

Moore-Love, Karla

186736

From: Suzanne E. Hannam <suzanne_e_hannam@hotmail.com>
Sent: Tuesday, July 29, 2014 12:49 PM
To: Hales, Mayor
Cc: Reyes, Cindy; Moore-Love, Karla
Subject: [User Approved] CONCERN THAT AirBnB Is Acting as Portland's Lodging Tax Collector

Sent to all
Commissioners

Mayor Hales.

I and so many neighbors I have talked to are shocked that AirBnB will not provide the names of those running STRs in Portland which obviously leads to the inability of the City to monitor and audit this new activity.

This is a significant zoning change in single-family neighborhoods and makes citizens think that AirBnb is dictating the code rather than our elected officials.

http://www.oregonlive.com/front-porch/index.ssf/2014/07/airbnb_acting_as_portlands_lod.html

"Without identifying information on lodging tax returns, the city won't be able to use the tax receipts to determine which users are renting out out rooms without a permit".

Sincerely,

Suzanne E Hannam

RICAP 6 - SHORT TERM RENTALS

TESTIMONY IS LIMITED TO NEW AMENDMENTS INTRODUCED TODAY

IF YOU WISH TO SPEAK TO CITY COUNCIL, PRINT YOUR NAME, ADDRESS, AND EMAIL.

NAME (print)

ADDRESS AND ZIP CODE

Email

✓ Lightning	_____	_____
✓ Joe Walsh		
✓ Benjamin Barber	2637 SW Water Ave	Barberb@barberb.com
✓ Laura Rodgers	7516	
✓ Steve Entwistle SA		

Moore-Love, Karla

From: Tamara DeRidder, AICP <SustainableDesign@tdridder.users.panix.com>
Sent: Wednesday, July 23, 2014 1:28 PM
To: Moore-Love, Karla
Subject: Short Term Rentals -> 2-year Trial Period w/ fees earmarked to study impact on Affordable Housing

Importance: High

Dear Mayor Charlie Hales and City Commissioners,

I am writing you today as a resident, small business owner, and a 20-year veteran land use planner. I understand that you may proceed in adopting the Short Term Rental amendment at today's hearing. As many of you know, I have deep misgivings regarding the passage of this ordinance as word on the street already rumor a rise in rental costs throughout our city due to it's passage.

If you do take this action -> Please, plan ahead -!! Please provide our city an affordable exit strategy -!!!

1. Adopt the Short Term Rental amendment as a 2-year trial. Why? This puts users on notice that this is not yet a vested 'right'. Yes, if this ordinance does turn our rental market towards that of San Francisco I anticipate there will be a push to have the Council reverse or at least modify their decision in the future.
2. Ear-Mark Application Fees toward a Affordable Housing Impact study due by the end of the 2-year trial period. Please set the funding commitment in place with the ordinance. This way there is a good chance you will have a product in two years.
3. Schedule the two-year review of the Affordable Impact Study to be reviewed by City Council together with the Short Term Rental possible Extension.

Thank you for your consideration.

My best,

Tamara DeRidder, AICP
TDR & Associates
'Sustainable Planning and Design'
1707 NE 52nd Ave.
Portland, OR 97213
503-706-5804

Parsons, Susan

From: Tamara DeRidder, AICP <SustainableDesign@tdridder.users.panix.com>
Sent: Wednesday, July 23, 2014 1:31 PM
To: Parsons, Susan
Subject: Fwd: Short Term Rentals -> 2-year Trial Period w/ fees earmarked to study impact on Affordable Housing

Importance: High

Susan,

Please enter this e-mail into the record for the Short Term Rental hearing today and provide copies to the Mayor and Commissioners.

Thank you,

Tamara

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

Subject: Short Term Rentals -> 2-year Trial Period w/ fees earmarked to study impact on Affordable Housing

Date: Wed, 23 Jul 2014 13:28:29 -0700

From: Tamara DeRidder, AICP <SustainableDesign@tdridder.users.panix.com>

Reply-To: SustainableDesign@tdridder.users.panix.com

Organization: TDR & Associates

To: Moore-Love, Karla <Karla.Moore-Love@portlandoregon.gov>

Dear Mayor Charlie Hales and City Commissioners,

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18 6736

Tamara DeRidder, AICP
TDR & Associates
'Sustainable Planning and Design'
1707 NE 52nd Ave.
Portland, OR 97213
503-706-5804

Moore-Love, Karla

From: Schwab Mary Ann <e33maschwab@gmail.com>
Sent: Tuesday, July 22, 2014 7:35 PM
To: Grumm, Matt; Moore-Love, Karla
Cc: Commissioner Fritz; Commissioner Fish; Commissioner Saltzman; Commissioner Novick; Hales Charlie; Williams Terry; van Orden, Paul
Subject: SECOND READING: RICAP 6 #12, #13, #14 1-2 bedroom residential short term rentals in established neighborhoods -- now commercial

Hi Matt: and Interested Persons ;)

Currently, the City's budget does not include resources to hire additional ONI Noise Enforcement personnel to respond to immediate neighbor's B&B late night noise complaints.

What troubles me most? Knowing Police Dispatchers rarely if ever route a Police Officer in response to "happy patrons singing talking" at between 10:00 p.m. and 2:30 a.m.

Furthermore, what makes City Council think -- short of writing this noise compliance time frame [10:00 p.m. to 7:00 a.m.] into the new zoning code -- B&B owners will respect the time-frame?

Did I fail to mention, no one currently serving on City Council lives next to an OLCC outlet -- or -- within proposed high traffic entertainment nodes? For that matter, nor do they live next door to currently illegal B&B 1-2 short term bedroom and/or accessory unit. From what I understand, each lives within a well established residential neighborhood. Like the rest of us, their only legal recourse to short term renters/visitors on holidays, singing, laughing in the neighbors exterior area is to call (503) 823-3333 non emergency to register noise complaint -- documented on their cell phone. Regrettably their noise violation complaint -- like the rest of us -- will be held in-queue for lack of budgeted investigators. ONI Noise Control Officer will first issue a non-compliance warning -- wait X# days for payment -- then to issue a \$1,000 fine. One time fine or monthly is not clear.

At what point Terry Williams will be able to collect \$1,000 fee? If not, is she able to put a collection lien on the "offender's property? Fines could dedicated to hiring additional Noise Officers. This is not clear to the PUBLIC-AT-LARGE.

Let be frame the ticket situation this way. Should anyone be stopped by the Highway Patrol or a City Police Officer for speeding 20-miles above the posted limit -- they can expect a speeding ticket. So why give these illegally NONE-COMPLIANCE COMMERCIAL BUSINESS OPERATIONS A FREE PASS? When many foxy shared economy owners may have been in short-term rental business for the last six years?

I hope Commissioner Saltzman and his colleagues will take note, ask City Attorney to draw up an Amendment to clarify issuing non-compliance free pass warning vs \$1,000 fine.

Thank you,
ma
(503) 236-3522

Parsons, Susan

From: Schwab Mary Ann <e33maschwab@gmail.com>
Sent: Tuesday, July 22, 2014 4:27 PM
To: Moore-Love, Karla
Cc: Hales Charlie; Commissioner Novick; Commissioner Fritz; Commissioner Fish; Commissioner Saltzman
Subject: mas response to: 779 Improve land use regulations related to accessory short-term rentals through the Regulatory Improvement Code Amendment Package 6 (Second Reading Agenda 738; amend Code Title 3 and Title 33) 30 minutes requested 779 ex...

779 Improve land use regulations related to accessory short-term rentals through the Regulatory Improvement Code Amendment Package 6 (Second Reading Agenda 738; amend Code Title 3 and Title 33) 30 minutes requested

779 exhibit

779 Proposed Substitute ordinance and substitute exhibit

Honorable Mayor Hales and Commissioner:

As for my wasting time in Council Chambers tomorrow? No way. Not after reading how Sunday's Oregonian Editors felt so strongly -- what Charlie wants -- Charlie gets. I won't be surprised when City Council approves the RICAP # 6 #12,#13, #14 1 to 2 short term bedroom rentals in 95 neighborhoods. Just because everyone is already renting bedrooms illegally does not make it right. Sorry Charlie -- on this you and I can agree to disagree.

Why? Just as when OLCC Chair Rob Patridge stated months ago -- "As an elected official it is your responsibility to enforce the City's Noise Ordinance." Two years later, ONI Noise Officer, Paul vanOrden does not have the tools necessary to measure exterior happy human voices between 10:00 p.m. and 7:00 a.m. in tavern/pub/food cart exterior service areas. Or when B&B short-term renters wake next-door neighbors -- resulting in sleep-deprivation. Yes, records show sleep deprivation can become a public safety issue for Portland's workforce, e.g., registered nurses poking needles in patients, sleepy long haul freighter line truckers, MAX, WES and Portland Street Car operators, and exhausted children sitting in over crowded classrooms.

Nor does the Noise Control Officer have the OAR authority to issue fines. Why? "Freedom of Speech" is protected 24/7.

Please do your best to protect established residential zones. First by allowing 24/7 commercial business with clearly written (choices) application regulations and (consequences) heavy enforcement fines. Do not allow a free pass warning. It is what it. Owners must understand the zoning regulations and the consequences when signing off on City's B&B short term rental application. \$1,000 fee based on neighbors cell phone video/audio documentation.

It is not toooo late to tell Airbnb and other on-rental facilitators: NO THANK YOU.

Let's keep Portland weird.

mas
 (503) 236-3522

Moore-Love, Karla

From: Moore-Love, Karla
Sent: Tuesday, July 08, 2014 12:09 PM
To: 'MAYORHales@portlandoregon.gov'; Commissioner Fritz; Commissioner Fish; Commissioner Saltzman; Commissioner Novick
Subject: FW: Please consider inviting the following KEY-STAKEHOLDERS to the multi-family work-session ...

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

From: Schwab Mary Ann [mailto:e33maschwab@gmail.com]
Sent: Wednesday, July 02, 2014 7:39 PM
To: Wood Sharon
Cc: Owen, Patrick; Moore-Love, Karla; Wood Sharon; Anderson, Susan; Tracy, Morgan (Planning); Dingfelder, Jackie
Subject: Please consider inviting the following KEY-STAKEHOLDERS to the multi-family work-session ...

Hi Sharon and BDS Movers and Shakers:

... Steve Unger, owner Lion and the Rose B&B owner, ... Bill Gregg, who also manages a short term rental business -- both of whom testified today.

... Tamara DeRidder, Rose City Neighborhood Association ... Robert McCullough, Southeast Uplift -- both of whom testified on June 4h. STEVE UNGER, LION AND THE ROSE B&B OWNER

When the RICAP 6 #12, #13 #14 1-2 bedroom short term rental code is ..."cleaned up", may we all have a copy prior to July 23rd Hearing in City Council?

I'm pleased the short term rentals within multi-family units will be thoroughly vetted in the next 90-days. I appreciate the hours of extra work.

Thanks,
mas
(503) 236-3522

Moore-Love, Karla

From: Moore-Love, Karla
Sent: Thursday, July 10, 2014 12:45 PM
To: 'MAYORHales@portlandoregon.gov'; Commissioner Fritz; Commissioner Fish; Commissioner Saltzman; Commissioner Novick
Cc: Dingfelder, Jackie; Tracy, Morgan (Planning); Gisler, Julia; Beaumont, Kathryn
Subject: FW: Mayor's conflict of interest on Airbnb issue

Testimony from John Evans for RICAP 6 – Accessory Short Term Rentals.

Karla Moore-Love |Council Clerk
Office of the City Auditor
503.823.4086

From: evans5555@aol.com [mailto:evans5555@aol.com]
Sent: Thursday, July 10, 2014 12:29 PM
To: Moore-Love, Karla
Subject: Mayor's conflict of interest on Airbnb issue

Dear Mayor Hales,

We now know why you have been saying things like "everyone is already doing it, so let's now make it legal" when it comes to the way you are handling the total commercialization of our neighborhoods.

Not only paying them back for their opening up an office here, but your own daughter, according to a July 9th article in Willamette Week, is dating an Airbnb employee.

This is a true conflict of interest, and you should recuse yourself from all future voting on this issue.

This whole issue is you doing a favor for the 1% of the people who are doing this, and ignoring the other 99%, who just happen to not be as vocal as the 1%. Or that don't have a paid lobby behind them.

You somehow think this is an easier issue to deal with than the street tax issue, but this issue represents a wholesale change in our neighborhoods. This issue had been fought and won in many many cities, but Airbnb is pulling out all the stops here to guarantee a victory. You have bought into their "shared city" nonsense. A \$10 billion company has essentially come to town and hijacked it's zoning laws. And now you want to allow apartments and condos too, even though they don't meet the fire standards of hotels. With housing prices going up like crazy in the U.S., you now want to include condos and apartments into the mix or our housing stock being made available to tourists. How long will it be before you allow non-hosted whole house rentals?

So far, you are showing that you are the best mayor money can buy!

John Evans
1235 SE Salmon St

Moore-Love, Karla

From: Moore-Love, Karla
Sent: Tuesday, July 08, 2014 5:04 PM
To: Tracy, Morgan (Planning); Gisler, Julia; Beaumont, Kathryn
Subject: FW: Testimony In favor of short-term rental regulation in Portland

From: Reyes, Cindy
Sent: Tuesday, July 08, 2014 4:57 PM
To: Moore-Love, Karla
Subject: FW: Testimony In favor of short-term rental regulation in Portland

FYI

Cindy Reyes
Constituent Services Specialist
Office of Mayor Charlie Hales | City of Portland
1221 SW 4th Ave., Suite 340 | Portland, OR 97204
E: cindy.reyes@portlandoregon.gov
P: 503-823-4142

From: Faith Raspante [<mailto:fraspante@gmail.com>]
Sent: Monday, June 16, 2014 6:01 PM
To: Hales, Mayor; Commissioner Fish; amanda@portlandoregon.gov; Commissioner Novick; Commissioner Saltzman
Subject: Testimony In favor of short-term rental regulation in Portland

16 June, 2014

To Portland Mayor Charlie Hales and City Commissioners Nick Fish, Amanda Fritz, Steve Novick, and Dan Saltzman,

I am writing in regard to the recent legislation being decided by the Portland City Council to regulate short-term rentals. I understand that there is tentative approval for houses and I believe this should be extended to apartments and condos as well. As an apartment owner and airbnb host it is always my high priority to ensure the safety of my guests. I understand that safety has been a major concern and motivation for limiting rental permits to houses and duplexes but I believe this would be a mistake. Apartments can be equally safe. I would not rent an apartment to a short term or long term tenant if I were not confident in its safety. If an apartment is suitable for a local citizen it should be considered for guests as well. If regulations were made to include permitting apartments it would be reasonable to require proof of fire extinguishers, smoke alarms, carbon monoxide meters and other safety measures.

Apartments and condos are the ideal rentals for visitors to Portland. They offer private and affordable accommodations and give tourists places to stay where they can experience an authentic Portland neighborhood. Portland has a well-documented shortage of hotel rooms and I have heard from many of my guests how difficult it can be to find a place to stay. Short-term rental apartments improve the local economy by bringing more tourists and visitors to our city. I ask that you consider adding apartments and condos to the new regulation legislation so that they may be eligible for city permits, to pay city taxes and to operate in a legal and legitimate way.

Thank you for your time and attention to this matter.

Warm Regards,

Jonathan Shpak

Moore-Love, Karla

From: evans5555@aol.com
Sent: Thursday, July 10, 2014 12:29 PM
To: Moore-Love, Karla
Subject: Mayor's conflict of interest on Airbnb issue

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1235 SE Salmon St

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Sent: Tuesday, July 08, 2014 4:57 PM
To: Moore-Love, Karla
Subject: FW: Testimony In favor of short-term rental regulation in Portland

FYI

Cindy Reyes
Constituent Services Specialist
Office of Mayor Charlie Hales | City of Portland
1221 SW 4th Ave., Suite 340 | Portland, OR 97204
E: cindy.reyes@portlandoregon.gov
P: 503-823-4142

From: Faith Raspante [mailto:fraspante@gmail.com]
Sent: Monday, June 16, 2014 6:01 PM
To: Hales, Mayor; Commissioner Fish; amanda@portlandoregon.gov; Commissioner Novick; Commissioner Saltzman
Subject: Testimony In favor of short-term rental regulation in Portland

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Thank you for your time and attention to this matter.

