Microwav e	Dishes & Utensils

Entertainment

Television	Satellite / Cable
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House Rules

Check-in: 5:00 PM **Check-out:** 11:00 AM

Parties/events allowed

No smoking

Pets allowed






Children allowed

Minimum age of primary renter: 21



Max guests: 30



House rules

-  Check-in: After 5:00 PM
-  Checkout: 11:00 AM
-  No smoking
-  Pets are allowed
-  Parties and events are allowed

You must also acknowledge

-  Surveillance or recording devices on property — There are cameras on all entries and exits. There are no cameras inside the home
-  Security Deposit - if you damage the home, you may be charged up to \$2000

Additional rules

Quiet hours = Sunday - Thursday 10pm, Friday - Saturday 11pm

We have lovely neighbors; please be respectful of them! There is absolutely no trespassing on neighbor's property.

Parties/Events/Gatherings are allowed for a fee of \$20 per person. This must be requested and approved ahead of time. This is a wonderful home for peaceful gatherings but there is zero tolerance to disrespecting the property and people in the neighborhood. Guests that exhibit this behavior will be removed by the host with no refund. The home must be left in the same condition it was found in upon check in. Do not leave "party clean up" to the clean crew. Some events may not be permitted if there are concerns with the neighborhood and safety.

Parking: The house has a 3 car garage. Please use the garage where possible. Do not congregate in front of the house creating a disturbance in the front of the home. overflow parking can be done on the west side of Santa Maria Dr and down Willow St. Guests walking in the neighborhood to the home need to respect the neighbors by walking quietly to and from



Cancellation Policy

100% refund if canceled at least 14 days before arrival date. 50% refund if canceled at least 7 days before arrival date.

0 Reviews

This property doesn't have any reviews yet.

Map

Naperville, IL, USA

Detailed location provided after booking



What's nearby

- 1. Morton Arboretum 5.3 mi
- 2. Chicago Premium Outlets 7 mi
- 3. Wheaton College 7.7 mi
- 4. Hollywood Casino Aurora 8.6 mi
- 5. College of Dupage 6.8 mi
- 6. Bolingbrook Golf Club 6.6 mi

N:

Map
left
right
up
down

Additional information about rental rates

Cleaning Fee	\$225
Pet Fee	\$40
Additional Guest Fee	\$20
Property Damage Insurance	\$99

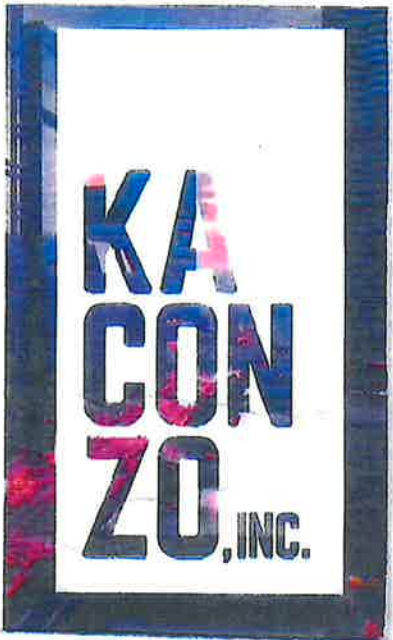
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THE PROBLEM WITH COMMERCIALIZED SHORT TERM RENTALS

Though some hosts occupy their rentals and truly participate in the spirit of “home sharing,” a disproportionate number of rentals belong to commercial users who do not occupy their multiple property listings. Lack of enforcement allows these commercial ventures to wear down the economic and social fabric of residential neighborhoods in a variety of ways. Here are the realities that the optimistic propaganda of the “sharing economy” leaves out:



1) **Commercialized short-term rentals artificially inflate rental costs.** Commercial short-term rental operators have figured out how to profit from evading city laws and converting long-term living spaces (including those under rent control) into short-term rentals. That means fewer homes on the market for long-term renters, and landlords that can expect a higher rent from tenants planning to operate a short-term rental. More on that [here](#).



2) Commercialized short-term rentals make it impossible for most families to live in their current neighborhoods. As long-term residents get priced out of your neighborhood, who remains? Only those who already own a home (and don't rent it out short term).

Goodbye new families. Goodbye young couples struggling to pay the rent. Goodbye students, artists, and anyone who can't afford to compete with vacationers' budgets. **Goodbye neighborhood diversity, goodbye affordable/workforce/rent-control housing.**



3) Illegal short-term rentals attract disruptive visitors. The influx of out-of-town visitors upsets the peaceful enjoyment of long-standing residential neighborhoods. Short-term renters have no stake in the community, and therefore no reason to care how the neighborhood around them suffers from their vacation activities. Zoning code laws keep

hotels out of residential neighborhoods, and exist to accommodate the inevitable disruptions of tourism. Illegal short-term rentals ignore zoning restrictions and make virtually any residence into a hotel/party house. One creative traveler **made his Airbnb rental the site of an orgy.**

Are you wondering just how many illegal short-term rentals (Airbnb, VRBO, Globe Properties, Flipkey, HomeAway, OneFineStay, etc.) are **in your neighborhood?** If you live in Venice Beach, CA, an area of 3.17 square miles, you share your residential neighborhood with approximately 1,000 to 1,500 listings, all of which are illegal in residential neighborhoods. Many of these are **NOT** shared homes; they are stockpiled apartments, houses, duplexes and condos that have been snatched away from the long term rental market.



4) **Commercialized short-term rentals are frequently operated without paying taxes that benefit the surrounding communities.** Illegal short-term rentals are unfair to the hotel industry and hotel workers: commercialized short-term rentals rarely follow fire and safety codes, **provide worker**

benefits or pay transient occupancy taxes.




5) **Commercialized short-term rentals break city laws with impunity.** Airbnb did not become a multi-billion dollar company by facilitating true home sharing. This false impression is part of a carefully calculated **misinformation campaign.** In reality, short-term rental platforms make enormous profits from turning a blind eye to illegal, commercialized short-term rentals. Airbnb puts the responsibility to figure out the complicated maze of zoning codes and other

municipal requirements squarely on the backs of the inexperienced and uninformed residents using its services. Airbnb is now 10th in total lobbyist spending for the lodging/tourism industry, and they fund **organizations** dedicated to **limiting regulation of these destructive practices.**

Does all of this frustrate you? Sign the petition to stop short-term rental abuse.

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Are Airbnbs Good for a Neighborhood?