Warm Regards,

Jonathan Shpak

Moore-Love, Karla

From: Schwab Mary Ann <e33maschwab@gmail.com>
Sent: Monday, July 07, 2014 9:38 AM
To: Hales Charlie; Commissioner Novick; Commissioner Fritz; Commissioner Saltzman; Commissioner Fish
Cc: Anderson, Susan; Wood Sharon; Moore-Love, Karla
Subject: [Approved Sender] mas response to: Airbnb's Promise: Every Man and Woman a Hotelier

Good Morning Mayor and Commissioners:

This article "Airbnb's Promise: Every Man and Woman a Hotelier" may be of interest to the you and city taxpayers.

"The [Airbnb] company operates in 34,000 cities, and of those, Airbnb has had the most trouble securing the affections of local governments in Barcelona, San Francisco and New York City, where the state attorney general, Eric T. Schneiderman, who has described the Internet as "one of the primary crime scenes of the 21st century," has sought to limit the company's influence." Big City, By Ginia Bellafante, July 3, 2014.

What I see missing in the article below?

Currently, there is no income tax collecting platform on which to mandate these crafty Internet On-Line Short Term businesses to process and mail the IRS 1099 forms to their "shared economy" clients renting units to travelers. They found the "construction contractor's loop-hole, where they are not required too. As a result, Airbnb and others continue to enable homeowners and apartment renters to cheat on their personal income taxes in cities across the United States. So if Airbnb actually mailed (\$) money to the property owners then they should comply with federal (& by extension state) requirements for reporting misc income by sending 1099's to all those who receive the \$ with copies to the IRS. As you know one needs to submit

their federal tax form with the state one and that will help catch the appropriate taxes.

The good news, for the next three months, Mayor Hales has tabled Airbnb's plans to operate short-term 1-2 bedroom rentals in Portland's multi-family dwellings and condos. As for guest parking -- don't even go there. Sharon Wood will be vetting current practices across the country, building occupancy public safety codes, ONI Noise Ordinance enforcement, and homeowner vs. commercial liability insurance policies. As for accessible street parking -- don't go here. My guess, she will be returning to share the final report during a second work session in three months.

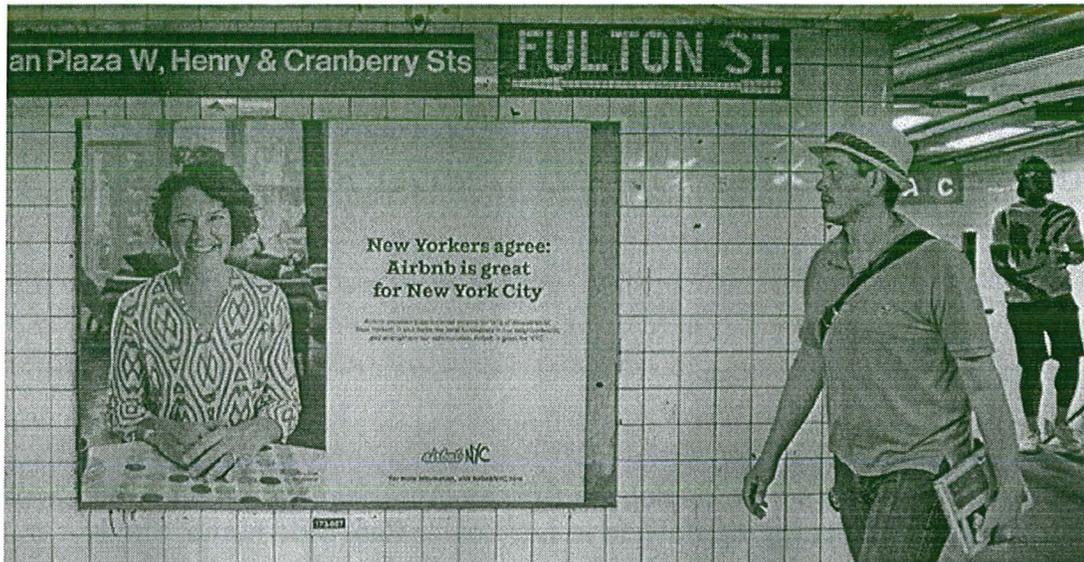
Your thoughts...

mas

Airbnb's Promise: Every Man and Woman a Hotelier

JULY 3, 2014

Photo



Recent advertisements in New York City for Airbnb, the online lodging site, portray the business as a valuable community service. Credit Andrew Renneisen/The New York Times

Big City

By GINIA BELLAFANTE

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Continue reading the main story

In recent weeks, Airbnb, the online lodging site and popular Silicon Valley emblem of the sharing-loving-trusting-hugging-anyone-can-be-Conrad-Hilton economy, unveiled a promotional campaign in New York aimed at getting doubters to see what a valuable social function the company performs. In a series of ads, visible mostly in subway stations, Airbnb hosts of various races and creeds are depicted in the unpretentious living quarters they rent out — in Prospect-Lefferts Gardens, Brooklyn, in Astoria, Queens — over text explaining that Airbnb not only provides tens of thousands of New Yorkers with supplemental income, but also “strengthens our communities.”

Continue reading the main story

RELATED COVERAGE



Airbnb Host Welcomes Travelers From All Over APRIL 25, 2014

Times Topic: Big City

A television spot, Airbnb's first, depicts an African-American woman named Carol wearing a dashiki and arranging flowers in her Lower East Side home. She is shown extending her hospitality to out-of-town guests for whom she makes pancakes. We learn that her husband died, she has grown sons and her employment vanished. Airbnb made possible both her survival and, we're meant to understand, her pursuit of graduate education in divinity.

The company operates in 34,000 cities, and of those, Airbnb has had the most trouble securing the affections of local governments in Barcelona, San Francisco and New York City, where the state attorney general, Eric T. Schneiderman, who has described the Internet as "one of the primary crime scenes of the 21st century," has sought to limit the company's influence. The hippie entrepreneurialism embodied by Internet ventures like Airbnb is not the most obvious target for an office that once, more usefully, imagined Wall Street as the century's greatest theater of malfeasance. But the attorney general and other officials don't easily gravitate toward the company's argument for civic good.

Occasionally events transpire that would seem to substantiate their reservations. In March, a Chelsea man, returning home to the apartment he had rented to someone who said he was looking for a place for his in-laws to stay while they were in town for a wedding, found instead an orgy that left him throwing sheets over all of his furniture in disgust. (Referring to the participants, The New York Post inimitably described this as an "overweight orgy.") In 2010, two years after Airbnb was created, the New York State Legislature strengthened the statute related to the operation of illegal hotels, which are essentially defined as apartments or rooms rented out for fewer than 30 days. Believing that anyone ought to be able to rent out a home, Airbnb would like to see that law overturned.

CONTINUE READING THE MAIN STORY **150** COMMENTS Continue reading the main story

RECENT COMMENTS

Johannes de Silentio

1 hour ago

A rented apartment is not an asset. It is an asset of the owner - the landlord. Many landlords in NY are prohibited from renting their...

New Yorker

1 hour ago

The tourism industry needs to speak out about this as they DON'T PAY TAXES and take away revenue from hotels and legal B&B's. Unfortunately,...

SA

3 hours ago

If you loan your car, money, or your expensive shoes to someone unknown to you, if anything happens, that is for you alone to deal with....

- SEE ALL COMMENTS

- WRITE A COMMENT

When a company valued at \$10 billion clamors about government interference as it positions itself so we might view it as an agent in the war against inequality, there are obvious reasons to be suspicious. The benefits of the sharing economy can redound, after all, only to those with actual assets to share. Part of the impetus for the 2010 law in New York were the concerns that short-term rentals were depleting the city's housing stock and that profits were accruing to landlords with multiple apartments who foresaw greater gains serving tourists than those who lived here.

But when Airbnb conducted a survey of its participants in the city last year, it says, it found that 87 percent were renting out their primary residences. Moreover, 62 percent claimed that hosting guests through Airbnb helped them afford to remain in their homes, and almost half of hosts who reported earnings had household incomes at or below the city's average. A map of available Airbnb spaces for rent throughout the city reveals them to be spread out, beyond the obvious upper-middle-class enclaves: on Staten Island, in parts of the Bronx and in East New York, Brooklyn. The hotel industry has been bedeviled by the company, but clearly traditional accommodations are not under any real threat. Over the past year, hotel demand has increased in the city, not diminished. Airbnb users are coming to the city when they seemingly wouldn't otherwise be able to bear the expense. At a moment when a sector of Midtown Manhattan is becoming a vast condominium complex for foreign billionaires who will alight in the city only when the spirit moves them and only when they don't find themselves in Singapore, Mustique or Rio, it is worth considering the value of democratizing the tourist class. One kind of tourist will ensure the survival of a bookstore like Rizzoli, and another will ensure that it is replaced with someplace to buy \$15,000 watches.

Part of what regulators don't like about Airbnb is the sense that it promotes transience, and all the problems attendant to it, in buildings intended as permanent residences. But how many of them have raised a fuss about the erection of high-rises that serve as de facto resorts for the global aristocracy? Michael R. Bloomberg supported the law against short-term rentals as he wished for every rich Russian bachelor to move into One57. Maybe everyone will be happy to tolerate orgies there because the participants will be skinnier.

In Order of Sign-Up 6/4/14

18 6736

<u>LAST NAME</u>	<u>FIRST</u>
MCGARRY	HEATHER
✓ CHANDLER	MAGGIE
GARAY	JESSICA
CHKLAIDZE	MAKA
WHITE	AMY
HENRY	ASHLEY
TAYLOR	AMY
PABST	MERIDEE
ZOELLER	LUISA
KIMMET	JESSICA
✓ WINN	KARRI
WILLETTE	SUE
AUSTIN	JOANNE
GREGG	WILLIAM
THOMPSON	JULIE
EISENBERG	LEE
✓ OVINGTON	PETER
TURNER	MOLLY
WANKEL	JOHN
WARRINGTON	LISA
SWORDS	DAVID
CARLISLE	ROBIN
BISHOP	JAROD
✓ TABOR	NATHAN
BERRY	SHERISSA
WELLS	KRISTIN
KITTELL	DANNA
WILLIAMS	KARIN
STERRETT	JOANNE
IVY	DAVID
KENNEDY HILL	TAMARA
✓ MINER	JASON
MYERS	MARIE
✓ LIGHTNING	
LYONS	KEN
SCHUSTER	CHARMIKA

CHANDLER = First to speak on 7/2.
(Did not get to speak on 6/4 and came 7/2.)

on 7/2

TABOR

18 67 36

HANNAM
BUNKERS
MEDALIA
TOMAN

THERESA
CHANTEL
TAIZZ
MELISSA

SHORT-TERM RENTALS

IF YOU SIGNED UP ON 6-4 AND DID NOT TESTIFY, SEE CLERK TO TESTIFY TODAY

IF YOU WISH TO SPEAK TO CITY COUNCIL, PRINT YOUR NAME, ADDRESS, AND EMAIL.

NAME (print)	ADDRESS AND ZIP CODE	Email
✓ Mary Ann Schwab	on record	
✓ Bill Gregg	on record	
✓ Steve Unger	1517 NE Schuyler	steve.uuger@comcast.net
✓ Matt Curtis	1011 W. 5 th Street Austin 78703	mcurtis@homeaway.com
✓ Cliff Johnson	1270 SE 30 th Ave Portland 97214	cliff@vacasarentals.com
✓ MIKE KIRK	u u	MKIRK@VACASARENTALS.COM
✓ Eric Schmidt	3212 SE Morrison Portland OR 97214	E.Schmidt827@gmail.com
✓ Diane Henderson	-	-
✓ Matthew Tesdal	293 Arkansas Ave. Vernonia 97064	matthew@familytimevacationrentals.com
✓ Betsy LaBarge	PO BOX 454 Welches OR 97107	betsy@methodrentals.com

SHORT-TERM RENTALSIF YOU SIGNED UP ON 6-4 AND DID NOT TESTIFY, SEE CLERK TO TESTIFY TODAY

IF YOU WISH TO SPEAK TO CITY COUNCIL, PRINT YOUR NAME, ADDRESS, AND EMAIL.

NAME (print)

ADDRESS AND ZIP CODE

Email

NAME (print)	ADDRESS AND ZIP CODE	Email
✓ JUDY CROCKETT	3133 SE Sherman 97214	
✓ nicole Peltz	1214 SE Malden 97202	
✓ Deborah Imse	—	—
✓ Alise Christensen	1327 Tacoma St #146	ALISA
✓ Gary Wayne Cash	1572 N. Prescott St. 97217	
✓ Albert Dormaier	1020 NW 9th 916 97209	adormaier@gmail.com
Victoria Stewart	Victoria Stewart	VDS2@PDX.EDU
✓ Cynthia Brown	5524 N. Moore Av 97217	brownroz@easystreet.net
NO space 5 spot to cynthia ROSEMARY BROWN	—	—
Lightning	—	—
✓ Jeff Reinsold	721 SW OAK STREET	jreinsold@ipmco.com

SHORT-TERM RENTALS

IF YOU SIGNED UP ON 6-4 AND DID NOT TESTIFY, SEE CLERK TO TESTIFY TODAY

IF YOU WISH TO SPEAK TO CITY COUNCIL, PRINT YOUR NAME, ADDRESS, AND EMAIL.

NAME (print)

ADDRESS AND ZIP CODE

Email

✓ Sharon Garrett		
✓ AARON CASE		
^{NO} Julie Gebron	8828 N. Willamette Blvd 97203	jgebron@mac.com
✓ HANNAH SANDMEYER	5827 NE 14 TH AVE, 97211	hannahsandmeyer@gmail.com
✓ JACK BOTHWELL	1255 NW 9 TH AVE 97209	JNTBOTHWELL@YAHOO
^{NO} Rhondi Edwards	2221 NE 69 th Ave. 97213	Rhondi@comcast.net
SUSAN MORAY	2133 SE Grand 97214	SusanMoray@comcast.net
JULIUS WYLLIE	1926 W BURNSIDE ST #601 ⁹⁷²⁰⁹	WYLLIEJ@GMAIL.COM
Michael Pounce	7008 N. Fiske Ave. 97203	M.Pounce@comcast.net
Shawn Sullens	6533 N Kenby 97217	ShawnSullens.msn.

SHORT-TERM RENTALS

IF YOU SIGNED UP ON 6-4 AND DID NOT TESTIFY, SEE CLERK TO TESTIFY TODAY

IF YOU WISH TO SPEAK TO CITY COUNCIL, PRINT YOUR NAME, ADDRESS, AND EMAIL.

NAME (print)	ADDRESS AND ZIP CODE	Email
✓ MARIA YU MAI	3637 SW Canyon St	HIMAI.MARIA@gmail.com
Sandi Nikoo	1900 S.W 5th Ave.	Sandinike@hotmail.com
✓ Sue Carter-Low	4005 NE Davis	scarter400@comcast.net
✓ Rosemary Brown	4325 SE Hawthorne Blvd	rbrown99@teleport.com
✓ Sharon Garrett	1421 SW 12th Ave	sharngarrettis@gmail.com
✓ Kym Gordon-Cumbo	1920 SE MULBERRY AVE 97214	KymCumbo@gmail.com
✓ PAULA WADE	4215 N. MICHIGAN AVE PXD 97217	PAULARWADE@hotmail.com
✓ Kathy Bushman	8525 SE 32nd	
✓ Cynthia Brown		

Moore-Love, Karla

From: Schwab Mary Ann <e33maschwab@gmail.com>
Sent: Wednesday, July 02, 2014 7:39 PM
To: Wood Sharon
Cc: Owen, Patrick; Moore-Love, Karla; Wood Sharon; Anderson, Susan; Tracy, Morgan (Planning); Dingfelder, Jackie
Subject: Please consider inviting the following KEY-STAKEHOLDERS to the multi-family work-session ...