July 8, 2019

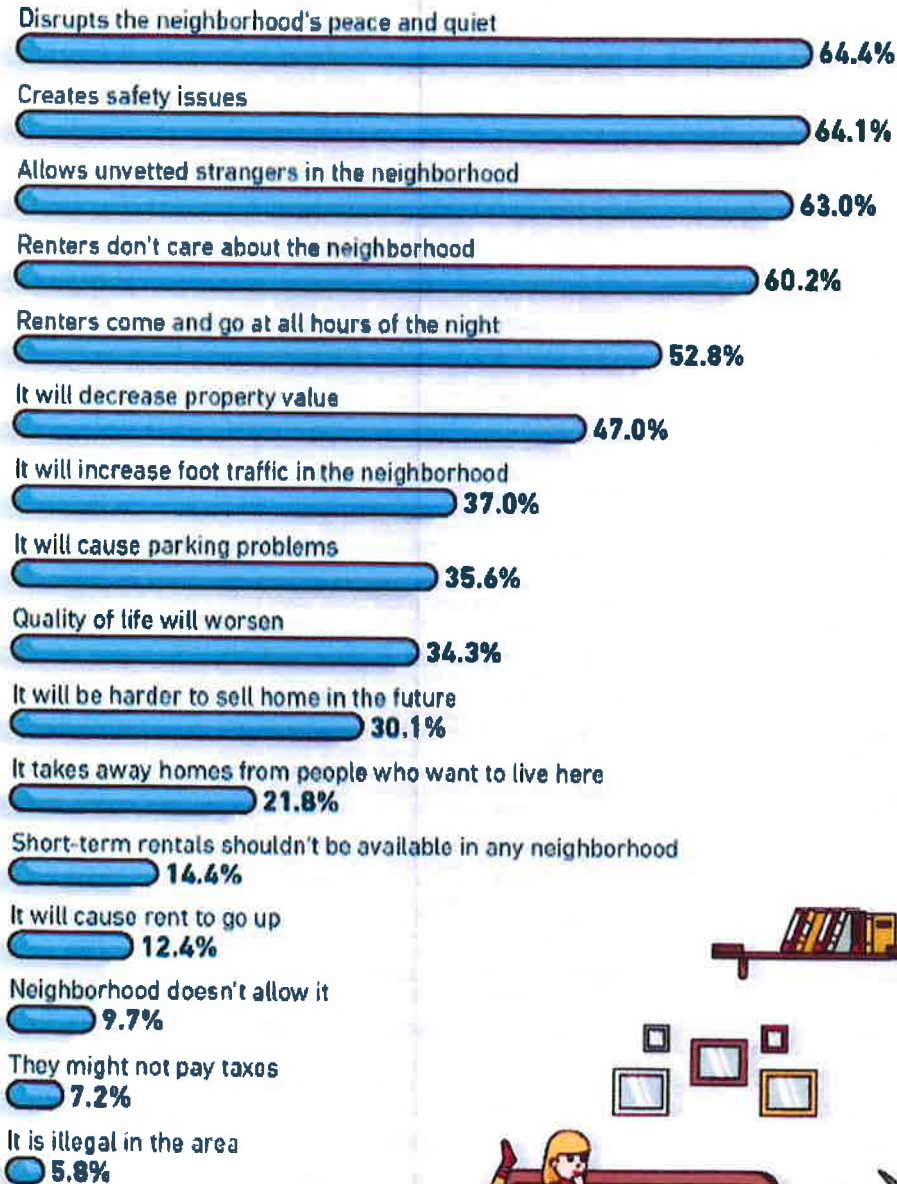
Short-term rental properties are popping up in more neighborhoods across the country as homeowners look to cash in on an extra income stream. But is an Airbnb, Vrbo, HomeAway, or other short-term rental good for a thriving neighborhood?

The STR industry has posted significant growth over the last five years. Airbnb, as of October 2018, reported more than 5 million hosts and \$2.7 billion in profit. But property owners recently surveyed by Porch.com, a home remodeling website, are mixed on whether they'd rent out their own home and how well they like the idea of their neighbors doing the same.

Property owners who use short-term rentals themselves on vacations tend to be more in favor of having them in their own neighborhood than those who've never used such services, according to Porch.com's survey of 990 respondents. Nearly 48% of those who have stayed in short-term rentals say they approve of them in their neighborhood, while nearly 28% are against it. But for those who have never stayed in a short-term rental, only 22% approve of one in their own neighborhood, and nearly 47% oppose the idea.

The following chart shows some of the top gripes about short-term rentals in a neighborhood:

REASONS PEOPLE ARE AGAINST SHORT-TERM RENTALS IN THEIR NEIGHBORHOOD



Source: Survey of 990 people



© Porch.com

Of those surveyed, homeowners older than 50 were nearly twice as likely as owners younger than 50 to worry about short-term rental issues, such as noise from parties. Millennials tend to be the most open to short-term rentals in their neighborhood—and even hosting them in their own home, the survey found.

Overall, most homeowners say they aren't entertaining the idea of offering their own property as a short-term rental. Nearly 70% of respondents say they would not do it for their own home, while a quarter of respondents say they have thought about it. Only 4% say they already have hosted a short-term rental.

Many homeowners—nearly 48%—say they aren't sure if short-term rentals are already occurring in their neighborhood. For those who are aware of short-term rentals in their neighborhood, half say their experiences have been positive. Many states have passed laws regarding short-term rentals, with some banning them outright in suburban neighborhoods due to fears of disruption.

Source: "Do Short-Term Renters Make Good Neighbors?" Porch.com (July 2019)



Section 2

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Unwelcome guests: Airbnb, cities battle over illegal short-term rentals

PUBLISHED THU, MAY 24 2018 7:00 AM EDT

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Lora Kolodny@LORAKOLODNY

House Thirty Three, a Hollywood Hills home and recording studio listed on Airbnb.

Airbnb

VIDEO 14:01

Airbnb: Unwelcome guests

The SUV slowly approaches an apartment complex in a quiet residential section of Miami Beach, Florida. On the second floor balcony, a group is gathered.

Code Compliance Officer Vijma Maharaj approaches, her body camera recording, and tells them she has bad news. The apartment they rented on Airbnb is illegal.

While tourist-dense South Beach, where the major hotels are located, largely allows short-term rentals, it's a different story in large portions of the residential areas of Miami Beach, where rentals under six months and a day are banned.

The eight guests in this apartment are booked for two nights.

It's a scene regularly repeated in Miami Beach as the city cracks down aggressively on illegal short-term rentals.

The renters, who book via the major vacation rental websites such as Airbnb, [Booking Holdings'](#) Booking.com and [Expedia's](#) HomeAway, don't get cited by the city, but the city usually requires the guests to leave the next day or as soon as they can relocate.

Airbnb said negative incidents like these don't reflect the overwhelming number of satisfied hosts and guests in 81,000 cities and 191 countries, and its experience successfully working with lawmakers around the world.

From Miami Beach to Los Angeles, local laws vary widely, but complaints about quality-of-life issues caused by illegal short-term rentals are similar, according to public records and dozens of interviews with city officials, residents, analysts and others connected to the home-sharing industry. For years, LA has battled illegal party houses in mega-mansions. Other cities like New York have stepped up enforcement. Boston is pushing back against properties being rented out as commercial operations.

"You can't throw a rock in the country right now without hitting a city that's moving to more aggressively regulate short-term rentals," said David Wachsmuth, an assistant professor at McGill University's School of Urban Planning, who has studied Airbnb around the world.

Miami Beach Code Compliance officer Vijma Maharaj at an illegal short-term rental listed on Airbnb.
CNBC

"The fines are little bit higher in Miami Beach than in some other cities. But around the country and around the world, in fact, what we're seeing is a pretty consistent trend."

Miami Beach's law against short-term rentals has been on the books for years, but its \$1,500 fine was not a deterrent, so the city increased it in 2016 to \$20,000 for the first violation, rising to as much as \$100,000 for the fifth.

Airbnb does not have a good record complying with local laws, according to Wachsmuth.

"I think very consistently the pattern that we've found is that Airbnb is happy to cooperate with regulators about collecting taxes," he said. "They'll collect the taxes to kind of level the playing field with hotels. But they will resist as strongly as possible any attempts to restrict how much actual activity is allowed on Airbnb."

The easiest way to stop all of this is if the home-sharing platforms simply didn't send people into these neighborhoods.

Dan Gelber
MIAMI BEACH MAYOR

Two years of code compliance body-camera videos obtained by CNBC show raucous parties and unwitting tourists staying in illegal short-term rentals in Miami Beach, many of them advertised on Airbnb. One sign captured in an illegal Airbnb instructs guests to lie and say they are friends of the landlord if someone asks.

A screenshot of Vacayo host Rachel Perrea's Airbnb profile.
Source: Airbnb

On the sidewalk outside the Miami Beach apartment, Maharaj called the Airbnb host, later identified by Maharaj as Rachel Perrea. As a CNBC camera crew rolls, Perrea falsely said the tourists are her friends and staying in the unit for free.

"Rachel told me you guys are friends and you didn't have to stay there," Maharaj asked the Airbnb guests. "Is that true?"

"That is not true," one guest replied from the balcony.

The building's owner and the company that rented the apartment were both issued a violation.

That company is Vacayo, which is well-known to city officials. The company and its co-founders are facing a total of \$700,000 in fines at four properties in the city, which the company is challenging.