Hi Sharon and BDS Movers and Shakers:

... Steve Unger, owner Lion and the Rose B&B owner, ... Bill Gregg, who also manages a short term rental business -- both of whom testified today.

... Tamara DeRidder, Rose City Neighborhood Association ... Robert McCullough, Southeast Uplift -- both of whom testified on June 4h. STEVE UNGER, LION AND THE ROSE B&B OWNER

When the RICAP 6 #12, #13 #14 1-2 bedroom short term rental code is ..."cleaned up", may we all have a copy prior to July 23rd Hearing in City Council?

I'm pleased the short term rentals within multi-family units will be thoroughly vetted in the next 90-days. I appreciate the hours of extra work.

Thanks,
mas
(503) 236-3522

Moore-Love, Karla

From: Reyes, Cindy
Sent: Wednesday, July 02, 2014 4:56 PM
To: Moore-Love, Karla
Subject: FW: Short-term Rentals and AirBnB

FYI

Cindy Reyes
 Constituent Services Specialist
 Office of Mayor Charlie Hales | City of Portland
 1221 SW 4th Ave., Suite 340 | Portland, OR 97204
 E: cindy.reyes@portlandoregon.gov
 P: 503-823-4142

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

From: Pettit, Beatrice [mailto:PETTITBL@aruplab.com]
Sent: Wednesday, July 02, 2014 4:36 PM
To: Hales, Mayor; Commissioner Fish; Commissioner Fritz; Commissioner Novick; Commissioner Saltzman
Cc: Roger Pettit; onapangaia@gmail.com; president@eastmoreland.org
Subject: Short-term Rentals and AirBnB

Dear Mayor and Commissioners,

My name is Bea Pettit, and I have a short-term rental I offer through AirBnB in the Eastmoreland neighborhood. I regret my absence at today's meeting on this topic, but I wanted to share my opinion anyway, in case it is useful.

Our rental has become, and continues to be a replenishing source of both financial and psychological benefits:

- * Financially, it provides extra income for:
 - * my husband and me
 - * our neighbor, who watches our house and assists our guests when we're not home
 - * our local cleaning lady, who occasionally assists us in preparing the property for upcoming guests
 - * our local merchants and restaurants in Woodstock, Westmoreland, Sellwood
- * Psychologically:
 - * It expands our Friendship and Network circle
 - * Some of our guests maintain communication with us and return for subsequent stays
 - * We maintain communication with our neighbors to assess their opinion on our rental
 - * We share experiences
 - * It enriches our world view
 - * Many of our guests are from other countries (China, Australia, Germany, England, Canada); most from other states (to many to list).
 - * All of our guests are unique and have amazing life experiences to share
 - * Reed College Parents
 - * Medical Doctors
 - * Geologists
 - * Published Authors

- * Antique Book Collectors
- * Newlyweds
- * US AID Employees
- * Doctors Without Borders Employees
- * Retirees who have become sophisticated world travelers
- * Astronomers
- * Fine Artists
- * Children attending the Reed College Talented and Gifted Camp (and their amazing Mom, who wants to do right by her kids, but can't bring herself to drive back and forth to Salem daily – there's only so much a single Mom can take :-))
- * Grandparents attending the birth of their first grandchild
- * THEY'RE ALL SUCH AMAZING PEOPLE!

The basics of AirBnB are this:

1. Most of our guests are affiliated with Reed College or Eastmoreland in some way
2. They come to visit for Reed events, holidays, and family events
3. Visitors get an amazing first impression of PDX
4. Short-term rentals such as mine encourage property owners to maintain their property (more so than long-term rentals, I'm sure we'll all agree to this.)
5. It's a source of extra income for property owners, neighbors, local merchants
6. AirBnB culture is aligned with PDX culture

I understand the fear this type of business and culture may inspire in the hearts and minds of those who have not experienced it. However, I do speak from experience when I say that the fear is statistically unfounded. Unfortunate events will occur, there is no doubt of this, but they are rare, and should not be relied on as the basis to shackle this industry or culture.

Thank-you for considering my comments.

Warm regards,

Bea

(801) 518-9202

B<mailto:pettitbl@aruplab.com>eatrice.pettit@yahoo.com

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July 2, 2014

Mayor Charlie Hales
1221 SW 4th Ave, Rm 340
Portland, OR 97204

Dear Mayor Hales,

As you consider the tax structure and distribution of Airbnb properties, I strongly encourage you to consider institutionalizing a new business model. The City needs a model unique and reflective of our new economies. The model needs to support emerging entrepreneurs, a shared economy, and community values.

To develop a new business model, Council needs to consider the following:

- The distinctions between hotels and Airbnb properties
- The Bureau of Development Services (BDS) operating structure for inspections
- Airbnb's contributions to neighborhoods and the Portland economy community

Understanding the differences between hotels from Airbnb properties is necessary to developing a model that considers the intrinsic values that motivate Airbnb property owners and their contribution to neighborhood economies.

Here are a few of the distinctions:

Hotels	Airbnb
Offer an experience of consistency and autonomy	Offer a community-oriented experience
\$\$\$ typically spent downtown and near major shopping centers	\$\$\$ spent in locally-owned shops in neighborhoods
Offer 100's -1,000 of rooms	Offer a room or "granny flat" space
Corporately owned and managed	Individually owned
Receive subsidies and tax abatements	None offered or likely given
Taxed at 11.5%	Suggested tax 2%
Taxes go to General Fund, Metro, and Tourism	Suggest taxes go to Neighborhood Associations for community improvements
No inspections by BDS	Proposed inspections by BDS
Corporations have indemnity insurance for liabilities	Property owners have renters insurance and take the property risk

The Bureau of Developmental Services (BDS) only inspects properties once a construction permit is pulled. The inspection is paid for by the property owner and specific to the construction permit (i.e. plumbing, electrical). There are no "spot inspections".

If BDS is required to inspect properties, are there additional funds and staff to support these inspections? What is the criteria be for who gets inspected and when? Will a name be pulled out of a hat?

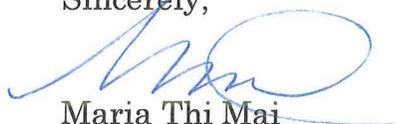
The question remains as to whether spot inspections are a fourth amendment violation let alone being an invasive intrusion to homeowners personal property.

An easy solution to avoid incurring additional costs to BDS's budget is to let the world of social media police properties. Reviews on Airbnb, Yelp, and other sites dictate what guests want through reviews. Motivated by ratings, property owners maintain high standards and make improvements.

To jump start your work, I suggest this: Shared Emerging Economy, or SEE. Airbnb could initiate SEE with other social intrinsic businesses such as volunteer vocations, food/garden sharing programs, and cloud computing services become more main stream.

Mayor Hales, now, it's your turn to craft a new business model that is nimble, progressive, and inclusive to our new economies. Do the right thing, and take the time to craft a new business model.

Sincerely,



Maria Thi Mai

cc:

Portland Neighborhood Associations (all 95)
Portland City Commissioners: N. Fish, A. Fritz, S. Novak, and D. Salzman
Portland Planning Commission
Paul Scarlett, BDS Director
The Oregonian
Willamette Week

Yes, it takes a Village to really love where you're living



JANET EASTMAN
SLEEPING IN PORTLAND

Admit it. You're smitten with Multnomah Village. Everyone seems to be. It's only five miles from downtown and yet it's cradled in a culture of sidewalk strolling and time side-stepping.

Heck, you can order breakfast in the late afternoon at Marco's Cafe and play games all day at Thinker Toys. The guys at O'Connor's Bar and Grill fixed a broken wall clock by turning it upside down. How's that for putting time in its place?

Surprisingly, this easy-going collection of streets is a softball throw away from Southwest Portland suburbia and yet the village doesn't have that hoops-in-the driveway, after-school feel. Here, sturdy houses are hidden behind hedges or knee-high fences, and people walk their dogs at all times of the day toward the wooded, leash-free acres of Gabriel Park.

On my quest to stay in a different dwelling in Portland's distinct neighborhoods each week, I am now in Maria Thi Mai's daphne-scented garden on Canby Street, a few blocks up and a world away from well-traveled Southwest Capitol Highway and Multnomah Boulevard.

Maria moved here in 1992. She wanted to find a place to rest her head between downtown Portland and Lewis & Clark College. So, she drew a Venn diagram and it led her to the village.

She bought a small 1921 bungalow on a large lot from a friend of a friend of a Realtor. She is the third owner of what was originally a goat and chicken farm. "We affectionately say that we live in chicken coops on gold mines," she says.

Maria quickly stepped into village life, walking to restaura-



Maria's partner, Kenyon Fink, a flower grower, has augmented the garden.

rants, stores and the park.

Until the late 1970s, Canby Street was unpaved; when city engineers started laying down asphalt, neighbors fought to keep the big trees. "Fortunately for those who manage storm water, the big trees won," says Maria, who works for the U.S. Department of Interior.

A few years ago, she converted her master bedroom into a self-sufficient, 300-square-foot rental. There is a kitchen with a long counter,

a table with four chairs and built-in bookshelves where the original interior door to the house used to be. Windows frame cedar, pine, Doug fir and cherry trees.

"Subscribing to the philosophy of living simply and small, we created two living spaces" out of one, says Maria, who lives with Kenyon Fink, a flower grower, in their now one-bedroom home. "We like having a yard that's larger than the house."

The backyard looks like a mini farm, with vegetable gardens and plants that attract butterflies, birds and other urban wildlife.

Just outside the studio's front door is a private patio surrounded by soon-to-bloom rhododendrons. A bamboo screen with heart-shaped wreaths provides even more privacy.

Step across the stone paths to see Kenyon's flowers — hydrangeas, roses, penste-

mons and peonies — as well as grasses, creeping thyme and mugo pines.

Idle awhile here — it's the village, after all — then walk through the hedge-flanked gate and you're on Canby, where kids are skipping by with backpacks and adults — what else? — are walking their dogs.

For some reason, standing here has me flashing back to a time when I was reporting about home design for the Los Angeles Times. UCLA released a study that showed that although Southern Californians poured a lot of money into pools, play sets and other forms of yard entertainment, they never had the time to actually enjoy their buffer zone of greenery.

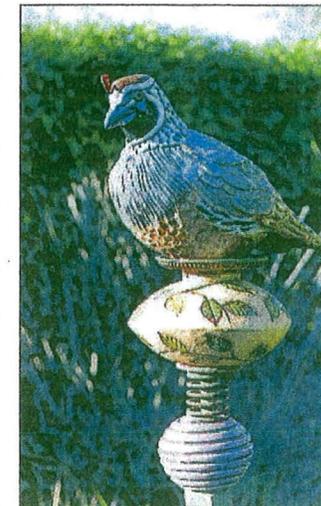
Overly scheduled children were shuttled off to play sports on public fields and parents confessed to walking across manicured lawns only to take out the trash or feed their cooped-up pet.

"We admire backyards from inside the house or in our mind's eye, while we're busy doing other things," Jeanne E. Arnold, the study's author and an anthropology professor, told me.

I remember shivering when I heard that. Because I knew it was true. Living in Southern California — despite its reputation for sunshiny living — was deferred gratification at its worst. People were just too busy to enjoy what they were working so hard to have.

I'm not getting that dash-off vibe here in the village. It's relaxed, but it's not retirement city. There are lots of young families and adults who rely on the businesses here and join in on village events like monthly First Fridays (from 5 to 9 p.m., starting April 4).

People gather here, too, for the Multnomah Days parade and street fair (third Saturday in August) to remember the neighborhood before it was



PHOTOS BY JANET EASTMAN
THE OREGONIAN

Maria Thi Mai's daphne-scented garden on Canby Street is a few streets up and worlds away from busy, often traffic-filled Capitol Highway and Southwest Multnomah Boulevard. Maria moved here in 1992. A few years ago, she converted the master bedroom to a self-sustaining 300-square-foot rental.

annexed into Portland in the 1950s.

Daily, there seems to be a lot of time to chew the fat at Fat City Cafe (where the Portland mayor fired the police chief in 1987) and Renner's Grill (where hotdogs slathered in jalapeño pickle juice pair well with Wednesday night bingo).

Some of the stores have been around since Babe Ruth played baseball. Older still are the original buildings in the 105-year-old business district. The 1925 Masonic Lodge is now the Lucky Labrador Brewing Co.

Decades of added density, however, have Maria worried. She says streams have been converted into streets, a bungalow like hers was replaced with townhouses and the lawn mower repair shop is now a Starbucks.

Still, despite the in-fill and congestion, she makes this declaration: "I love the village." Another person openly smitten with Multnomah.

Karri Winn, MBA MSci
6933 SE Belmont St Portland OR 97215
Portland City Council July 2, 2014
Honorable Members of Portland City Council,

18 6736

In the spirit of place-making and the philosophical intent of Shared Cities, as a homeowner I should have the discretionary right to rent any part of my house for any length of time. The 30-day criterion differentiating lodger versus renter is outdated. We need a new definition so as to not obstruct the efficacy of the invisible hand.

Yes to Safety equally for all Portland renters.

Just this month my neighbor sold his duplex. His tenants referred to him as an absentee landlord, who while providing affordable housing never fixed anything. The electrical inspector told the buyer that it was one of the most hazardous situations he has encountered.

Not only were my long-term renting neighbors at risk; my house was at risk if fire had erupted.

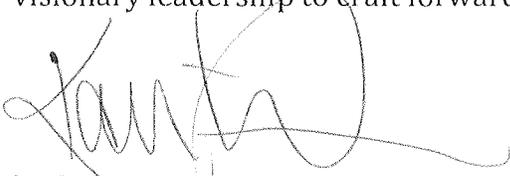
- 1) If safety is the goal, make the fee simple permit mandatory for every rental situation
- 2) Neighbors will always jeopardize the health and well being of other neighbors – it is impossible to legislate away this potentiality

That said, I implore your good reasoning to relinquish the onerous requirement for neighbor notification. My neighbors can bring anyone into their home for any duration without notifying me. The only distinguishing element is that my guest contributes to my mortgage – all other points of contention stand. Their overnight guests are as subject to the chance dangers of emergency egress as my neighbors may be subject to my guest's behavior.

Micro lodging exists in the same vein as food carts, which prosper alongside their restaurant counterpart. We need policy that supports the creative autonomy of Portlanders and grows micro-enterprise, which is the nutrient base of a healthy local living economy.

No one likes being disrupted, yet disruptive technologies play a huge part in long-term economic sustainability. Our position as policy makers should not be to protect the interests of established businesses from competition, but to steadfastly ensure that our economy has the capacity to resiliently respond to emerging market demands. We have already seen evidence that the impact of home sharing on the local living economy is significant - this is a trend worth amplifying.

I believe Portland OR is the number 1 best city in North America – I regard your visionary leadership to craft forward thinking policy with place-making at its heart.



k@karriwinn.com

July 2, 2014

RICAP 6 #12 #13, #14 1-2 bedroom short term rentals

Good Afternoon Mayor and Commissioner:

I am pleased that AirBnB is setting the bar high for Portland's B&B 1-2 Bedroom short term rental 24/7 businesses -- by posting BDS Permit/License inspection numbers on-line (City inspectors signed off on occupancy), by facilitating collection of 11.5% Hotel Taxes, (Terri Williams, Tax Division Manager, Deputy Director). And hopefully to ensure clients pay their "shared economy" rental income with the IRS, I trust that AirBnB is also sending 1099 forms to their clients.

Albeit, in other City's, companies like Priceline and other travel websites over lodging taxes -- including AirBnB are considered "contractors"; therefore, not responsible to notify IRS of their clients rental income.

Please, the AirBnB term "shared economy" is not to be confused with homeowners "sharing" their

davenport free to travelers -- with the new "economic" system condoning renting for bedrooms for a money \$\$\$\$. Rumor has it that AirBnB is a ten million dollar business about to go public. Now that is I call "shared economy"

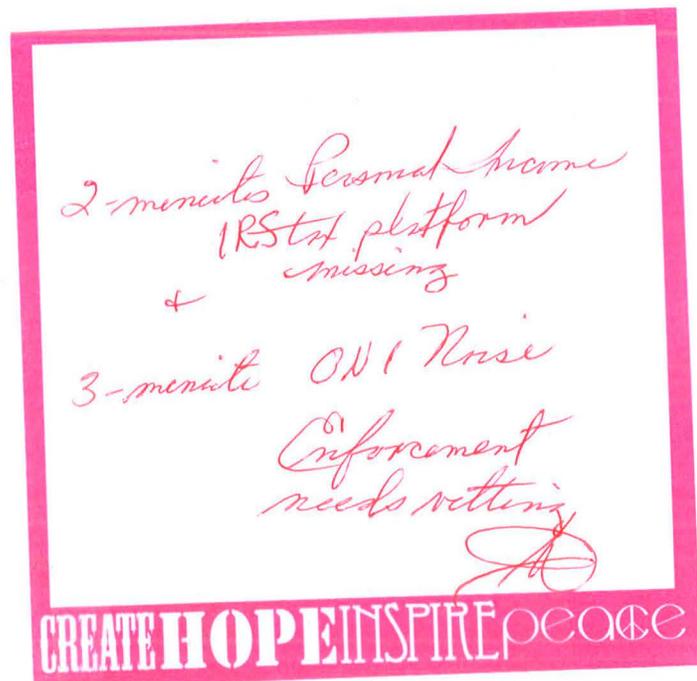
A side note, when our sons earned 12% interest -- Ben Franklin notified the IRS -- and yes, we paid our son's income tax on their college savings accounts. Surely, our B&B neighbors will pay their income taxes too.

I agree with Commissioner Dan Salzman; "It is time to put these short term rental businesses in to the light." To that I would add on so many levels, city collecting 11.5% hotel taxes, business paying income taxes, and immediate neighbor right to restful sleep between 10:00 a.m. and 7:00 a.m.

Questions?

Mary Ann Schwab

e33maschwab@gmail.com



http://www.cleveland.com/metro/index.ssf/2013/07/tax_lawsuit_against_travel_web.html

Cuyahoga County's lawsuit against Hotels.com, Priceline and other travel websites over lodging taxes: Whatever happened to ...?

"We're just grinding away," **said** John Murray, the private attorney in Sandusky who is handling the case for the counties. The Cuyahoga County Prosecutor's office referred all questions to Murray.

The case, along with several others that have been pursued across the country, is a fight over how much counties are due in bed and lodging taxes from hotel bookings made through the websites.

The websites all receive discounts from the hotel, then charge customers more than the discounted amount and pocket the difference.

The counties say the websites and customers should pay tax on the full amount that a customer pays for the booking. The websites instead have been paying taxes on the lower, discounted price.

States and counties across the country have been fighting with the websites over the last several years, without coming to a national solution.

Murray estimated that the lost taxes for Cuyahoga County would be in the millions annually, though the exact amount depends on the discounts a site receives and the markup - information that is often proprietary and much of which is in

sealed court records.

The Interactive Travel Service Association, the group representing the websites, has maintained that the sites are only booking agents. Since they are not actually hotels, the group has argued, they shouldn't pay a hotel tax on their margins.

The travel sites won a side battle in the case by having it set in the court of U.S. District Judge David Katz, who ruled for the sites in a similar 2005 lawsuit filed by Columbus, Dayton, Findlay, Toledo and eight other communities.

The websites asked Katz to decide the case in their favor in October and the two sides spent the next two months filing responses and documents in support of, or against, that request. The sides are still waiting for Katz to rule.

If Katz does not grant the request, the case will continue.

Murray said the best solution, rather than having continual court fights, would be for the legislature to clarify the law going forward.

Mary Ann Schwab
(503) 236-3522

e33maschwab@gmail.com

July 2, 2014

RICAP 6 #12,#13,#14 Short-term rentals

Good Afternoon Mayor and Commisioners:

Choices and Consequences:

We are at a serious threshold, in that the City Council either gets it right the first time, or we say hello to sleep deprivation in 95 residential neighborhoods. Paul vanOrden has no tools to enforce loud voices in exterior areas.

What happens when on vacation three months the owner rents the entire house – short term – possible without hiring Uncle Charley or a free place to stay? Should be a host present in the house? Who will clean the kitchen, do the laundry... ?

When our neighbor ***chooses*** to open a 24/7 commercial business renting 1-2 bedrooms with BDS -- they will understand by signing a agreement -- acknowledging short-term guest(s) will be invited in-doors between 10:00 a.m. and 7:00 a.m. Owner(s) will also deliver ***door-hangers*** to his/her immediate neighbors, posting his/her telephone number, the City's complaint Noise Officer's contact information. Today, nearly everyone has a cell phone that records and films events to document guest's noise between 10:00 p.m. and 7:00 a.m. Steps needed by Paul vanOrden will include a consequence -- issue an fine. Repeat short-term rental violators would lose their Permit/License.

In closing, I am pleased that AirB&B is setting the bar high for short term rental business on-line -- by posting Permit/License numbers on-line (City inspectors signed off on occupancy), by facilitating collection of 11.5% Hotel Taxes, (Terri Williams, Tax Division Manager, Deputy Director). And to ensure clients pay their "shared economy" rental income with the IRS, I trust that

AirB&B is also sending 1099 forms to their clients. In other city's they considered contractors, responsibility of the person receiving tourist's rental payment(s).

ONI Noise Ordinance compliance:

Thank you for keeping Patrick Owen copied on these emails and for your follow-up call this morning. As we discussed over the phone, the noise referenced below (singing, drinking, playing cards, table top games in exterior areas) are not currently types of noise regulated under Title 18, the City's noise code. Any authority to regulate these kinds of noise would need to be granted through change to the ordinance and would come with a need for resources dedicated to their enforcement. There would conceivably be challenges to enforcing on unamplified human voice through a code enforcement capacity because, as you recognized below, it is generally considered an expression of free speech. In those cases where excessive voice is related to disorderly conduct, police have the authority to enforce.

Currently, unit-to-unit noise in dwellings such as apartments and condominiums is best handled through landlord-tenant arrangements and the clauses of the private contracts governing those arrangements, which can be much more restrictive than city code. As of today, even this is subject to change – AirBnB wants everyone to access shared economy.

Finally, regarding enforceable noise from unattached short-term rental properties (such as ADUs and other infill,) these properties can be treated as any other rental property by the Noise Office. The property owner is held responsible for violations of Title 18 and an owner who regularly allows violations to occur can face increasing fines that encourage compliance.

Please note, Here are the two code sections that Paul vanOrden share with me back in 05/17/2012

<http://www.portlandonline.com/auditor/index.cfm?c=28709&a=327463>

This is the main section you a seem to be looking for, please see 18.12.020 B for Sound producing or reproducing equipment

<http://www.portlandonline.com/auditor/index.cfm?c=28710&a=327522>

On the Subject of City Noise Violations, please review OLCC response to my inquiry.

Mary Ann--

As we discussed, OLCC has administrative authority to issue violations for permitting noisy activity. However, because these cases can be difficult to prove our practice is to pursue noise violations after the City has adjudicated a municipal violation for noise. Here is the relevant text of the rule:

OAR 845-006-0347

Noisy, Disorderly or Unlawful Activity and Drinking Alcohol Outside the Premises

(1) Definitions. As used in this rule:

(d) "Noisy activities" are those that a reasonable person would conclude interfere with normal living or business activities. The Commission may consider a violation of Department of Environmental Quality or local noise pollution standards as prima facie evidence of noisy activities.

(2) Noisy or Disorderly Activity:

(a) No licensee or permittee will permit noisy or disorderly activities on the licensed premises or in areas the licensee controls that are adjacent to or outside the premises.

Please let me know if you have any questions/concerns.

Best,
Jesse

Jesse Sweet
Policy Analyst
Oregon Liquor Control Commission
9079 SE McLoughlin Blvd.
Portland, OR 97222
503-872-5250

May I look forward to hearing from the Mayor's office soon?

Mary Ann Schwab
(503) 236-3522

Steve Unger – Verbal Testimony on RICAP 6 STRs – July 2nd, 2014

Council Members, if you are serious about protecting the stock of rental housing in Portland there are two simple ways you need to modify RICAP 6:

1. **Require License Numbers appear in all print and online advertising**

Why? Because a complaint-driven enforcement system won't do the job. While neighbors may file a complaint due to noise, nuisance or blocked parking, they are not likely to file a complaint to keep a rental unit on the market. This requirement will give BDS Compliance a clear and simple standard for closing down a prohibited whole house or Vacation Rental advertising without a license – with no inspection required.

2. **Limit host-absent “entire place” rentals to 30 nights a year**

This will protect the stock of rental housing as well as concerned neighbors, while still allowing airbnb hosts to rent when they go on vacation.

The larger problem with RICAP 6 is not what it covers, but the hundreds of STRs that it does not address. RICAP 6 was never intended to be a comprehensive short-term rental policy, and Portland needs one.

With all due respect, if you bury your heads in the sand on the issue of STRs in apartments and condos, ongoing airbnb host-absent “entire place” rentals and unsupervised Vacation Rentals:

- The problem will grow and get worse.
- An increasing number of rental units will continue to be taken off the market.
- Guests and neighbors will be left unprotected because there is no licensing procedure.
- These illegal rentals will compete directly with licensed Type B STRs.
- An uneven playing field will continue.
- Complaint-driven enforcement will mean that some STRs will be closed down while many others will operate with impunity -- which is unfair to those that are closed down.
- The City will lose over \$500,000 in lodging tax each year.

There are already hundreds of these in operation. **I would rather have these appropriately regulated than continue to operate illegally.**

We need a Phase 2. Please hire an extra Planner for 1 year to analyze the Vacation Rental ordinances in other cities and draft an ordinance for Portland. This investment would likely have a ROI of over 300% in the first year the ordinance went into effect.

Finally, today you will probably hear from several airbnb hosts.

I suggest that you ask each host 3 questions:

1. Do you have a “private room” listing or an “entire place” listing?
2. How much do you charge each night?
3. How many nights do you rent each month?

There are no “wrong” answers to these questions. But, as you know from the hearing on June 4th, the answers are often illuminating.

7/2/2014

18 6736

Mayor Charles Hales
Commissioner Nick Fish
Commissioner Amanda Fritz
Commissioner Steve Novick
Commissioner Dan Saltzman

Comments on Proposed Accessory Short-term Rental regulations

Mayor Hales, Commissioners Fish, Fritz, Novick and Saltzman,

My name is Judy Crockett and I live in SE Portland.

I am here in support of the changes to the RICAP that allow people such as myself to rent one of their rooms to short term visitors.

I want to address how short term renting of a room in my place is allowing me to age in place in my neighborhood. I live in a close knit SE residential neighborhood. My two next door neighbors Mrs Galucci and Mrs Carlson were able to stay in their homes until one was in her mid 90s and the other 102 when they moved to nursing homes last year. I'd like to be able to do the same thing.

I retired from a job with the City almost exactly 6 years ago and in that time the cost of living, and my property taxes have increased by 10% while my pension and Social Security income has not kept up. I expect this trend to continue. AirBnB has allowed me to close that gap and have extra money to make improvements and repairs to my home while offering a variety of people a pleasant introduction to Portland and a great breakfast. For example, this year I had my house tied to the foundation to protect it during an earthquake.

When I began to consider running a tiny B&B, I called the City and the County to see what I needed to do to comply with all local codes. I immediately found that to comply with the zoning code I would have to pay over \$3,500 (now \$4,100) just to apply for a conditional use permit, without any assurance that I could actually *get* the permit. Given that I did not have any idea how successful the business might be, I decided not to spend this money, even though I am normally a very law abiding person.

I then researched the building codes and installed easy exit windows, CO2 and smoke detectors, bought extra insurance, got my food handlers permit and my state business license. I do want to run a safe and clean place that complies with regulations. I would be happy to pay the local and state lodging tax. Most of my guests pick me for my location and my reviews. There are very few motels within 3 miles of my neighborhood. Since I am well served by Trimet, 40% of my guests do not drive but either rent bikes or take the bus, so the parking impact is minimal, especially as I have only one car that is garaged. My neighbors know

what I am doing and support it. Two have written letters of support to the Planning Commission.

My guests are a mix of people visiting grown children, people thinking of moving to Portland, and people who think Portland is a cool city and want to experience it. They then go out and spend money on restaurants, events, and sightseeing. I also contribute more to the local economy as I spent an extra \$2,300 last year alone on food and supplies.

It has been suggested that making these regulatory changes will worsen Portland's rental situation as long term rentals are taken off the market to become short term. I can assure you that this is not true for me. I have no desire to have a permanent roommate and never considered renting my extra bedroom for that purpose. I prefer to have short visits of interesting people while able to keep the room open for visiting family or just privacy when I want to.

Since I am 70 years old, I have every hope that this addition to my income will help me age in place here in my wonderful neighborhood. I strongly support these proposed regulatory changes that would allow small businesses like mine to operate without having to pay draconian fees.
Thank you.

Judy Crockett

To: 503-823-4571

AUDITOR 07/02/14 AM10:42

Re: RICAPL - Short-term housing / Airbnb

186736

Dear Portland City Council,

My husband and I rent out our 4 bedroom home occasionally through airbnb — approximately once a month during the school year and for a few weeks during the summer. This extra income is critical to our family and we believe it has a positive impact on the Portland economy as a whole. Consider that:

- 1) we pay income taxes on all income earned through airbnb.
- 2) We pay a housecleaner to clean our house (two women are cleaning as I type this). We pay \$20-\$25/hour which I am sure is quite a bit more than most hotels pay their staff.
- 3) The income from airbnb allows us to pay for high quality childcare and still have enough extra to occasionally go out to eat and save for retirement. Essentially it allows us to participate in the local economy instead of scrimping and saving each month just to make ends meet—which is what we were doing before we began listing our home last year on airbnb.

Airbnb is already a deeply connected part of the Portland economy and any regulations will have far-reaching impacts. When we leave for the weekend, with our house rented to guests, even though we will have worked extremely hard to get the house ready while working full time and raising two beautiful children, we feel so pleased with the value proposition of \$500 for a weekend spent with parents or friends down the street and the most amazing part is that our guests feel the same—they regularly thank us for making our home available so that they can all stay together. When the value is so great on both sides, it is time for regulations to evolve to support it more fully.

Additionally, as a family of 4, the ability to find more than a 2 bedroom rental when traveling is such an incredible blessing.

We would like to ask that the Portland City Council consider allowing homes with more than 4 bedrooms to be rented out on an occasional basis—perhaps no more than 20% of the year for instance. We believe San Francisco has similar regulations.

We will happily pay a fee of up to \$500, have our home inspected, and continue to make investments to make our home safe for guests.