Vacayo is a New York-based management company that rents properties and then leases them to short-term tenants, using hosts to advertise them on platforms like Airbnb.

'It is predatory'

Miami Beach Mayor Dan Gelber said situations like this are common and not good for the city. Officials from other large cities also have seen similar problems.

"We're seeing commercialized, predatory companies that are trying to commercialize our residential communities in ways that are damaging to our citizens and our residents and our quality of life," Gelber told CNBC. "It is predatory."

Miami Beach Mayor Dan Gelber
CNBC

"It's people taking very nice properties, buying them and turning them into essentially a flophouse for as many people as they can put in there to extract as much income as they can in the middle of a neighborhood that wasn't zoned for that kind of behavior," the former prosecutor and state representative and senator said.

The city expects it will investigate more than 1,000 complaints of illegal rentals this year, up from more than 800 in 2017. So far this year, \$2.4 million in fines have been issued, records show, but only about \$183,000 has been collected.

"The easiest way to stop all of this is if the home-sharing platforms simply didn't send people into these neighborhoods," Gelber said. "It's just that simple. They're the ones who do it and they claim they have no responsibility because, 'oh, we're just an internet platform.' But they're not."

In an interview with CNBC, Isabel Berney, co-founder and COO of Vacayo, said the company has exited leases in the prohibited zones.

"Right now, we are not entering any additional units in Miami Beach that are not fully compliant," she said.

Berney said she was not aware that Vacayo host Perrea had falsely told code compliance that she was renting the unit to friends. "I mean, she probably was just put on the spot and she was probably scared, and I wasn't aware of what she says."

CNBC reached Perrea who said, "I'm really sorry but I can't take this call right now." The call was disconnected and she did not respond to a follow-up call.

Hosts like Perrea, who work on behalf of Vacayo, are independent contractors, Berney said.

"Ultimately, our whole mission is to help landlords," Berney said. "We help landlords earn passive income. We've saved landlords from bankruptcy, from foreclosure."

Vacayo COO Isabel Berney
CNBC

Responding to the CNBC investigation, Airbnb said it has removed listings associated with Vacayo from the site.

Wachsmuth said it would be relatively simple for Airbnb to block hosts who try to rent properties in the city's prohibited zones. Both London and Amsterdam, for example, limit the number of days someone can rent a property, which Airbnb tracks, he said.

"I think the lesson is simply that the kinds of regulations that actually restrict the short-term rental market, Airbnb is not going to cooperate with that unless their back is really up against the wall," he said.

'A people-powered platform'

In an interview at Airbnb's San Francisco headquarters, Chris Lehane, head of global policy, described the company as "a people-powered platform."

"We're a community model. We have about 5 million hosts globally, and a typical host here in the United States makes their home available 41 times a year and makes on average \$6,100 a year," he said.

"I've yet to see a program being run by any mayor, any elected official in this time of economic inequality that's generating \$6,100 for a typical middle-class family. All without the expenditure of a single taxpayer dollar," he told CNBC. "That is what Airbnb is about at its core. Trying to use technology to create economic empowerment."

It's really important to those hosts, it's important to their economic model.

Chris Lehane
HEAD OF GLOBAL POLICY, AIRBNB

Miami Beach has a long history with short-term rentals, he said, suggesting the practice should be allowed in the part of the city zoned for commercial use.

"I think what seems to me that would be a common sense solution for Miami Beach is you could take that 35 percent of the city that's a residential area, make that an exclusionary zone. Allow the activity to be able to take place in the 65 percent of the city that's actually explicitly zoned for this type of activity."

Asked multiple times about the ongoing illegal Miami Beach listings on Airbnb, Lehane said, "the city council members themselves have talked about the fact that their law doesn't actually work particularly well, as you probably know. Twenty thousand dollar fines on someone making their home available a few times a year to actually help make ends meet?"

In order to block the existing illegal properties on Airbnb, Lehane said, "that requires having to work with the city. Right? We don't have a lot of the information."

He disagreed with city officials who blame Airbnb, saying "Miami Beach hasn't been willing to sit down and actually engage in a conversation."

Chris Lehane, Head of Global Policy at Airbnb.
CNBC

The city's zoning map, publicly available, shows the areas in Miami Beach where short-term rentals are clearly allowed and prohibited.

Lehane said about 1,000 of the 5,000 hosts in Miami Beach are doing short-rentals on a full-time basis.

"So Miami Beach is certainly not part of our economic model in terms of its impact on us," he said. "What it is, it's really important to those hosts, it's important to their economic model."

Airbnb provided a list of 52 metropolitan areas ranked by the number of guest arrivals. Miami Beach ranked 18 on the list, and had 1.9 percent share of the total visits for that grouping. The Miami region was listed as the platform's eighth most popular city for 2018.

Lehane blamed the influential hotel industry in Miami Beach and around the country for blocking the company's attempts to work with city officials. He said Airbnb has completed more than 400 partnerships around the world, including working with Los Angeles on proposed restrictions to book a short-term rental.

"Miami Beach, up to this point in time, has just not had a serious desire to really want to engage on this, because at the end of the day, as the information that has come out reveals, they're effectively working hand in glove with the hotel industry, which is incredibly powerful. And a hotel industry that really doesn't want to see everyday people to be able to use their homes to make extra money."

In a statement to CNBC, Katherine Lugar, president and CEO of the American Hotel & Lodging Association, said, "Airbnb's illegal hotels are a growing problem in communities across the country, flaunting basic safety and security standards, zoning rules and taxes while also pushing affordable housing options further out of reach."

"Instead of supporting common-sense regulations, Airbnb has opted to deploy a massive obstruction campaign of dirty tactics, deceptive messaging and personal attacks against anyone who raises a concern."

Her statement said that "mayors and state legislators across the country are standing up to Airbnb and taking issue with Airbnb's bullying, and the endless stream of Airbnb horror stories in the news."

Booking.com incident

Booking.com, which says Miami Beach is the sixth most booked U.S. destination for domestic and international guests, told CNBC it takes swift action against any host that violates its policy.

For example, during the ride-along in Miami Beach, Maharaj told a young couple who made reservations via Booking.com that the apartment was in the prohibited zone. The guests immediately alerted Booking.com, which moved them to another location. The guests told CNBC they were originally booked at a different South Beach address, but informed via email shortly before their vacation to show up at an address in the prohibited zone.

"Upon finding out what this apartment owner did, which is certainly a violation of our terms and how we agree to work with properties, we have removed his property from the Booking.com website because ... we take this very seriously and always work with governments," said Leslie Cafferty, head of global communications at Booking.com.

Party houses in the Hollywood Hills

While Miami Beach targets tourist rentals in prohibited zones, for years a different issue has plagued Los Angeles: raucous parties in mega homes in the Hollywood Hills and other sections of the city.

Short-term rentals are illegal in Los Angeles for less than 30 days in areas zoned as single-family residential neighborhoods. But that hasn't stopped homes from being rented for party nights.

Our neighborhoods have become de facto nightclubs.

Estevan Montemayor

COMMUNICATIONS DIRECTOR, CITY OF LOS ANGELES

In February, the City Council approved an ordinance imposing steep escalating fines on both homeowners and renters who have large parties that disturb neighbors. Violators can face fines of up to \$8,000.

The City Council also gave preliminary approval to a new ordinance in May that limits the number of days a host can rent to 120 days a year. Qualified hosts can be exempted from the cap. Only primary homeowners can list their properties for short-term rentals under the new restrictions.

Final approval won't happen for another several months.

"Overall we wanted to preserve our housing stock, we wanted to get bad actors out of the way, and control party homes that are primarily used for just house parties," said Los Angeles Councilman Jose Huizar, who chairs the planning and land use management committee.

Lehane said Airbnb has worked with city officials to devise a law that makes sense.

"And I think that's an example of the type of partnership and deals and relationships that we have done all over the world," Lehane said.

Nevertheless, Cory Palka, senior captain of the Los Angeles Police Department, Hollywood division, said disturbances caused by short-term rentals are "probably next to homelessness, one of our biggest challenges in Hollywood."

"Neighbors are furious that this has gotten so wildly out of control that it impedes their ability to have a normal lifestyle here," Palka said.

Deputy City Attorney Steve Houchin has filed public nuisance civil charges against four Hollywood Hills homeowners since October. Two of these four locations are still listed on Airbnb.

CNBC found another Hollywood Hills home listed on Airbnb as "LA's premier recording studio and creative space." Listed at \$3,300 a night, the home is equipped with an in-house recording studio, an eight-seat reclining chair movie theater, and a heated pool and hot tub. High-profile celebrities such as rapper Flo Rida are featured posing on the home's Instagram page, which is known as "House Thirty Three."

House Thirty Three, a Hollywood Hills home and recording studio listed on Airbnb.
Airbnb

"I've never heard anything this loud," said Natasha Ward, a longtime Hollywood Hills resident who lives on the street just below House Thirty Three. "It's like being at a concert."

There are noisy parties one or two times a month, Ward said. Large cars and vans that arrive full of people "gridlock" the narrow road leading up to the house, according to Ward.

Police records show 17 patrol calls to the home since the beginning of 2017. Ten of the calls were for minor disturbance parties and two were classified as group disturbances.

"That is an incredible amount of calls for service," said Benjamin Thompson, LAPD Hollywood division senior lead officer. "It's incredibly indicative of the misuse of the kind of public safety danger that is being cultivated at the property."

Martin Gray, who said he manages the home's recording studio and listed it on Airbnb, described the property as "not really a traditional Airbnb" and as more of a place "built to accommodate artists and record labels."

Gray told CNBC he first listed House Thirty Three on Airbnb in January and that there have been a few short-term rentals booked through the platform. Record labels booked the home for March and April and did not use Airbnb to reserve it.

"A lot of the Airbnb stuff was just daily rates," Gray said.

When CNBC informed Gray that short-term rentals at this Los Angeles address are illegal, Gray said he was surprised and did not know about the prohibition. He said he was unaware of the police calls to the home. The property's owner did not respond to a request for comment.

"Our neighborhoods have become de facto nightclubs," Estevan Montemayor, the city's communications director, said. "And that's not what they were built for, what they're meant to be."

Shots ring out

Further north in the San Francisco Bay Area, an incident in April illustrates the clash between residential peace and quiet and the nightmare next door.

Paul Larson, who lives in Millbrae, didn't mind when he first heard the house next door was being rented through Airbnb. But then came the loud parties and the fears for his own safety.

In the early morning of April 22, a party with dozens, possibly hundreds, of partygoers culminated in eight loud gunshots.

"It sounded like they were coming from right outside the wall and it really spooked me," Larson said of the gunfire. "I could hear commotion, I could hear yelling, I could hear scurrying."

CNBC obtained surveillance footage captured on Larson's video security system of the private road leading up to the Airbnb house. The videos show guests entering and exiting throughout the day and into the next morning, as well as the gunfire and subsequent commotion.

Police are seen walking and driving past the surveillance camera in the hours before and after the gunshots rang out.

"Nobody from Airbnb has reached out to me or any of the neighbors to apologize," Larson said, saying it's a source of frustration. He said he reached out to the Airbnb unit host hours before the gunfire. The host tried contacting Airbnb to voice her concern several times, but kept getting put on hold and never received a response, according to Larson.

"The chance of this happening under just normal circumstances if it was not an Airbnb is basically nil," Larson said. "It's all because of the Airbnb."

In a statement to the mayor, vice mayor and Millbrae City Council, Airbnb said: "We have zero tolerance for this type of behavior and upon learning of this incident, we permanently banned this guest from our platform and suspended the listing. Additionally, we are reaching out to the San Mateo County Sheriff's Office to offer our assistance."

Other cities crack down

New York City, which Airbnb lists as its top destination for guests, has some of the tightest restrictions on short-term rentals in the country. It is illegal to rent out an entire residence for less than 30 days in New York City. Short-term rentals are permitted only if the homeowner is also staying there throughout the rental period and there are no more than two renters.

New York Gov. Andrew Cuomo signed a law in 2016 making it illegal to advertise occupancy for short-term rentals in buildings with three or more units. Violators are subject to fines up to \$7,500.

But CNBC easily found what appear to be illegal listings on Airbnb in New York.

Wachsmuth was one of the authors of a 2018 report that analyzed Airbnb activity in New York City. The study, titled "The High Cost of Short-Term Rentals in New York," found that 45 percent of all New York Airbnb reservations last year were illegal and two-thirds of revenue is from likely illegal listings. The report was funded by the Hotel Trades Council, which Airbnb says makes the findings questionable.

David Wachsmuth, a McGill University assistant professor who has researched Airbnb around the world.
CNBC

"I've been doing research on Airbnb for years now," Wachsmuth said. "And the vast majority of that is independent, university research. And the fact of the matter is that everybody who studies this, almost without exception, comes to very similar conclusions."

"Cities all across the world are cracking down because they see the same facts that we see. And those are the facts, although they happen to be inconvenient for Airbnb," he said.

Airbnb faulted the data collection and methodology used to compile the report calling it "deeply flawed and inaccurate."

In 2017, New York doubled its number of inspections of potentially illegal short-term rentals, said Christian Klossner, executive director of the Mayor's Office of Special Enforcement.

"The city has dedicated a significant number of resources, we're ramping up enforcements," he said.

Court battles

Regulatory efforts in other cities have wound up in court.

Last year, Airbnb and HomeAway, reached a settlement with San Francisco, in which the companies agreed to enforce regulations from 2014 that require hosts to be registered. The companies also will collect data from people who list their units for under 30 days, information San Francisco can use when determining who can register.

The goal of the agreement was to limit the number of "commercial de facto year-round hotels," said Omar Masry, senior analyst at the San Francisco Office of Short-Term Rental Administration and Enforcement.

"We tend to see a strong correlation with quality-of-life issues, noise and parties," Masry said about commercially operated listings. He added, they "rarely see this with short-term rentals playing by the rules."

Since the rules went into effect last September, he said the number of listings has dropped from around 10,000 to 4,000. The city has been working closely with Airbnb to identify illegal listings and remove them from their platform.

"We've seen a massive reduction in illegal listings including many folks who we had seen operating ... high-volume short-term rentals across the city," he said.

Commercialized operators

While Airbnb points to scores of hosts who earn extra income from short-term rentals, CNBC found companies around the country who have rented properties from landlords and turned them into Airbnbs.

For example, the New York short-term rental report found that the top 10 percent of hosts earned 48 percent of all revenue in 2017, while the bottom 80 percent earned just 32 percent.

Luggage in Miami Beach, a popular short-term rental destination.
CNBC

Boston is facing a similar issue as it has one of the highest short-term rental densities in the world, which has grown by 100 units a month since 2015, according to Boston's Alliance of Downtown Civic Organizations.

More than 70 percent of Airbnb listings in downtown Boston are operated by outside professional companies, according to an analysis by ADCO.

"It certainly has hurt a lot of downtown Boston," said Ford Cavallari, ADCO's chairman.

Using data from Inside Airbnb and author Tom Slee, who has collected Airbnb data, the organization found Boston's Airbnb market has nearly four times more investors operating rentals than other cities, including New York City and Washington, D.C.

"They don't have the same interest or commitment in the neighborhood so in the end you face a threat to the fabric and quality of life in the neighborhood," said Martyn Roetter, chairman of the Neighborhood Association of the Back Bay.

A proposed ordinance released in May would impose a 120-night-per-year limit on owner-occupants of two and three family buildings. The limit applies to a second unit. Owner-occupants can use the unit they live in for short-term rentals with no limitations.

The biggest policy change, though, would prohibit investors who don't live on the property from renting out a unit for a short-term rental.

In a May 15 letter to Boston Mayor Marty Walsh, Airbnb said it has tried to work toward a "balanced solution" with the city.