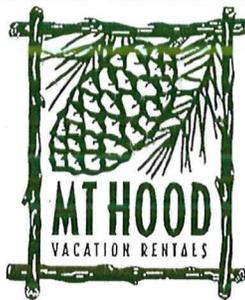
Sincerely,



Amanda Mortlock & Brian Fain

8504 SE 15th Ave.

Portland, OR 97202



AUDITOR 07/02/14 AM10:42

18 6736

July 1, 2014

Mayor Hales
Commissioners Saltzman, Fish, Fritz & Novick
1221 SW 4th Avenue
Portland, OR 97204
Fax: 503-823-4571

Re: Proposed Regulation for Short Term Rentals in Portland is Flawed

I am writing to encourage you to **not** approve the currently proposed regulation for short term rentals in Portland. This regulation is short-sighted and does not address the many challenges, you as the Portland City Council mentioned in the first Ricap 6 Public Hearing on June 4th.

Collection of Transient Occupancy Taxes (TOTs)

With this regulation, the city may at best collect about 25% of the legally owed TOTs from hosts of shared homes *that are listed on Airbnb*. According to PhoCusWright research, 24% of STR reservations were booked online in 2012; the remaining reservations are booked via phone calls, emails or as walk-ins to a management office. Additionally, many short term rentals are listed on other 3rd party distribution sites and advertising sites such as VRBO, HomeAway, Flipkey and Craig's List or on proprietary websites.

The only time the 3rd party distribution site can collect and remit the TOTs is when that website is the merchant of record. For VRBO, HomeAway and Flipkey, only about 5% of short term rentals are reserved online. With Craig's List ads, no short term rentals are booked online.

With the currently proposed regulation, the City of Portland would lose out on an estimated \$508,000; Multnomah County would not collect approximately \$466,000 and the state of Oregon would not receive around \$85,000 based on an Economic Impact Study on Short Term Rentals for Portland prepared in 2013. <http://www.stradvocacy.org/media/TXP-STRAC-Impact-Report-Portland.pdf>

Assurance of Safety for Visitors and Neighborhoods

This proposed legislation does not create a clear and easily understandable mechanism for determining safety of short term rentals. More thought and discussion needs to go into what is necessary for a short term rental to be safe; who will do the inspections, how will they be certified and documented, how often will they be conducted, what will the cost be to do the safety inspections, will this be complaint driven rather than a required inspection and so on.

Knowledge of Which Homes are engaged in Short Term Rental Activity

Without a licensing or permitting process in place, there is no way for the City of Portland to know which homes are actually engaged in short term rental activity which would then allow the city to enforce safety rules, ensure there is appropriate liability insurance in place and ensure the collection and remittance of transient occupancy taxes for all transactions.

Enforcement of Regulations

There is no mechanism for the enforcement of this regulation. The reality is that nothing will change. There will still be over 1600 short term rentals operating throughout the City of Portland, all underground. The challenges that the city faces today will not go away, but will likely grow.

The currently proposed Short Term Rental Regulation is not going to address or resolve these challenges:

- Collection of Transient Occupancy Taxes
- Assurance of Safety for Visitors and Neighborhoods
- Knowledge of Which Homes are Engaged in Short-term Rental Activity
- Enforcement of Regulations

I urge you to wait to pass a fair and reasonable regulation that will work. There are several Short Term Rental experts in Oregon with resources around the country who are willing to assist the City of Portland in framing the correct regulation. See Best Practices Short Term Rental Regulation.

<http://www.stradvocacy.org/media/STRAC-Best-Practices1.pdf> Let's make Portland the leader in Short Term Rental Regulation that other municipalities will follow.

Sincerely,



Betsy LaBarge

186736

AUDITOR 07/02/14 AM10:42

FAX

Date: 07/02/2014

Pages including cover sheet: 3

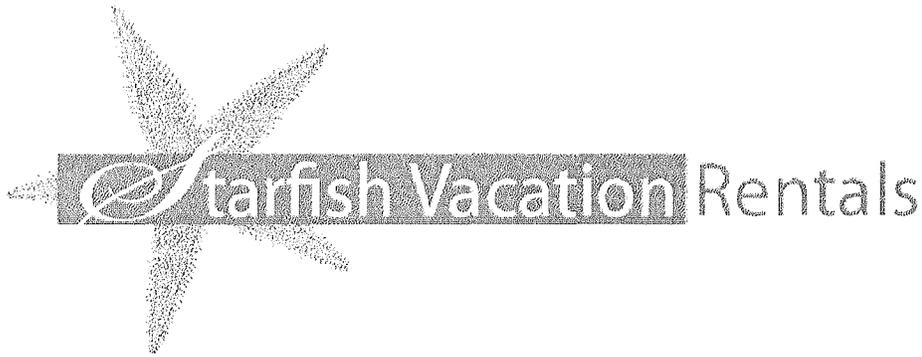
To:	+15038234571
<i>Phone</i>	
<i>Fax Number</i>	+15038234571

From:	Danna Kittell
	Starfish Vacation Rentals
	9001 SW Robert Gray Lane,
	Portland
	OR 97225
<i>Phone</i>	+1 (503) 297-4090
<i>Fax Number</i>	(877) 360-7676

NOTE:

ORVRMA2

18 67 36



503 270 4090

9001 SW Robert Gray Lane, Portland, OR 97225

danna@starfishluxuryrentals.com

StarfishLuxuryRentals.com

July 2, 2014

Mayor Hales
Commissioners Saltzman, Fish, Fritz & Novick
1221 SW 4th Avenue
Portland, OR 97204

Re: RICAP 6 Recommended Draft

Dear Mayor Hales and Commissioners:

I would like add more specific information to a letter I previously submitted. I am a professional property manager and live in Portland. However, due to current regulations and those being proposed, I am unable to do business here. All of the homes I represent are at the Oregon Coast. While many of our visitors stay several days in Portland during part of their trip, under the proposed regulation, they would be unable to stay in a vacation home here.

As is the case with many professionally managed homes, the nightly rate for the homes I manage falls between \$150 - \$450 per night. The guests who rent them are typically families or couples who intend to stay longer than a couple of nights and usually spend a good amount of money on the local economy. In fact, a recent economic impact study indicates that for every \$100 a traveler spent on lodging in 2013, they spent an additional \$69 on food, \$24 on local transportation, \$48 on arts, entertainment, and recreation activities, and \$59 on retail shopping. The complete report can be viewed at <http://www.stradvocacy.org/media/TXP-STRAC-Impact-Report-Portland.pdf>. The wide-range of beneficiaries of spending by travelers staying in short-term rentals should not be underestimated.

Further, in all of the jurisdictions I operate at the coast, the Transient Occupancy Tax is a major source of funding for not only tourism related promotion but also local improvements. Just last week Clatsop County increased their TOT to 9.5% with 30% of the increase earmarked for local infrastructure improvements. At a time when Portland is challenged to find ways to pay for its own road and sidewalk repairs, it seems short-sighted to outlaw a source of funding. According to the study mentioned above, if the current 6% TOT were being properly collected and remitted on the \$11.3 million spent last year on lodging, the city of Portland would have received \$678,000.

I would strongly encourage you to delay a decision on the current legislation and allow time for professionals in the industry to assist Portland in drafting an ordinance that is fair and reasonable to all stakeholders and allows the City to benefit from spending by the many travelers who stay in vacation rentals.

StarfishLuxuryRentals.com

18 6736

Respectfully,

Danna Kittell

DANNA KITTELL

Owner and General Manager

Moore-Love, Karla

From: Schwab Mary Ann <e33maschwab@gmail.com>
Sent: Wednesday, July 02, 2014 11:15 AM
To: Hales Charlie; Commissioner Fish; Commissioner Fritz; Dan Rutzick; Commissioner Novick
Cc: Moore-Love, Karla
Subject: Cuyahoga County's lawsuit against Hotels.com, Priceline and other travel websites over lodging taxes: Whatever happened to ...?

http://www.cleveland.com/metro/index.ssf/2013/07/tax_lawsuit_against_travel_web.html

Like Priceline and other travel websites over lodging taxes -- AirBnB is merely a contractor; thereby, not responsible to process IRS 1099 to their clients.

I am pleased that AirB&B is setting the bar high for Portland's B&B 1-2 Bedroom short term rental 24/7 businesses -- by posting BDS Permit/License inspection numbers on-line (City inspectors signed off on occupancy), by facilitating collection of 11.5% Hotel Taxes, (Terri Williams, Tax Division Manager, Deputy Director). And hopefully to ensure clients pay their "shared economy" rental income with the IRS, I trust that AirB&B is also sending 1099 forms to their clients.

Albeit, in other City's, companies like Priceline and other travel websites over lodging taxes -- including AirBnB are considered "contractors"; therefore, not responsible to notify IRS of their clients rental income. This is not to be confused with homeowners sharing the davenport free, with the new economic system condoning renting bedrooms. Rumor has it that AirBnB is a ten million dollar business about to go public. Now that is I call "shared economy"

A side note, when our sons earned 12% interest -- Ben Franklin notified the IRS -
- and yes, we paid our son's income tax on their college savings accounts.

I agree with Commissioner Dan Salzman; "It is time to put these short term rental businesses in to the light." To that I would add on so many levels, city collecting 11.5% hotel taxes, business paying income taxes, and immediate neighbor right to restful sleep between 10:00 a.m. and 7:00 a.m.

Questions?

mas

Cuyahoga County's lawsuit against Hotels.com, Priceline and other travel websites over lodging taxes: Whatever happened to ...?

"We're just grinding away," **said** John Murray, the private attorney in Sandusky who is handling the case for the counties. The Cuyahoga County Prosecutor's office referred all questions to Murray.

The case, along with several others that have been pursued across the country, is a fight over how much counties are due in bed and lodging taxes from hotel bookings made through the websites.

The websites all receive discounts from the hotel, then charge customers more than the discounted amount and pocket the difference.

The counties say the websites and customers should pay tax on the full amount that a customer pays for the booking. The websites instead have been paying taxes on the lower, discounted price.

States and counties across the country have been fighting with the websites over the last several years, without coming to a national solution.

Murray estimated that the lost taxes for Cuyahoga County would be in the millions annually, though the exact amount depends on the discounts a site receives and the markup - information that is often proprietary and much of which is in sealed court records.

The Interactive Travel Service Association, the group representing the websites, has maintained that the sites are only booking agents. Since they are not actually hotels, the group has argued, they shouldn't pay a hotel tax on their margins.

The travel sites won a side battle in the case by having it set in the court of U.S. District Judge David Katz, who ruled for the sites in a similar 2005 lawsuit filed by Columbus, Dayton, Findlay, Toledo and eight other communities.

The websites asked Katz to decide the case in their favor in October and the two sides spent the next two months filing responses and documents in support of, or against, that request. The sides are still waiting for Katz to rule.

If Katz does not grant the request, the case will continue.

Murray said the best solution, rather than having continual court fights, would be for the legislature to clarify the law going forward.

Moore-Love, Karla

From: Reyes, Cindy
Sent: Wednesday, July 02, 2014 9:55 AM
To: Moore-Love, Karla
Subject: FW: RICAP 6 comments attached
Attachments: ORVRMA2.pdf

FYI

Cindy Reyes
Constituent Services Specialist
Office of Mayor Charlie Hales | City of Portland
1221 SW 4th Ave., Suite 340 | Portland, OR 97204
E: cindy.reyes@portlandoregon.gov
P: 503-823-4142

From: Danna Kittell [mailto:danna@starfishluxuryrentals.com]
Sent: Wednesday, July 02, 2014 1:16 AM
To: Hales, Mayor
Subject: RICAP 6 comments attached



503 270 4090
9001 SW Robert Gray Lane, Portland, OR 97225
danna@starfishluxuryrentals.com
StarfishLuxuryRentals.com

July 2, 2014

Mayor Hales
Commissioners Saltzman, Fish, Fritz & Novick
1221 SW 4th Avenue
Portland, OR 97204

Re: RICAP 6 Recommended Draft

Dear Mayor Hales and Commissioners:

I would like add more specific information to a letter I previously submitted. I am a professional property manager and live in Portland. However, due to current regulations and those being proposed, I am unable to do business here. All of the homes I represent are at the Oregon Coast. While many of our visitors stay several days in Portland during part of their trip, under the proposed regulation, they would be unable to stay in a vacation home here.

As is the case with many professionally managed homes, the nightly rate for the homes I manage falls between \$150 - \$450 per night. The guests who rent them are typically families or couples who intend to stay longer than a couple of nights and usually spend a good amount of money on the local economy. In fact, a recent economic impact study indicates that for every \$100 a traveler spent on lodging in 2013, they spent an additional \$69 on food, \$24 on local transportation, \$48 on arts, entertainment, and recreation activities, and \$59 on retail shopping. The complete report can be viewed at <http://www.stradvocacy.org/media/TXP-STRAC-Impact-Report-Portland.pdf>. The wide-range of beneficiaries of spending by travelers staying in short-term rentals should not be underestimated.

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I would strongly encourage you to delay a decision on the current legislation and allow time for professionals in the industry to assist Portland in drafting an ordinance that is fair and reasonable to all stakeholders and allows the City to benefit from spending by the many travelers who stay in vacation rentals.

StarfishLuxuryRentals.com

Respectfully,

Dañña Kittell

DANÑA KITTELL

Owner and General Manager

Moore-Love, Karla

From: Reyes, Cindy
Sent: Wednesday, July 02, 2014 9:34 AM
To: Moore-Love, Karla
Subject: FW: 2 Simple ways to modify RICAP 6 to protect the stock of Rental Housing

FYI

Cindy Reyes

Constituent Services Specialist
 Office of Mayor Charlie Hales | City of Portland
 1221 SW 4th Ave., Suite 340 | Portland, OR 97204
 E: cindy.reyes@portlandoregon.gov
 P: 503-823-4142

From: Steve Unger [mailto:steven.unger@comcast.net]
Sent: Wednesday, July 02, 2014 8:06 AM
To: Commissioner Fritz; Hales, Mayor; Commissioner Saltzman; Commissioner Fish; Novick, Steve
Cc: Gisler, Julia; Tracy, Morgan (Planning); Nameny, Phil (PLN); Wood, Sandra; Dingfelder, Jackie; Gardipee, Kathleen; Frost, Liam; Grumm, Matt; tim.craill@Portlandoregon.gov
Subject: 2 Simple ways to modify RICAP 6 to protect the stock of Rental Housing

I am sending this because I am not sure that I will be able to give verbal testimony at today's hearing.

*-----

Council Members, if you are serious about protecting the stock of rental housing in Portland there are two simple ways you need to modify RICAP 6:

1. **Require License Numbers appear in all print and online advertising**

Why? Because a complaint-driven enforcement system won't do the job. While Neighbors may file a complaint due to noise, nuisance or blocked parking, they are not likely to file a complaint to keep a rental unit on the market. This requirement will give BDS Compliance a clear and simple standard for closing down a prohibited whole house or Vacation Rental advertising without a license – with no inspection required.

2. **Limit host-absent "entire place" rentals to 30 nights a year**

This will protect the stock of rental housing as well as concerned neighbors, while still allowing airbnb hosts to rent when they go on vacation.

Steve Unger
Innkeeper

Lion and the Rose
Victorian Bed & Breakfast Inn
1810 NE 15th Ave.
Mailing Address: 1517 NE Schuyler St.
Portland, OR 97212

Phone: 503.287.9245
Toll Free: 800.955.1647
Fax: 503.287-9247
Steve's Cell: 503 752 1807

E-mail: innkeeper@lionrose.com
Web-site: www.lionrose.com

Directions: <http://www.lionrose.com/directions.html>

Moore-Love, Karla

From: Reyes, Cindy
Sent: Tuesday, July 01, 2014 4:58 PM
To: Moore-Love, Karla
Subject: FW: Written testimony re: RICAP 6

FYI

Cindy Reyes

Constituent Services Specialist
 Office of Mayor Charlie Hales | City of Portland
 1221 SW 4th Ave., Suite 340 | Portland, OR 97204
 E: cindy.reyes@portlandoregon.gov
 P: 503-823-4142

From: Jason Kung [mailto:jasonkungdds@gmail.com]
Sent: Saturday, June 28, 2014 3:24 PM
To: Hales, Mayor
Cc: Commissioner Fish; Commissioner Fritz; Commissioner Novick; Commissioner Saltzman
Subject: Written testimony re: RICAP 6

Mayor Hales, City Council members,

I appreciate your continual thoughtfulness and consideration with AirBnb and the community as a whole. You see a broad picture of the issues that I don't, so thank you.