"We are concerned that despite your administration's hard work to create meaningful economic opportunities for everyday Bostonians — including building thousands of units of new affordable housing — the introduced ordinance would in one fell swoop prevent thousands of Bostonians, particularly renters, who depend on home sharing to make ends meet from doing so," wrote Williams Burns, Airbnb's Massachusetts public policy director.

Burns said the proposed ordinance would disproportionately impact renters, discourage tourists and business travelers, and allow "big hotels to continue price gouging consumers."

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The 60-40 portfolio just doesn't 'cut it anymore' in this market, Wharton's Jeremy Siegel says

Short-Term Rental Laws in Major U.S. Cities (Updated 2/5/2020)



FEBRUARY 5, 2020

COMMENTS  18



This article was updated on Feb. 5, 2020 to include short-term rental laws in Austin.

Since Airbnb's launch back in 2008, the short-term home-sharing model has flipped the hospitality industry on its head. Travel industry experts [Skift](#) estimated that the global short-term rental market would reach a market valuation of \$169 billion through 2018. Airbnb is one of the most-anticipated upcoming IPOs in 2020.

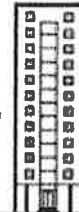
But the short-term rental industry is not without controversy. Hanging in the balance is

1.
the ever-present question: Whether to regulate it more strictly to preserve local culture and keep local residents from being priced out, or allow it to thrive and reap the benefits of booming tourism?

City after city, restrictions on short-term rentals pop up across the country, to keep its rapid growth in healthy check. These laws are very local in nature and vary from state to state, even town to town. Here is a summary of short-term rental restrictions in major U.S. cities:

COMPARED:

Short-Term Rental Laws Across the Country



City	Summary	Take Effect	Fine	STR License Fee	Additional Cost
New York	<ol style="list-style-type: none"> 1. Can't rent out entire apartment (hosts must be present) 2. Can't advertise an apartment 3. Up to 2 paying guests 	May 2011	\$1,000 - \$7,500 (illegal advertising of apartments)	N/A	<ol style="list-style-type: none"> 1. Sales and use tax 2. Hotel room occupancy tax
San Francisco	<ol style="list-style-type: none"> 1. Must register as a business and as a short-term rental 2. Hosts must be permanent residents 3. Up to 90 nights a year without hosts 4. No income-restricted affordable housing 	Feb. 2015	≥ \$484 (per day)	\$250	<ol style="list-style-type: none"> 1. Transient occupancy tax 2. Business personal property tax
Los Angeles	<ol style="list-style-type: none"> 1. Must obtain licenses 2. Must be primary residence 3. Up to 120 days a year 	July 2019	≥ \$500 (per day)	\$89	Transient occupancy tax
Washington DC	<ol style="list-style-type: none"> 1. Must obtain license, additional "vacation rental" endorsement for renting out an entire unit 2. Must be primary residence 3. Up to 90 nights a year without hosts 	Oct 2019	\$500 - \$6,000 (per violation)	TBD	Transient lodging tax
Chicago	<ol style="list-style-type: none"> 1. Short-term rental platforms must obtain license 2. Hosts with 1 home-share unit register through the rental platform 3. Hosts with ≥ 1 home-share unit must obtain license from city of Chicago 4. Vacation rental must obtain license 	March 2017 (host registration)	\$1,500 - \$3,000 (per day)	\$0 - \$250	Hotel accommodation tax
Boston	<ol style="list-style-type: none"> 1. Must obtain license 2. Must be primary residence or an secondary unit at their primary residence 3. No income-restricted units 	Jan. 2019	\$100 - \$300 (per day)	\$25 - \$200	Same tax as hotel
Seattle	<ol style="list-style-type: none"> 1. Short-term rental platforms must obtain license 2. Hosts must register as a business and as a short-term rental 3. Up to 2 units 4. If operate 2 units, one must be primary residence 	Sep. 2019	\$500 - \$1,000 (per violation)	\$75	<ol style="list-style-type: none"> 1. Retail sales tax 2. Lodging tax 3. Business and occupation tax

Quick links to short-term rental laws in each city:

- **Northeast:**
 - [New York City](#)
 - [Jersey City](#)
 - [Washington DC](#)
 - [Boston](#)
- **Northern California:**
 - [San Francisco](#)
 - [San Jose](#)
 - [Mountain View](#)
 - [Redwood City](#)
 - [Sunnyvale](#)
 - [Oakland](#)
 - [Berkeley](#)
 - [Emeryville](#)
 - [Millbrae](#)
- **Southern California:**
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 - [Las Vegas](#)
 - [Austin](#)
- **Midwest:**
 - [Chicago](#)
 - [Denver](#)
- **Northwest:**
 - [Seattle](#)
- **Florida:**
 - [Miami](#)
 - [Miami Beach](#)
- **Hawaii**
 - [Honolulu](#)

[New York City](#)

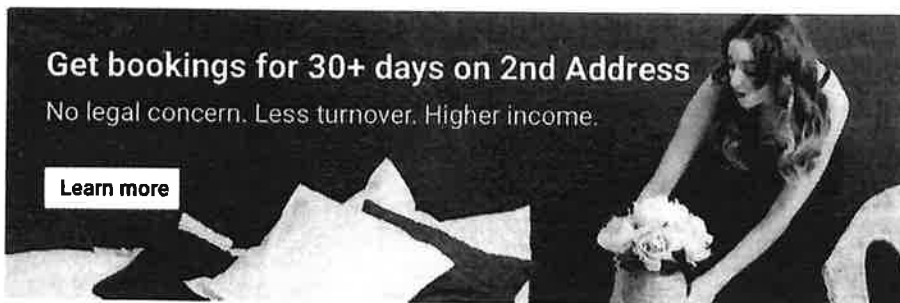
New York City, the biggest tourism magnet in the world, has some of the strictest short-term rental laws. Back in 2011, even before Airbnb's widespread popularity, the New York State Multiple Dwelling Law made it illegal in most apartment buildings for an apartment to be rented out for less than 30 days, unless the permanent tenant is present at the same time.

In fact, even advertising such a rental is illegal, as mandated by the state law. Illegal advertising of apartments—defined as a building with three or more units—on is subject to fines up to \$7,500.

Technically this rule doesn't apply to single-family homes—which, granted, are few and far between in New York.

Airbnb hosts can rent out a spare room in their apartments as long as they are also living at home. But there's a catch: They can't install any locks at home because guests need to have free access to all rooms.

Last year, the New York City Council went a step further in cracking down short-term rentals by introducing a bill, requiring Airbnb and other home-sharing sites to disclose details about their listings, and the identities and addresses of their hosts every month. The bill was recently blocked by a federal judge in January 2019.



San Francisco

San Francisco, where Airbnb's headquarter is located, was among the first cities to regulate short-term rentals. As early as 2014, the city imposed a limitation on the number of days a property can be rented out for short stays.

Starting from 2015, hosts were required to register as both a business and as a short-

term rental, according to the city's [Office of Short Term Rentals](#) legal battle between Airbnb and the city that stretched for over a year, before both parties finally [settled in court](#) in May 2017. As a result, the number of [Airbnb listings plunged](#) overnight last January, upon the final deadline to ditch unregistered hosts.

Today, San Francisco maintains a list of all registered hosts, who report every quarter on occupancy. If they want to rent out the entire property, they can only do so for up to 90 nights a year. They can rent out a spare room for an unlimited number of nights as long as they are also staying at the property.

Certain [types of housing](#) are off-limits for such rentals, which include Income-restricted affordable housing and student housing. Unique homes that add the most fun to vacation rentals—such as treehouses, teepees, and RVs—are also not permitted. Despite the regulation, a search for San Francisco treehouse on Airbnb yields some results.

Los Angeles

After a three-year-long debate in Los Angeles, short-term rental rules were [passed in last December](#). Effective July 2019, property owners can only rent out their primary residence, not a second home or investment property for stays of fewer than 30 days, according to the [city ordinance](#). Violation is subject to a daily fine of at least \$500.

Hosts must register with the city, pay hotel taxes, and keep records for city inspection. They can legally rent out for short stays for no more than 120 days a year. Exceeding the limit will result in a daily fine of at least \$2,000.

If a property is rent-controlled, it can't operate as a short-term rental at all.

Washington DC

The nation's capital recently joined the list of cities that enact strict Airbnb regulations. Starting from October 2019, property owners in Washington DC can only rent out one home—their primary residence—according to [a city regulation act](#).

To legally operate short-term rental, all hosts must register with the city. For those who wish to rent out an entire property, they must obtain an additional "vacation rental"

endorsement. The maximum nights they can rent out an entire property is 90 nights a year.

Fines vary, but start at \$500 and can go up to as much as \$6,000 for a repeat offense.

Chicago

Three years after Chicago enacted its short-term rental regulation, it requires a license for short-term rental platforms as well as hosts.

The city ordinance classifies short-term rental platforms into two categories: 1) "Short-term rental intermediary" refers to platforms that primarily list shared housing units, like Airbnb; 2) "advertising platform" refers to sites that primarily list vacation rental or bed and breakfast, such as VRBO and HomeAway.

Hosts on Airbnb who only has one listing can register with the platform, which then collects data of all hosts and submits them to the city. Hosts on Airbnb with more than one listings need to obtain a license directly from the city for a fee of \$250.

A city license is also required for VRBO and HomeAway hosts or vacation rental owners who operate offline.

All hosts are required to provide soap, clean linen, sanitized utensils, and other living necessities.

Chicago imposes steep fines against illegal short-term rentals, from \$1,500 to \$3,000 per day.

Boston

Starting January 2019, the city of Boston opened registration from hosts who want to rent out their properties for fewer than 28 nights, after a city ordinance was passed last June.

Hosts who want to rent out a spare room while living under the same roof can apply for

a license for \$25 per year. Those who want to rent out an entire unit can only do so for their primary residence or a secondary unit (such as an in-law unit) in their primary residence. The license fee for renting an entire unit is \$200.

Hosts who fail to register face a \$100 fine per violation per day. Those who rent out units that are ineligible, like a below-market-rate unit, face \$300 fine per violation per day.

Under [a new state law](#) signed last December, short-term rental hosts will have to pay the same 5.7 percent state tax as hotels.

Airbnb had been battling with Boston in court over the short-term regulations in the past year.

Latest update on 08/29/2019:

Airbnb and the city of Boston finally reached [a settlement](#). By December 1, 2019, all short-term rental listings will be required to display a city-formatted registration number, or the listings will be removed. Airbnb also agreed to share data about listings with the city, including the listing's URL, registration number, host ID, information, and zip code.

Previous updates:

In May 2019, just four months after the new law took effect, a federal judge [temporarily blocked Boston from imposing parts of the ordinance](#). The judge declared that the city can't ban a short-term rental service because it posted listings in violation of the ordinance. He also concluded that the city couldn't force Airbnb to report how many days a week rental units are occupied.

Seattle

In Seattle, both short-term rental platforms and individual hosts need to obtain licenses from the city. Platforms like Airbnb and VRBO are obligated to report all licensed operators and their listed units every month, according to the [city code](#).

A host must apply for both a business license and a short-term rental license.

With a valid license, a host may rent out up to two units as short-term rentals. If the host has two units, one must be his or her primary residence. Violations are subject to \$500 fine for the first offense and \$1,000 for a repeat offense.

Short-term rental hosts must pay retail sales tax and applicable lodging taxes on the rental charges. They also owe business and occupation (B&O) tax, but could qualify for the small business B&O tax credit, according to the [Washington state department of revenue](#).

Latest update on 10/18/2019:

The online [application portal](#) for short-term rental licenses is now open, after delays due to technical difficulties. Enforcement of short-term rental regulations—including the issuance of penalties—will begin on Dec. 15, 2019, [according to the city](#).

Denver

In Denver, the rules for short-term rentals were established by the Denver City Council in 2016. According to the [ordinance](#), property owners can rent out individual rooms or garage apartments on quiet residential blocks for less than 30 days. The homes can be rented out when the owner is away, but it must be the owner's primary residence. Short-term rental hosts pay the [Denver Lodger's tax](#) of 10.75% of the entire amount charged for the lodging.

To legally do so, property hosts need to apply for a license from the city, which costs \$25 dollars, as of January 1, 2017. If the city has reason to believe the rental property is not the owner's main residence, it launches investigations into the situation. The enforcement action can range from warnings to fines to felony charges.

Latest update on 09/04/2019:

The [Denver Post reported](#) that the city now asks license holders suspected of cheating to sign affidavits—the only city in the country to do so. As a result, hundreds of property

owners are shutting down short-term rentals to avoid legal implications.

Miami

The tourist-dense Miami is another battleground between Airbnb and strict short-term rental regulations. According to the Miami-Dade County Code of Ordinances, a vacation home must live in the same unit for more than six months a year.

The maximum overnight occupancy for vacation rentals is up to a maximum of 2 persons per bedroom, plus 2 additional persons per property, up to a maximum of 12 persons.

The unit must be licensed by the State of Florida, including registration with the Florida Department of Revenue for tax purposes. The unit has to pass a property inspection to get the license as a vacation rental, which is valid for one year.

Fines for violation is \$100 for the first offense, \$1,000 for the second, and \$2,500 for the third.

Miami Beach

The city of Miami Beach enforced even stricter regulations on short-term rentals. Rentals for less than six months and one day are prohibited in the city unless the property is in a legally permissible zone, such as most of tourist-dense South Beach.

Miami Beach has the most expensive fines in the country for illegal short-term rentals. The rule was first instituted in March 2016. There's an escalating fine structure: \$20,000 for the first violation, \$40,000 for the second, \$60,000 for the third, \$80,000 for the fourth, with a max of \$100,000 for each offense after.

Latest update on 10/08/2019:

On October 7th, A Miami-Dade circuit judge struck down the city's law that fines homeowners \$20,000 for illegally renting their places short term on sites such as Airbnb, reported by the Miami Herald.

Despite the ruling, the city's spokeswoman, Melissa Berthier, said the fines are still in effect and that the city's code enforcement would continue to enforce the ordinances.

Santa Monica

Santa Monica passed its first home-sharing ordinance in 2015. According to city regulation, Santa Monica allows residents to rent out rooms in their homes for a period of 30 days or less. Renting out an entire home remains illegal.

In 2016, Airbnb and HomeAway filed a lawsuit against the city to stop the home-sharing ordinance from taking effect, but in 2018 the U.S. District Court for the Central District of California ruled in favor of Santa Monica on the issue.

Anyone operating a home-share must apply for a City business license and pay business tax. Another 14% of the transit occupancy tax also applies, which is paid by the guest.

Latest update on 12/10/2019:

The City signed a major settlement agreement Tuesday with Airbnb that is expected to "dramatically reduce" illegal listings. In addition to restricting listings to no more than two per residence, the agreement requires Airbnb to include a City license number on each listing and pay \$2 for every night booked.

Previous update on 09/24/2019:

The Santa Monica City Council voted to revise the short-term rental ordinance amendments, which will take effect on October 24, 2019. The new law continues to allow home-sharing, but requires that eligible residents obtain both a home-share permit in addition to the home-share business license that was already required. The initial home-sharing permit application cost will be \$100, and the annual renewal fee will be \$50. The City is in the process of revising its administrative rules and regulations.

Jersey City

Across the river from Manhattan, Jersey City passed its short-term rental ordinance in June 2019, after nearly nine hours of public comment and council discussion. The new

law will take effect on Jan. 1, 2020.

The new law will ban Airbnb and other short-term rentals in buildings with more than four units and phase out existing short-term rental contracts by Jan. 1, 2021.