I moved from Northern California to Portland about a year ago and served as the endodontics fellow for the school of dentistry at OHSU. I've been impressed thus far with the public transportation, the kindness of strangers, the great baristas, and cultural thoughtfulness for people of all socioeconomic backgrounds. I believe that AirBnb captures that very same spirit which Portland models for the country.

I advocate short-term hosting (and renting) to be legalized and allowed for ALL Portland citizens (tilikum), regardless of housing type. There are over 1,600 hosts in Portland - more than 5000 of the listings are in condos / apartments; majority are in dense urban neighborhoods like the Pearl District.

1. Short-term hosting (and renting) is an option the market demands, and caters to the type of people who strongly prefer local neighborhoods (as opposed to hotels) and want privacy and space (as opposed to a B&B.)

Without knowing AirBnb, I myself travelled for about three months through Australia, Singapore, India, and Nepal. It was difficult finding affordable decent places. Plane ticket and living are the two greatest expenses for a person travelling on a shoestring.

Currently, I host up on Marquam Hill. OHSU is one of the top medical institutions in the world. Yet, there are no motels, hotels within walking distance, well except one, Marquam Hill Inn. My apartment is especially unique because it is one of the few short-term housing options for students/fellows/researchers/post-docs visiting the area (national and international). Thus far, I've had guests from Holland and New York.

2. Short-term hosting (and renting) is safe. There are safety mechanisms build-in.

Especially up in the "Pill Hill", majority of the guests are in the health care profession. I trust their kindness. If in doubt, I don't accept the guests, and my personal information remains hidden.

It would be very easy to "go the extra mile" and provide a simple guide to guests re: fire exits, fire extinguishers, etc. I'm sure Airbnb would be happy to help create that, and if not, I know someone who would do it.

3. Short term renters are not scary. It's not any different than couchsurfing, or hostelling. The same risks exist, except this is safer.

When I host, I have a profile, and ratings. When I'm a guest, I also have a profile, and ratings. It is extremely easy to Google someone and find out even more - that's technology today! The host vets a guest and only hosts who they choose to! Is there such a thing for motel, hostels, or inns? In fact, motels are scarier by far. Trust me, I've stayed at Motel 6's.

4. Short-term hosting does not make one's home a commercial zone, and what that implies.

A commercial zone indicates disruptions. The disturbance of hosting is the same that you would have it, say, your family came to town. The guests reputation are on the line, because they are rated by the hosts; so it behooves them to be good guests.

5. Short-term housing, philosophically benefits the people on a grassroots basis

The truth is... guests rent because it is cheaper than motels. Hosts host because they can make a small chump change on the side. The people wins, why kill it? Especially in Portland. I would be quite disappointed, if I'm not allowed to host. Why would you want to do that? So that the motel/hotel business can keep their market share? Portland is about tilikum, wouldn't you say that's also true with AirBnb?

Sincerely,
Jason Kung, DDS, MS

Moore-Love, Karla

From: Reyes, Cindy
Sent: Tuesday, July 01, 2014 4:56 PM
To: Moore-Love, Karla
Subject: FW: AirBnb Hearing Written Testimony

Fyi

Cindy Reyes
Constituent Services Specialist
Office of Mayor Charlie Hales | City of Portland
1221 SW 4th Ave., Suite 340 | Portland, OR 97204
E: cindy.reyes@portlandoregon.gov
P: 503-823-4142

From: Melissa Toman [mailto:melissatoman@gmail.com]
Sent: Monday, June 30, 2014 12:13 AM
To: Hales, Mayor
Cc: Commissioner Fish; amanda@portlandorgeon.gov; Commissioner Novick; Commissioner Saltzman; htsbconsulting@gmail.com
Subject: AirBnb Hearing Written Testimony

Dear Mr. Mayor and Commissioners,

I am writing to you here, in lieu of speaking at the hearing, as I will be out of town camping, while renting my apartment out to an AirBnb guest. I attended the previous hearing, but was unable to speak due to the high volume of unique and heart-felt testimonies.

I am a (pre-licensed) architect, and a native to the Portland area. I have lived in a number of cities in the country, but none compares to Portland's forward-thinking, creative, courageous spirit- which is what continues to draw me back here every time I leave.

First, I would like to tell you about my home and life. I am in my first year as a full-time self-employed designer. It is incredibly exciting and wonderful, and all that it is chalked up to be. There are also many times when I am not exactly sure how all of my bills will be paid next month or the month after. I went to professional architecture school for five years, so on the list of bills are my \$850/month student loan payments.

When I first graduated college, in order to keep costs down, I was living in ultra-shared living spaces without much space to relaxation or quiet time, and not anywhere to do work in order to get closer to my self-employment goals. Now that I have started my own business, I need a space where I can come home to quiet and maybe do some work, too. So to meet my home needs, I rent a studio apartment in NW Portland for \$750/month. I used to work out of my apartment also, but the lack of social interaction was killing me, so now I also rent a co-working office space in SE Portland for \$275/month. So you can see that while I am not living lavishly, I do have a fair amount of overhead to cover, just to keep a balanced home and work life. And at this starting point in my business, I decided to think of other ways to generate income to help me pay for all of this confidentially and comfortably- enter AirBnb.

I only recently started renting out my studio apartment to strangers from the internet. Last week I had my very first guests, and this morning my second guests checked out. They came and picked up the key, and then they slept in my bed, used my shower, and ate takeout in my living room. At first, this felt a little weird. But beyond that aspect (which I am growing more relaxed about each time, i.e. learning to be comfortable sharing), they also visited the small businesses that I referred them to, and got to experience what my life is like in the neighborhood, as an integrated resident.

I plan to hosts guests for 7-9 nights/month in order to cover the cost of rent. While guests are staying, I sleep on my grandparents couch, and spent most of the day hanging out and about and/or working at my office. It is a small sacrifice, but a HUGE help in making sure that my ends meet, while allowing me to live out my architectural dreams.

I have big dreams for this city and the sustainable development of our community, and I feel that Airbnb plays, and can continue to play an integral role in this development, if we allow it to. As you have heard from other testimonies, Airbnb gives guests a real grassroots introduction to this place we call home. If we are to allow Airbnb to flourish alongside the existing hotel infrastructure, we allow the explosive population growth that we are currently experiencing to be guided by hands who are deeply in touch with the history of this place- US HOSTS. For many long-time Portlanders, this influx of newcomers can feel rather scary. How will our city change? What can we do to help make it good- better even? I argue that hosting Airbnb guests is a hugely impactful way to establish a realistic understanding of the city from the start. And conversely, I argue that by handing over this niche rental market back to the Hiltons and multi-million/billion dollar hotel chains, we risk allowing the city to become just like everywhere else. Just another city. We are more than just a city, let's make sure it stays that way.

From what I understand of the amendment proposal on the table, apartment and condo Airbnb's will be outlawed, as well as rental properties of any sort. Additionally, a permitting process must take place. Let's paint that into a picture of who will be allowed to host on Airbnb: property owners (implying high income, implying they don't need this extra income), and who are willing to allow city inspectors into their home (to what, check for exposed wires..? You must understand that the review process self-regulates dangerous spaces out of the market). I am sure such a person exists, but let's get real- that is not the primary demographic representing the Airbnb market. I host BECAUSE I don't have the means to own property right now. I can't afford to live in a single family rental home alone, so I live in a multi-family building. And that is the story for many many Portland residents- that is a large portion of what living in Portland looks like. If we are to push all Airbnb guests (potential new residents) out into the single family housing zones, that is the picture that will be painted in their head of what our city is about. But we know that we have a lot more people heading our way, and we know that the smart growth that needs to happen includes much more multi-family dwellings. To cut out apartments is to cut out a major portion of how we want this city to look in the future.

To address the argument made by Catherine of the "sustainability" board, whose last name I did not catch at the previous hearing, that multi-family buildings are not designed with hotel occupancy in mind and should therefore not be allowed to be included in the short-term rental law:

My building has about 12 units. To get into my apartment, you walk up one flight of stairs and then down a straight hall. At the end of the hall is a very clearly illuminated exit sign and fire escape door. As far as I can tell, no one else in my building, or at least no one else on my floor is running an Airbnb. This means that my 6-9 total guests per month are the only additional people in the building beyond the 11 other regular residents. Now, the guests that I host do not throw parties (if they did, I would hear about it and they would be made known as non-complying airbnb guests), they do not have more than 3 people in the apartment, and they are entirely aware of how to get out of the building in case of an emergency. They know how to use a stove and not burn the place down, and if they did, the building-wide fire-alarm system would kick in. Please tell me how this does not meet a reasonable standard of safety- which is the purpose of the building code.

I do agree that using Airbnb as a platform for large-scale short-term rental businesses gets into some funky territory and non-community oriented repercussions. I am not anti-code regulation, and I hold so much respect for Portland's zoning laws- another reason why I am keen on growing my business in Portland! I am simply asking that you take another look at multi-family and renter-occupied as a part of the short-term rental market. Perhaps there is another way to regulate these portions of the market, rather than outlawing them entirely, seeing as they play such a vital role in the character of our city.

Have a look at my place! <https://www.airbnb.com/rooms/2584365>.

I would be so very happy to answer any additional questions you may have, as to how I run my Airbnb, and/or why.

Thank you for taking the time to read my testimony. I wish you the best in your decisions. And please remember to KEEP PORTLAND LOCAL!

Melissa Toman, AIA Assoc.
503-893-9860
architect.com/melissatoman

Moore-Love, Karla

From: Reyes, Cindy
Sent: Tuesday, July 01, 2014 4:55 PM
To: Moore-Love, Karla
Subject: FW: RICAP 6 - Short Term Rentals - Apartments and Condos

FYI

Cindy Reyes

Constituent Services Specialist
Office of Mayor Charlie Hales | City of Portland
1221 SW 4th Ave., Suite 340 | Portland, OR 97204
E: cindy.reyes@portlandoregon.gov
P: 503-823-4142

From: Jessica Kimmet [<mailto:jessicakimmet@gmail.com>]
Sent: Monday, June 30, 2014 9:31 AM
To: Hales, Mayor; Commissioner Fish; amanda@portlandoregon.gov; Commissioner Novick; Commissioner Saltzman
Subject: RICAP 6 - Short Term Rentals - Apartments and Condos

Good morning,

I am writing today to express my personal testimony regarding the RICAP 6 proposal on Short Term Rentals. I had signed up to speak at the previous Council hearing but was unable to due to the large number of speakers. Unfortunately I won't be able to attend the hearing tomorrow.

I have been renting a room in my apartment with my landlady's approval for just over a year and a half. Thus, I am specifically interested in expressing my concern about the current proposal in that it does not allow apartments and condos.

Unfortunately, due to certain financial obligations, including my high student loans, purchasing a house in Portland is not an option. Not only that, but I have an amazing apartment in a great location that is well taken care of by my landlady.

I decided to start renting my spare room as a short term rental in order to make some headway on some bills, start saving for my future, and also to be able to have a little bit more fun. Not only does much of my money go to my future, but much of it is spent in the local area, at restaurants and coffee shops with my friends. My quality of life has increased immensely due to the income that I have received from my short term rentals.

I recognize the safety concerns that some people have in regards to people renting rooms in condos and apartments. However, if said buildings are actually up to code for living in, then they should be good enough for short term rentals. My apartment is in excellent condition, and not only that, my guests have easy exit access directly to the outside, there is no internal hall way to maneuver.

I would be more than happy to answer any specific questions you have regarding my experience and opinions on this matter. I will be out of town from 7/1-7/6, but I'm happy to speak with any of you directly next week. Please feel free to reach out to me via email at jessicakimmet@gmail.com or phone at 617-816-6915.

Thank you for your consideration,

18 6736

Jessica Kimmet

Moore-Love, Karla

From: Reyes, Cindy
Sent: Tuesday, July 01, 2014 4:53 PM
To: Moore-Love, Karla
Subject: FW: Airbnb Home Sharing Testimony

FYI

Cindy Reyes

Constituent Services Specialist
Office of Mayor Charlie Hales | City of Portland
1221 SW 4th Ave., Suite 340 | Portland, OR 97204
E: cindy.reyes@portlandoregon.gov
P: 503-823-4142

From: Cheri Anderson [mailto:cheri.illumination@gmail.com]
Sent: Monday, June 30, 2014 11:08 AM
To: Hales, Mayor
Subject: Fwd: Airbnb Home Sharing Testimony

Dear Mayor Hales,

My name is Cheri Anderson and I'm an airbnb host. I currently live in the Pearl District and run a coaching and consulting business. I just launched my business one year ago and have seen steady and slow growth in my company. As a start-up, it's been challenging to maintain a decent lifestyle as all my revenue goes back into the business. Fortunately, I discovered Airbnb! My home has now become an amazing way to create additional revenue. This has changed my life and really afforded me to do better than just survive the first year of my business launch.

A little about my experience with Airbnb:

I only rent to guests who have verified accounts and communicate their interests in the use of my space for my personal comfort and safety.

I have several types of guests that range from single travelers on holiday to political guests in town on business. For example, the first two weeks of June, I hosted guests from Bologna, Italy. They were the team visiting to celebrate the 10th yr anniversary of Portland and Bologna as sister cities. I felt honored and so excited to host them as well as be a part of something special that I wouldn't have otherwise been exposed to. They, too, were excited to be here and use my space as it also functioned as a spot for them to host dinner parties and classes while in town. Friendships for life were made!

All of my guests share in common an interest in local foods, shopping

and interesting Portland activities. I've even crafted my own tourist book that directs them to local businesses.

Thank you for considering short term rentals through home sharing! I want to be able to rent my home to visitors. The current proposal is going in the right direction, but needs some changes. I ask that the registration fee be reasonable and the process be easy and online. I care about safety, but strongly oppose the city inspecting my bedroom. If it's safe enough for my family and I to sleep in, it should be safe enough for my guests. I would like the ordinance to allow short-term rentals in apartment buildings and condos (if the Landlord/HOA allows it).

Respectfully,

Cheri Anderson
863.797.6695

Moore-Love, Karla

From: Reyes, Cindy
Sent: Tuesday, July 01, 2014 4:51 PM
To: Moore-Love, Karla
Subject: FW: RICAP 6 testimony

FYI

Cindy Reyes

Constituent Services Specialist
Office of Mayor Charlie Hales | City of Portland
1221 SW 4th Ave., Suite 340 | Portland, OR 97204
E: cindy.reyes@portlandoregon.gov
P: 503-823-4142

From: Steve Leathers [mailto:steveleathers@gmail.com]
Sent: Monday, June 30, 2014 12:45 PM
To: Hales, Mayor; Commissioner Fish; Commissioner Fritz; Commissioner Novick; Commissioner Saltzman
Subject: RICAP 6 testimony

Dear Mayor Hales and City Council members,

I am writing to you today to ask that all short-term housing rentals be legalized for the city of Portland.

As a frequent traveler, I have used services like AirBnB a lot and I've come to rely on them as a great way to get a completely different experience than that which is offered by hotels. The most important part about AirBnB is that it connects people who want to *come* to Portland and people who want to *share* Portland with the world. In my experience, the personal touches like restaurant recommendations are what makes travelling so special.

I love our city, and I know other people want to come here and have an experience that is distinctly different than what they would get by staying at the Ace Hotel or McMenamins. Portland is a city of neighborhoods, many of which don't have accommodations for tourists. If people are kind enough to open their homes and apartments to travelers, I think our city should allow it.

I don't believe that allowing short-term rentals would negatively effect Neighborhood vitality or the city's housing stock.

Thank you for your time.