Meanwhile, owners of buildings with four or fewer units will be permitted to rent out up to two of them. Short-term rentals in condominiums will be allowed the local board permits it.

The ordinance institutes an annual 60-day cap for short-term rental properties if the owner is not on site.

To operate a short-term rental under the ordinance, the host has to be the property owner—the new provision bars renters from operating short-term rentals. All hosts will be required to obtain a permit, which must be renewed annually.

Latest update on 11/5/2019:

Jersey City residents overwhelmingly approved the short-term rental law, with 86 percent of voters in favor of the new law.

Previous updates:

City Clerk Robert Byrne on Aug. 7 certified a referendum petition submitted by opponents of the ordinance, giving the council a chance to repeal the law. Now, the future of the ordinance will be decided by voters on Nov. 5.

San Jose

San Jose started regulation short-term rentals as early as December 2014, when the city ordinance was introduced. To be eligible to operate a short-term rental, the host has to establish primary residence by living in the property for at least 60 consecutive days a year.

For hosts that meet the criteria above, there are some limitations to operating a short-

term rental. If the host is not present, bookings are capped at 180 days a year. The maximum number of guests is 2 per studio, 3 per one-bedroom unit, and 2 per bedroom for larger units, up to an absolute max of 10 guests.

If the host is present, there's no cap on the number of nights the place can be rented out per year. And the host can have up to 3 guests in single-family homes or 2 guests in multifamily dwellings.

A 10% transient occupancy tax is collected for all short-term rental bookings.

Mountain View

Despite the lack of tourism in Silicon Valley, Mountain View has seen a high demand for short-term rentals as businessmen and interns flock in town because of Google. Short-term rental laws were established in Mountain View in December 2018 to fight some of the nation's highest rents.

Starting from September 1, 2019, hosts need to obtain a business license and submit a short-term rental registration application, which costs between \$41.25 and \$165 a year. Fine for operating without a registration starts from the second offense at \$500.

If hosts want to rent out the entire property, they can only do so for up to 60 nights a year. They can rent out a spare room for an unlimited number of nights as long as they are also staying at the property.

No special events—weddings, parties, corporate gatherings, etc—are allowed at the short-term rental property.

A 10% transient occupancy tax applies to all short-term bookings.

Sunnyvale

Located 10 miles north of San Jose, Sunnyvale adopted the strongest short-term laws in Silicon Valley, in an effort to protect the city's affordable housing.

The ordinance only allows short-term rentals if the host has a permit from the city and also lives in the same property. A maximum of 4 occupants per night at any given single-family dwelling. In addition, a 12.5% transient occupancy tax is collected for all bookings.

Oakland

Across the bay from San Francisco, Oakland has even stricter laws that ban short-term rentals in most zones. The only exceptions are designated zones in downtown, along the waterfront, near the airport, along the I-880 freeway, and in Specific Plan areas.

In those permitted areas, a Conditional Use Permit is required to operate short-term rentals. A 14% Transient Occupancy Taxes applies to all short-term rental bookings.

Berkeley

In Berkeley, short-term rental law regulates temporary stays that are less than 14 days. Short-term rentals are only permitted in certain zones (see [city website](#) for the detailed list).

Short-term rental hosts have to prove that they are the primary resident and provide liability insurance of \$1,000,000 for guests. The ordinance institutes an annual 60-day cap for short-term rental properties if the owner is not on site.

Hosts are required to register with the city and obtain a zoning certificate (\$220 application fee), collect a 12% transient occupancy tax, and pay an additional 2% enforcement fee.

Emeryville

Short term rentals are only allowed in single-family homes, according to [Emeryville city ordinance](#). Only primary residences are eligible for short term rentals. The ordinance also institutes an annual 90-day cap for short-term rental properties if the owner is not on site.

Hosts are required to obtain a short term rental permit from the Planning Division and

collect 14% transient occupancy tax.

Redwood City

Short term rentals in Redwood City are only allowed in primary residences, according to [the city website](#). There's an annual cap of 120 days per year for short-term rentals if the owner is not on site. There are no annual limits for hosted rentals.

A local contact person is required and hosts must register, obtain a business license, and collect a 12% transient occupancy tax. Special events—weddings and corporate retreats—are prohibited.

Millbrae

Home to the San Francisco International Airport, Millbrae is the major transportation hub in the Bay Area. Hosts who operate short-term rentals in Millbrae must be the primary resident, by proving that they live in the property for at least 265 nights a year.

There's an annual cap of 100 days of booking per year for short-term rentals if the owner is not on-site, according to the [ordinance](#). There are no annual limits for hosted rentals.

Violation of the law results in a fine of up to \$1,000 per violation per day.

Honolulu

In June 2019, Honolulu City Council, which governs the entire island of Oahu, passed [Bill 89](#) to regulate short-term rentals. Under the new law, renting out an entire home without host presence is only allowed in the resort and certain apartment-zoned districts. Follow this [link](#) to see maps of designated zones.

But the law opened up new registration for hosted rentals, so-called "bed and breakfast homes", of up to 1,715. The application process is not set to begin until October 2020.

The law also requires short-term rental owners to obtain a permit from the City and County of Honolulu and include the permit number on any advertisement.

The new ordinance outlines strong penalties for running illegal short-term rentals. Fines start at \$1,000 for an initial violation and escalate to \$5,000 a day for ongoing noncompliance, and up to \$10,000 per day. The law also allows the city to confiscate rental earnings.

Las Vegas

It's not a big surprise that Las Vegas, where the city's livelihood depends on the hotel industry, enforces some of the country's most strict Airbnb laws. Historically, the whole Southern Nevada has prohibited short-term rentals.

Last year, the city of Las Vegas passed an ordinance that allows some homes to be rented out for less than 31 days, but with many limitations. Only property owners are eligible to operate a short-term rental, and they have to be present while the property is being rented out.

The law also maintains strict property eligibility criteria. A property has to be at least 660 feet from any other short-term residential rental, can't have more than 3 bedrooms, and can't be located in master-planned areas such as Summerlin and Symphony Park.

In order to obtain a [short-term rental license](#), the property owner has to provide proof of liability insurance coverage with a \$500,000 minimum amount.

With a valid license, the host can't host more than two persons per bedroom.

Austin

As early as August 2012, the Austin City Council passed an ordinance requiring a license to operate an STR. The ordinance was amended in September 2013 and then again in [February 2016](#).

The city categorizes 3 types of STR:

1. Type 1: Owner-Occupied (single-family, multifamily or duplex)
2. Type 2: Not Owner-Occupied (single-family or duplex)
3. Type 3: Not Owner-Occupied (multifamily)

Under the most recent ordinance, Type 2 short-term rentals will be eliminated rentals in residential areas by 2022, though they could continue to be built in commercial areas.

The ordinance prohibits unlicensed short-term rentals from advertising. Violators could be subject to fines up to \$2,000 per day.

Latest update on 11/21/2019:

A state appeals court has declared some elements of Austin's rules governing short-term rentals unconstitutional.

The court ruled to allow Type 2 in residential areas, and also to void the following regulations regarding STR:

- No more than two adults per bedroom plus two additional adults between 10 p.m. and 7 a.m.
- A rental can't be used for a gathering between 10 p.m. and 7 a.m.
- A rental cannot be used for an outside gathering of more than six adults between 7 a.m. and 10 p.m.
- A rental cannot be used by more than ten adults at one time or more than six unrelated adults.

TAGS • SHORT TERM RENTAL LAW



ABOUT ANDREW SIMMONS:

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18 COMMENTS ON "SHORT-TERM RENTAL LAWS IN MAJOR U.S.

Orinda Airbnb violence fits pattern — at least 42 people shot at short-term rentals in last 6 months

Section 4

Anna Bauman and Alejandro Serrano

Nov. 6, 2019 | Updated: Nov. 7, 2019 12:56 p.m.



Two men whose cars had been caught up behind the police tape ask Contra Costa Sheriffs deputies if they can retrieve their cars at the ...

Photo: Carlos Avila Gonzalez / The Chronicle 2019

At least 42 people have been shot inside or just outside short-term rental properties across the United States over the past six months — and 17 have died, according to police and news reports.

Five of those fatalities occurred during a Halloween party last week at an Orinda home that had been rented on Airbnb. The gathering of around 100 people was promoted on social media

as a “mansion party.”

As in the Orinda case, many of the shootings happened during parties at Airbnb rentals and involved several victims. Airbnb refused on Wednesday to comment on shootings at the properties. The tally includes at least 23 shooting incidents in 12 states, including California, since May. Among them:

- May 31, West Covina: Four people were shot — one fatally — during a party at an Airbnb rental home that had about 30 to 40 guests, according to an ABC-7 news report.
- June 12, Charlotte, N.C.: Four people were shot — one fatally — during a graduation party at an Airbnb rental property, according to WCNC news.
- July 21, Fair Oaks (Sacramento County): A man was fatally shot during a large party at an Airbnb rental property, according to Sacramento County sheriff’s deputies.
- July 30, Columbus, Ohio: Five people were injured in a shooting at an Airbnb rental that was being used for a birthday party, according to WBNS news.
- Aug. 19, St. Paul, Minn.: A man was shot and killed at a gathering in an Airbnb rental. Police arrested a woman in the killing, and said she had been celebrating her 20th birthday when the shooting occurred, according to the St. Paul

Pioneer Press.

- Sept. 9, Hacienda Heights (Los Angeles County):

A man was shot and killed outside a large party at a home that was rented on Airbnb, according to KTLA-5.

- Oct. 27, Sacramento: A man was fatally shot at a house party in an Airbnb rental, according to Sacramento County sheriff's deputies.

A spontaneous memorial has been placed outside the location in Orinda, Calif. where Raymon Hill Jr. was shot to death Halloween evening, while attending a party hosted in an

In Orinda, the Airbnb rental at 114 Lucile Way was doors away from Christine Chalmers' home. She noticed that people were tweeting about shootings in neighborhoods across the country that eerily mirrored what happened in her neighborhood. She spent hours searching Google and poring over news archives.

"This is not just an Orinda issue," Chalmers said.

Chalmers said she thinks Airbnb is "failing in their responsibility to the public," because they knew about the risk associated with certain listings and property owners, but waited until a widely publicized tragedy to take action.

"I think people are thinking that the neighbors are just angry because it happened here. I'm angry because it was preventable."

With no central database to record these rental party house shootings, internet sleuths like Chalmers have put together their own research and lists, and share them on social media.

Michael Lustig, an activist who researches issues with short-term rentals, said that with each shooting isolated to a local area, there is no macro-level perspective on how widespread violent rental house parties have become.

“People missed that, and they don’t understand (the scope),” he said. “And the reason is Airbnb has controlled the conversation ... We have to start challenging that and asking deeper questions.”

On Wednesday, Airbnb officials outlined steps to curb unauthorized house parties. Among them: Verifying the accuracy of all 7 million listings for home and room rentals on its site; a hotline in the U.S. by the end of the year with a team to answer neighbors’ concerns; and expanded manual screening of reservations that an algorithm flags as potentially risky.

Orinda Shooting

BIZ & TECH

BY CAROLYN SAID

**Can Airbnb carry out ban on
'party houses'?**

LOCAL

BY MATT

**Mother
violence**

"Trust is the real energy source that drives Airbnb," the company's CEO Brian Chesky wrote in a companywide email. "But recently, events by bad actors on our platform took advantage of that trust, including at a home in Orinda, California. We intend to do everything possible to learn from these incidents when they occur."

In Sacramento County, sheriff's deputies have been in contact with Airbnb as they investigate the homicides in Fair Oaks and Sacramento.

"I mean two in a year ... both are serious in nature," said Sheriff's Deputy Lacey Nelson. "One is too many."

To law enforcement, it's not surprising there are problems at short-term rentals. With social media

to amplify the reach of a party ad, a rental property can quickly become the site of underage drinking, brawls, noise complaints and, in some cases, homicides.

“With the way social media is going, people can be a party planner,” Nelson said. “It does create issues.”

Elk Grove (Sacramento County) police spokesman Jason Jimenez said people take advantage of short-term rentals, widely promoting parties in them on social media, which can lead to violent altercations. On May 31, a 22-year-old man was shot and injured during a party at an Airbnb rental in Elk Grove, Jimenez said.

“Whether it’s intentional or not, I think you see these large turnouts that eventually either turn into a large fight, large disturbance or worst-case scenario like what we had here in Elk Grove or what happened in Orinda,” Jimenez said. “You could have people from all over that may or may not get along.”

Nearly a week after the Orinda shooting, Chalmers recalls the slamming of car doors, screeching of tires, clatter of voices and the sight of red and blue lights illuminating authorities and partygoers on the street. The next morning, she found blood-drenched bandages on her lawn.

“I feel like I’m still finding out just how horrific this is,” she said.

Chronicle staff writer Carolyn Said contributed to this story.

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Section 5

News



NO WELCOME FOR GUEST HOUSES

By **Blair Kamin**

CHICAGO TRIBUNE

OCTOBER 7, 1987

Bed-and-breakfast guest houses may be sweeping the Midwest, but Naperville isn't ready to get on the bandwagon.

By a 6-1 vote, the city council decided Monday night to reject a series of proposed requirements that would have permitted bed-and-breakfast establishments in medium-density residential neighborhoods.

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The council sided with a group of more than 25 residents who appeared at the meeting wearing buttons with the letters "B&B" covered by a red circle and a slash.

The opponents, including residents of the city's historic district, were led by Alice Sandrick, who told the council that adopting the regulations would commercialize residential areas, increase traffic, lower property values, frustrate neighborhood crime watches and turn back yards into

"concrete slabs" because of regulations requiring off-street parking.

"All these people want is what they bargained for when they bought their houses 10, 15, 20 years ago-and that is a stable, residential neighborhood," Sandrick said.

The vote centered on a house at 26 N. Eagle St., which is owned by Neal and Lynn Harrison, who live in unincorporated Naperville.

Walter Newman, community development director, told the council that the bed and breakfast regulations were drawn up after questions arose about whether the Eagle Street house was being operated legally as a bed-and-breakfast inn.

Council members decided that they did not want bed and breakfasts in medium-density residential neighborhoods.

"I really question the appropriateness or the need for them in this community," said Mayor Margaret Price. "I don't think the central part of town is the right place for them."

The effect of the vote on the Eagle Street property was unclear Tuesday. Ella Schultz, director of code enforcement, said that city officials had determined that the property is a single-family dwelling because it doesn't have commercial kitchen facilities.

Schultz said that Lynn Harrison "is permitted to rent two rooms in a single-family dwelling and she's renting four."

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She said that Harrison would have the option of applying for a special use for a boarding house or she could alter her property so it becomes an

"official two-flat."

Harrison, who did not speak at Monday night's meeting, declined to say in a telephone interview Tuesday whether the property is a single-family dwelling or a duplex.

In addition to rejecting the proposed bed-and-breakfast regulations, the council directed city staff to draw up new regulations regarding how many unrelated people can live in a dwelling.

Under Naperville's single-family zoning ordinance, each family is permitted to have two unrelated roomers in no more than two guest rooms. City law also says that a family can be defined as two unrelated people.

Some residents who spoke at the meeting said the law is being stretched to its limits, with landlords putting as many as eight unrelated people in duplex homes. That is leading to the commercialization of residential areas, the residents said.

In other business, the council voted 6-1 to amend the Naperville Municipal Code to allow group homes for senior citizens as special uses in residential districts.

The amendment was approved despite a warning from the city's lawyers-Ancel, Glink, Diamond, Murphy & Cope of Chicago-that Naperville does "risk being sued if similar group homes are not treated similarly, and perhaps having such a suit be successful."

Similar group homes might include those for the mentally retarded or alcoholics, the lawyers said.