Steve Leathers
4037 NE Cleveland Ave.
Portland, OR
97212

Moore-Love, Karla

From: Reyes, Cindy
Sent: Tuesday, July 01, 2014 1:05 PM
To: Moore-Love, Karla
Subject: FW: RICAP 6

From: Eric PDX [mailto:ericpdx@live.com]
Sent: Monday, June 30, 2014 5:29 PM
To: Hales, Mayor; Commissioner Fish; Commissioner Amanda Fritz;; Commissioner Novick; Commissioner Saltzman
Subject: RICAP 6

Members of the Portland City Council and Mayor Hales,

A few weeks ago I testified at the council hearing regarding the RICAP 6 proposal from the Planning Commission. You may remember me, I am a divorcing Father of two young boys and I host through Air BnB in order to cover expenses related to maintaining two households.

I appreciate your decision to return this to the planning commission for further study but the revised ordinance as proposed would still have a profound financial impact on me and the other AirBnB hosts who are renters or live in condominiums. As I understand it, the revised ordinance would still exclude us from participating in the service. Because our message was not heard the first time, I would like to go into a little more detail regarding the impact this will have on me, my children and the approximately 800 other renters and condo dwellers that would be directly financially impacted by adoption of this ordinance.

I have my children every other weekend. On weekends they are with their mom in Eastmoreland, I allow guests to stay in my apartment while I visit friends or my parents. The revenue from this has allowed me to offset the expenses of maintaining two households and has allowed my family to retain our home in the neighborhood. My children have not had to change schools and they have not been separated from their friends and their home during this difficult transition. The modest amount of money that I have generated through hosting has made a tremendous difference for my children and our stability.

Let me be clear, It is one thing to levy a tax which, I would happily pay along with all the others that add up to over \$10,000 a year on my property. However, this ordinance would take money away from us. Money that has been used to keep my children's home, pay for them to play soccer (\$300 a year for two kids), buy them school supplies, and yes, entertain them.

I am not alone in this issue, according to AirBnb, half of their 1600 hosts in Portland would be effected by this. That is 800 families and individuals trying to get by in a city with flat incomes and rising housing prices. Last year I made approximately \$4000 through the service (which I paid income tax on). If those 800 families averaged what I did, RICAP 6 would remove \$3,200,000 from the local economy. Money that would be coming out of the pockets of average middle class families in Portland.

As I stated in my previous testimony, this is not merely an economic issue. As Portland becomes more dense, rents are rising and it is becoming more difficult for families to find housing. As we work to have developers pay contractors a living wage, (which we should) those cost increases are being passed on to renters. Three

bedroom apartments are almost impossible to come by and the average rent on a two bedroom unit in SE Portland is around \$1,400. Because of changes in mortgage rules, fewer families can qualify for home loans. Middle class Portland families with children are quite simply be gentrified out of our city.

This council is very sensitive to issues regarding livable wages and available affordable housing. Great effort has been made on behalf of the homeless and those on the margins. As written RICAP 6 would financially impact and penalize many families that are struggling to pay their rents in our increasingly expensive city. It would directly impact families who's wages have not risen since before the great recession and it would take away a tool that many families are using to stay in their homes and keep pace as costs for food, gas and utilities rise.

This is a social equity issue. I believe it would be tone deaf for you as a city council to take any action that limits the ability of middle class families in Portland to live and thrive in our city. Please refer this issue back to the planning commission and direct them to come back with a solution that does not exclude over 800 families from earning a little extra income by sharing their homes. Ask them for an ordinance that reflects the values of equity and inclusion that our city and our council should represent. If there is a conflict with state law, ask them to suspend this part of the proposal until a solution can be found.

Working families in Portland are relying on your compassion and leadership. Please demonstrate your commitment to economic equity for owners and renters alike by rejecting this portion of the proposed ordinance.

Respectfully,

Eric Steinmeyer

Moore-Love, Karla

From: Karrie Amiton <karriekaiyala@gmail.com>
Sent: Tuesday, July 01, 2014 7:11 AM
To: Moore-Love, Karla
Subject: Re: [Attachment was removed]questions for the July 2 STR meeting

Karla,

I will be out of town so I my questions were:

1. Why have the Mayor and Council already made up their minds to allow Airbnb to operate in Portland in spite of testimony against doing this? All of the talk from them has been how to make it happen rather than if it should happen at all.
2. How will the city deal with the many other STR businesses once they allow Airbnb to operate in Portland? Each company has a different business model and have they looked at how each of these companies work and how to collect taxes from them? Will the city have a bureau to oversee the influx of these businesses to regulate and collect taxes?
3. Have them clearly spell out for the public who to contact when making complaints.
4. Why won't the council make some sort of quota? As I understand it, any neighborhood can have unlimited number of these motels.

Thanks, Karrie

On Mon, Jun 30, 2014 at 5:12 PM, Moore-Love, Karla <Karla.Moore-Love@portlandoregon.gov> wrote:

Karrie,

Sorry, the attachment was removed by the City's Bureau of Technology Services for violating the City's email policy. Could have been too large. Not sure what you were trying to send but if its testimony for the Short Term Rentals, maybe you could send it in another format?

Thank you,

Karla

Karla Moore-Love | Council Clerk
City of Portland | Office of the City Auditor
1221 SW 4th Ave Rm 130
Portland OR 97204-1900
email: Karla.Moore-Love@portlandoregon.gov

503.823.4086 | fax 503.823.4571
Clerk's Webpage: www.portlandoregon.gov/auditor/councilclerk

From: Karrie Amiton [mailto:karriekaiyala@gmail.com]
Sent: Sunday, June 29, 2014 2:40 PM
To: Moore-Love, Karla
Subject: [Attachment was removed]questions for the July 2 STR meeting

--

www.karrieamiton.com

Please visit me at Six Days Art Gallery

2724 NE Alberta Street

Portland, Oregon

www.thebridgecityartists.com

www.sixdaysartgallery.net

www.greshamartcommittee.com

The City of Portland has removed one or more attachments that violated email policy.
For questions please call the BTS Helpdesk at [503-823-5199](tel:503-823-5199)

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www.karrieamiton.com

Please visit me at Six Days Art Gallery
2724 NE Alberta Street
Portland, Oregon
www.thebridgecityartists.com
www.sixdaysartgallery.net
www.greshamartcommittee.com

Moore-Love, Karla

From: Schwab Mary Ann <e33maschwab@gmail.com>
Sent: Monday, June 30, 2014 1:36 PM
To: Moore-Love, Karla
Cc: Tracy, Morgan (Planning); Wood Sharon; Gisler, Julia
Subject: This just in ... bumper sticker reading: GET THE HALES OUT OF OUR NEIGHBORHOOD

My guess, this maybe in response to that volunteer AirBnB "gatekeeper" who had folks sign up and then wear a blue name tag into Council Chambers on June 11th. Those few unfriendly citizens were directed to the second floor balcony.

One more example of why folks across the UNITED STATES think those of us living in Portland are weird.

As for whose bumper sticker idea and/or who printed it -- like you -- I'm clueless.

Looking forward to seeing you Wednesday, July 2nd.
mas



**GET THE HALES OUT
OF OUR NEIGHBORHOOD**

Moore-Love, Karla

From: Schwab Mary Ann <e33maschwab@gmail.com>
Sent: Sunday, June 29, 2014 6:21 PM
To: Owen, Patrick; Moore-Love, Karla; Wood Sharon; Anderson, Susan; Tracy, Morgan (Planning)
Cc: van Orden, Paul; Moore-Love, Karla; Commissioner Fritz; Hales Charlie; Commissioner Fish; Sallinger Bob; Commissioner Novick; Williams Terry; Hoop Brian; Alarcon Morris, Amalia; Planning and Sustainability Commission
Subject: Fwd: mas response to 'HIGH TECH COMMUNICATION' Fwd: Automatic reply: Note from Mary Ann Schwab --Saturday, June 28th regarding June 24th B&B short term rental work session

That RICAP 6 #12, #13, #14 1-2 bedroom short term rental City Council second Hearing will be on Wednesday, July 2nd.

Their final Vote is scheduled for Wednesday, July 9th.

WHOOOPS :> (
mas

Begin forwarded message:

Good Morning Patrick, et al:

With Paul off-campus several weeks, this "hot potato" is in your hands. Please wake up and smell the coffee, the clock is ticking.

This is not a "shared economy" issue, collecting 12/5% hotel taxes. This is more about public safety as related to sleep deprivation on our workforce and children in over crowded classrooms.

On April 15th, in a brief conversation between myself and Terri Williams, Tax Division Manager, Deputy Director [503.865.2469]

she stressed short strong PERMIT/LICENSE language written into the Ordinance, Resolution, Administrative Rule, Comp Plan 2035 --

Paul has no way to quiet down "renters" on holidays -- singing, drinking, playing cards, table top games in exterior areas of the main-house and/or ADU.

As for Susan Anderson telling Council how immediate neighbors can always file a Nuisance Complaint -- did she take time to vet that process.

In other words is it effective, what is the consequence? ...a warning? We all acknowledge the fact the 9-1-1 Dispatcher -- short of gun fire -- rarely consider exterior noise a high priority between

10:00 p.m. and 7:00 a.m.

That RICAP 6 #12, #13, #14 1-2 bedroom short term rental City Council second Hearing will be on Wednesday, July 2nd.

Their final Vote is scheduled for Wednesday, July 9th.

Little wonder I find it difficult to get a good nights sleep.

ONI 95 residential neighborhoods are at a threshold with the clock ticking...

mas

(503) 236-3522

Begin forwarded message:

From: "van Orden, Paul" <Paul.VanOrden@portlandoregon.gov>
Date: June 28, 2014 12:26:48 PM PDT
To: Schwab Mary Ann <e33maschwab@gmail.com>
Subject: **Automatic reply: Note from Mary Ann Schwab -- Saturday, June 28th regarding June 24th B&B short term rental work session**

Thank you for contacting the Noise Control Office of the City of Portland.

I am currently out of the office for the next several weeks. If you have general concerns please phone the Noise Office intake line at 503-823-7350. The intake line is now regularly answered by a live person during business hours as part of our improvements to our services in our move to the Office of Neighborhood Involvement.

Thank you for your patience during our move in late 2013 to Mayor Hales portfolio at the Office of Neighborhood Involvement. If you need to visit us in person, we are now happily settled in at City Hall, 1221 SW 4th Ave.

And thank you for your interest in making Portland a quieter and more livable community for all of our citizens.

Paul van Orden
Noise Control Officer
Office of Neighborhood Involvement
City of Portland
503-823-5829 Direct Line

From: Schwab Mary Ann <e33maschwab@gmail.com>
Sent: Saturday, June 28, 2014 12:27 PM
To: Moore-Love, Karla
Cc: van Orden, Paul; Anderson, Susan; Wood Sharon; Tracy, Morgan (Planning)
Subject: Note from Mary Ann Schwab --Saturday, June 28th regarding June 24th B&B short term rental work session

I am asking Susan Anderson and Sharon Wood to change calendar language permit/license for potential B&B 1-2 bedroom short term "24/7"commercial business owners living on-site from six-months to *nine-months*.

As for homeowner vs commercial liability question -- Commissioner Fish often sites potential liability falling back on the City. He questioned should house not be inspected for occupancy -- public safety? Like Commissioner Fritz, I always read the door hanger on the Hotel door -- in fact -- I count the doors to the stairs. Strangers renting bedrooms in houses any different? Think about it.

What troubles me most? City staff have yet to take time to vet 1,600 short-term renters. Or how much time it takes "neighbors" to search links to vet the owners address. For that matter -- nor does City Council -- apparently, easier to look the other way, than to hire additional staff to monitor and collect fees. Commissioner Fritz is right on, once tourist understand Permits/License # means that the City and Airbnb vetted the property owner's homes for public safety; e.g., functioning plumbing, heat/cooling, -- in basements check for Radon, Carbon Monoxide, Mold, as well as egress from basements and attics [built as bedrooms], surely everyone will see a shift in on-line marketing.

As for notification of immediate neighbors -- why not use the same notification process required by those applying for permits to operate business from home? ...Effective date: TBA when B&B 1-2 bedroom short term renter business owner be required to do the same. Consider using *door hangers*, posting guidelines and how to submit a Nuisance ONI Noise Complaint.* My guess is that Susan Anderson and Sharon Wood -- or -- City Council have yet to file one.

Currently, Paul vanOrden cannot measure human voices to issue fines. Be mindful when immediate neighbors to OLCC outlets call Police party Noise at 2:30 a.m. is rarely -- if ever -- addressed by patrolling officers. For that matter, neighbors tracking happy patron noise between 10:00 p.m. and 7:00 a.m. -- Time, Place, and Manner with a 30 day calendar period does not function as former Commissioner Randy Leonard had hoped either. OLCC Chair, Rob Patridge 2nd Congressional District, Medford -- "...their mission is to sell product. As an elected official -- it is the Mayor's responsibility to enforce noise complaints within the City -- not the State."

Let me put it this way -- using this SNA example. There are 17 OLCC outlets on SE Belmont between SE 33rd and 34th Avenue, 3,600+ across the City. Based on numbers of OLCC outlets in the City, my fear is we citizens can expect these Airbnb short term rentals will quad-triple within 95 residential neighborhoods.

I was most pleased hearing Commissioner Fritz amendment calling for a PSC review in two-years as well as City Council follow-up with housing inspections every six-years.

For your consideration on July 2nd.
Thank you,

mas
(503) 236-3522

* [<http://www.portlandonline.com/auditor/index.cfm?c=28709&a=327463>]

Moore-Love, Karla

From: Schwab Mary Ann <e33maschwab@gmail.com>
Sent: Friday, June 27, 2014 4:30 PM
To: SunnysideNeighborhood@yahoogroups.com Hotline
Cc: Moore-Love, Karla; Wood Sharon; Tracy, Morgan (Planning); Planning and Sustainability Commission
Subject: June 4th, Airbnb had a gatekeeper directing supporters on the main floor, other were directed to the balcony.

Hi Folks,

This just in ... in addition to the RICAP 6 # 12, #13, #14 1 to 2 bedroom short term rentals, I just learned Airbnb ain't stoppin' til they get APARTMENTS and WHOLE HOUSES APPROVED.

During the initial public hearing on Wednesday, June 4th, Airbnb had their volunteer gatekeeper directing supporters -- wearing blue name tags -- on the main floor, those in opposition were directed to the balcony. Did I fail to mention that representatives from Southeast Uplift, Rose City Neighborhood Association, Buckman Community Association and members-at-large had to wait 3.5 hours to testify two (2) minutes? Near the close of the hearing, the Mayor called up Neighborhood Association Representations. Then decided to schedule a Work Session on Wednesday, June 4th.

Be mindful, how on June 4th, Council Chambers were filled with more AirBnB supporters than opponents. Yes, most of you have day-time jobs and can not afford to miss work. You can however, address concerns to the Council Clerk, who will forward communications to the City Council and Auditor for the official record.

Please try to attend, come early to get in queue.

mas
 (503) 236-3522

Greetings Everyone:

Just heard that Airbnb is planning on packing city hall again on Wednesday, July 2nd.

Here is there note from Airbnb itself I guess. The note went to Steve Unger. It appears they ain't stoppin' til they get apartments and whole houses allowed! The note is kind of crazy though, since it talks about those "living in" apartments and condos should be able to do this...which is crazy, since leases and most condo associations don't allow this. Nor does it comply with the City and State building regulations.

William

Dear Steven,

We want to thank the many members of the home sharing community who have showed their support for new legislation over the past weeks! From sharing your stories in public testimonies to writing to your Commissioners - your involvement makes all the difference.

On Tuesday, the City Council held a work session to discuss a range of issues raised at the previous hearing. Their current proposal takes many big steps forward, but still prevents Portlanders who live in apartments and condos from sharing their homes.

The Commissioners will very likely conclude this discussion at the last-scheduled public hearing on July 2nd. **This is it...** the final chance to show your support for clear legislation that allows you to share your home!

While there will be opportunity for public testimony, you don't have to testify to have your voice heard. To show your support for clear, sensible legislation, you can:

- **Attend the hearing.** Our goal is to fill the City Council Chambers with home sharers showing support like we did last time! RSVP here

And

- **Write city council.** Share your story in written testimony to the City Council—telling them why you host and how home sharing benefits Portland economically, socially, and culturally. You can find contact information below.

Mayor Charlie Hales: mayorcharliehales@portlandoregon.gov

Commissioner Nick Fish: nick@portlandoregon.gov

Commissioner Amanda Fritz: amanda@portlandoregon.gov

Commissioner Steve Novick: novick@portlandoregon.gov

Commissioner Dan Saltzman: dan@portlandoregon.gov

Let us know—[click here](#).

And if you can attend the hearing, we will meet for coffee and snacks at 1:30pm at Happy Coffee cafe at City Hall beforehand.

Hope to see you next week!

Airbnb Portland Team

P.S - To continue to connect with your fellow hosts in Portland, visit thePortland Host Group!



Sent with ♥ from
Airbnb, Inc.
888 Brannan St, San Francisco, CA 94103
[Unsubscribe](#)

Moore-Love, Karla

From: Steve Unger <steven.unger@comcast.net>
Sent: Friday, June 27, 2014 12:47 PM
To: Moore-Love, Karla
Subject: Public Record Testimony for July 2nd hearing from Steve Unger
Attachments: RICAP 6 Written Testimony from Steve Unger.pdf; STRs in Portland.pdf

Dear Karla,

Attached are two documents: 1) a letter and 2) a slide set attachment that I am submitting as written testimony for the July 2nd hearing.

Can you please confirm that you received these?

See you on Wednesday afternoon.

Steve Unger
Innkeeper

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June 27, 2014

Re: Written Testimony on RICAP 6 Short-term Rentals

Dear Council Members:

Over the past 10 years I have addressed you on several occasions as an Innkeeper and small business owner on issues related to short-term rentals. As a result I attended your Working Session on June 24th. The discussion was methodical and thoughtful, but, to use an analogy, it was like watching a group of people trying to assemble a jig saw puzzle by examining each piece without ever having seen the picture on the front of the box showing what the puzzle would look like when all the pieces fit together.

In this case I have tried to see the big picture, but if my words below and the analysis and conclusion in the attached slide set do not convince you of the merits of my perspective at least I will have done all that I can.

1. About the Inspections:

It seems like your consensus is to require the inspection every 6 years with some form of self-recertification at the beginning of years 3 and 5. I personally believe that an annual inspection is appropriate because as a licensed B&B we are currently required to have much more rigorous and expensive annual inspections. However, I recognize that I probably need to relent on bi-annual inspections.

However, I would ask that you ask BP&S or BDS to require Fire Extinguishers, CO2 detectors and a first aid kit along with smoke detectors. This just seems prudent.

2. About Requiring the License Number to Appear in Print and Online Advertising

I understand that this cannot be part of the Land Use Zoning Code, but it is important for City Council to instruct BP&S or BDS to include this in the Administrative Procedures. Why? Because it costs nothing, it can do no "harm" and it might do "good". BP&S brought up the issue of "enforceability" which, in this case, is a red herring. What is important is that:

- Operators will be encouraged to become licensed so that their listings are competitive
- Neighbors and guests can more easily check with the city about the property

- BDS Compliance will have an additional lever to pull to close down bad actors and
- The Revenue Bureau testified that this requirement would help facilitate their collection activities.

Unlike BP&S and BDS staff members, most Portlanders have no idea of how to access and use PortlandMaps or access Voter Registration records online. And, many parts of this ordinance will be “difficult to enforce” why target this inoffensive requirement? I personally believe this requirement will be create a critical mass of operators who display their license number so that the requirement becomes self-enforcing in order for the operator to remain competitive.

Please instruct BP&S or BDS to implement this as part of the Administrative Process.

3. About requiring a resident host.

Try as I might, I seem to have failed to convince you of the importance of the distinction between host-resident and host-absent short-term rentals. I know from my 12 years of innkeeping experience that the latter are much more likely to cause problems for neighbors and guests. To me, this is the key distinction that makes it easier to fit all the policy pieces together to develop a coherent comprehensive short-term rental policy.

Again, no matter which option you choose, no policy is perfectly “enforceable” but if you clearly state the intent of the law and it makes sense to people, a large majority of people will understand it and comply.

Limit RICAP 6 STRS to host-resident airbnb “private room” rentals with a provision for up to 4 host-absent rentals a year not to exceed a total of 30 days per year with advance notice to contiguous neighbors. A resident host could be defined as present in the property at least 4 hours a day (presumably while they are sleeping).

4. About Host-resident 1 and 2 bedroom STRs in Apartments and Condos.

According to BP&S, airbnb says that 50% of their listings in Portland are in apartments and condos. If you limited RICAP 6 to airbnb host-resident “private room” rentals as described in item 3 above, there would be minimal risk to extending licensing of Type A (1 & 2 bedroom) STRs to condos and apartments.

No matter which option you choose (including the choice to continue the current ineffective prohibition), the operator will need to assume the risk of lack of commercial insurance, violation of the terms of lease or rental agreements and the violation of their condo covenants. The City cannot effectively police these issues.

5. About on-going host-absent “Entire Place” and Vacation Rentals

Again, if you use the lens of host-resident and host-absent STRs to see the big picture, it is clear that Portland needs a separate Vacation Rental Ordinance. Hundreds of cities across the nation (mostly in resort areas) have Vacation Rental Ordinances designed to protect guests, neighbors and the residential character of

their neighborhoods. Urban vacation rentals are relatively new but quickly growing. Do you really want Portland to be behind the curve again?

I understand that this cannot be dealt with in RICAP 6, but if you choose not to address this for 2 to 3 more years, experience shows that:

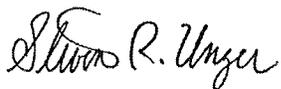
- The problem will grow and get worse.
- An increasing number of housing units will continue to be taken off the market.
- Guests and neighbors will be left unprotected since there is no licensing procedure.
- These illegal rentals will compete directly with licensed Type B STRs (like the Lion and the Rose) and mid-tier hotels.
- The uneven playing field will continue.
- Complaint-driven enforcement will mean that some STRs will be closed down while many others will operate illegally – which (as Robert Low pointed out 2 years ago) is unfair to those that are closed down.
- The City will lose at least \$500,000 in lodging tax each year.

There are already hundreds of these operating illegally, please commit to developing a Vacation Rental Ordinance for Portland. If necessary hire an extra Planner for 1 year to analyze the ordinances in other cities and draft an ordinance. The investment would have a ROI of over 300% in the first year the ordinance went into effect.

The attached slides gives more detail on my analysis and recommendations.

I appreciate your consideration.

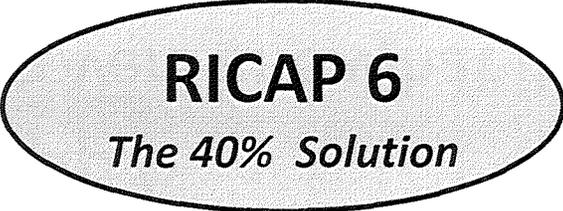
Sincerely,



Steve Unger
Innkeeper

Attachment 1

Toward A Comprehensive Short-term Rental Policy in Portland

	Resident Host airbnb "Private Room"	On-going Host-absent Vacation Rentals and airbnb "Entire Place"
Single-Family ADU & Duplex	 <p>RICAP 6 <i>The 40% Solution</i></p>	?
Apartment Condo	?	?

Topics

- Background on Short-term Rentals
- About Airbnb in Portland
- About Recap 6
 - What it covers and what it doesn't
 - How it needs to be modified to be more effective
- About Apartments and Condos
- About Vacation Rentals
- Summary

Short-term Rentals (STRs) Background

Current State:

1. Transient lodging (less than 30 days)
 - Over 1,500 illegal short-term rentals in Portland
 - No practical path to being legal (currently requires \$4,100 Type II Conditional Use Review)
 - City losing \$1,000,000+ a year in uncollected lodging tax
2. Impact on affordable housing stock
 - There is a growing shortage of affordable month-to-month rental units
 - Short-term rentals are always more profitable than month-to-month rentals
 - Portland invests to provide “affordable housing”
3. Neighbors and Neighborhood Associations are increasingly concerned about impacts of STRs

Desired State:

1. Comprehensive short-term rental ordinance that ...
 - Allows Operators to register at a reasonable cost
 - Protects guest and neighbors
 - Allows The City to Collet Hotel tax
 - Is enforceable
2. Maintains stock of month-to-month rental units

Umbrella Policy Issue:

- How to appropriately regulate Limited Commercial Use of Residential Property
- Such regulation traditionally includes licenses, limitations and restrictions

Short-term Rentals (STRs) Background

Stakeholders

- Airbnb and Airbnb hosts and those who want to be hosts who want no or little regulation
 - *Airbnb hosts in apartments and condos now want to be included*
- Concerned Neighbors who want a prohibition or a lot more regulation
- Moderates, like myself, who want RICAP 6 modified in specific ways to be more effective
- *Now, Vacation Rental management companies and trade associations want to be included*
 - Long history of Vacation Rental ordinances across the country
 - Urban Vacation Rentals are new
- Traditional B&B's
 - Concerned about the more expensive “entire place” and vacation rentals.
- Hotels
 - Mid-tier Hotels (\$100+ per night) primarily interested in business travelers
 - Budget Hotels (<\$100 per night should be concerned

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About airbnb

- In a few short years airbnb has gone from promoting “couch surfing” to host-resident “private room rentals” (mini-B&Bs) to unsupervised “entire place” rentals (vacation rentals).
- airbnb has a current market valuation of \$10 billion – more than Hyatt Hotels.
- airbnb portrays itself as a humble home-sharing service that helps people stay in their homes by renting spare rooms or who will be away for a few days. But, as the recent San Francisco Study by Connotate shows, this is not an accurate or complete picture.
- airbnb “average host” statistics do not distinguish between “private room” hosts and “entire place” hosts.

The Difference Between airbnb “Private Room” and “Entire Place” Rentals Resident Host vs. Unsupervised

airbnb “Private Room” Rentals	airbnb “Entire Place” Rentals
<ul style="list-style-type: none"> • Hundreds of listings in Portland 	<ul style="list-style-type: none"> • Hundreds of listings in Portland
<ul style="list-style-type: none"> • Renting 1 or 2 bedrooms in your house 	<ul style="list-style-type: none"> • Renting your whole house
<ul style="list-style-type: none"> • Host is resident 	<ul style="list-style-type: none"> • No host is present
<ul style="list-style-type: none"> • Property and guests are supervised 	<ul style="list-style-type: none"> • Unsupervised
<ul style="list-style-type: none"> • Bed & Breakfast 	<ul style="list-style-type: none"> • Vacation Rental
<ul style="list-style-type: none"> • No “horror stories” 	<ul style="list-style-type: none"> • airbnb “horror stories”
<ul style="list-style-type: none"> • Inexpensive - under \$95 per night 	<ul style="list-style-type: none"> • Expensive - \$100 - \$1,000 per night
<ul style="list-style-type: none"> • True value for tourists 	<ul style="list-style-type: none"> • Costs as much as a hotel
<ul style="list-style-type: none"> • Compete with budget hotels 	<ul style="list-style-type: none"> • Compete with mid-level hotels
<ul style="list-style-type: none"> • Lower standard of licensing acceptable 	<ul style="list-style-type: none"> • Higher standard of licensing required
<ul style="list-style-type: none"> • Keeps residents in their homes 	<ul style="list-style-type: none"> • Makes money for absent owner
<ul style="list-style-type: none"> • A life-style decision 	<ul style="list-style-type: none"> • An investment decision
<ul style="list-style-type: none"> • Does not deplete affordable housing (except for long-term roommate rentals) 	<ul style="list-style-type: none"> • Depletes stock of affordable housing
<ul style="list-style-type: none"> • No impact on rental prices 	<ul style="list-style-type: none"> • Drives rental prices up
<ul style="list-style-type: none"> • Host required in Austin, Texas 	<ul style="list-style-type: none"> • More rigorous licensing in Austin, Texas
<ul style="list-style-type: none"> • Legal in New York City 	<ul style="list-style-type: none"> • Illegal in New York City
<ul style="list-style-type: none"> • The airbnb hosts who usually give testimony 	<ul style="list-style-type: none"> • The airbnb hosts who usually do not testify
<ul style="list-style-type: none"> • airbnb emphasizes 	<ul style="list-style-type: none"> • airbnb downplays
The “GOOD” airbnb	The “BAD” airbnb
<i>Average “Private Room” rental host ?</i>	<i>Average “Entire Place” rental host ?</i>

Short-term Rentals in Portland Residential Zones

Summary of airbnb Listings – January 2014

Number of airbnb listing in Portland, Oregon					
Listing Type	Total #	Nightly Rate			
		\$10 - \$55	\$60 - \$95	\$100 - \$140	\$150 - \$1,000
Shared Room	37	35	2	-	-
Private Room	592	310	234	39	9
Entire Place	703	16	255	234	198
Total Listings	1,332	361	491	273	207

Should be focus
of RICAP 6

NOT Addressed in RICAP 6
Should be in a Phase 2

Addressed in RICAP 6:

Over 500 airbnb listings of “Private Rooms” under \$95 per night

Not Effectively Addressed in RICAP 6:

Over 400 airbnb listings of “Entire Places” Over \$100 per night
(plus additional listings on vrbo, homeaway and flipkey)

Note: Some of these could be Accessory Dwelling Units or Duplex Apartments

About Airbnb

To understand airbnb you need to ask each host:

1. How many listings do you have?
2. How many rooms do you rent at one time?
3. Do you live in the property during your guest's stay?
4. What do you charge per night?
5. How many nights per month do you have guests?
6. Have you notified you neighbors, and
7. How do you handle insurance for liability and property damage?
 - Commercial insurance is expensive and standard residential insurance does not cover damage or liability

There are no “wrong” answers, but the answers are often telling.

Topics

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Short-term Rentals Under RICAP 6

1. History

- In June 2013, City Council asked BP&S to address the issue of short-term rentals. BP&S decided to use the RICAP processes which limited the scope of the resulting proposal and kept it from addressing the full range of issues.
- BP&S used host-present “Accessory Home Occupations” (such as piano lessons, massage therapists and hair cutting) as model. “Host-absent” STRs are very different.

2. Stated Purpose of Proposed Ordinance

33.207.020 Description:

An accessory short-term rental is one where an individual or family resides in a house, attached house, duplex, or manufactured home and rents bedrooms to overnight guests. There are two types of accessory short-term rentals (Type A – 1 or 2 bedrooms; Type B – 3 to 5 bedrooms).

3. There is a fundamental difference between renting a bedroom in your home when you are present vs. renting your whole house when you are away (weekend or several weeks).

- *In New York City only host-present STRs are legal (including in apartments and condos)*
- *Austin, Texas defines 3 categories:
1) Host-present; 2) Unsupervised; 3) Apartment or Condo*

Short-term Rentals in Portland Residential Zones

RICAP 6 = The 40% Solution

	Single Family, ADU, Duplex	Apartment / Condo
Owner-Occupied (Supervised?)		?
Not Owner-Occupied (Unsupervised)	?	?

RICAP 6 Proposal does not effectively address:

- over 400 airbnb “entire place” rentals in single-family homes, apartments and condos that are not owner occupied and which rent for \$100 to \$1,000 per night.
- airbnb “private room” rentals in apartments and condos.
- any of the “vacation rental” listings on vrbo.com, homestay.com and flipkey.com.

Short-term Rentals Under RICAP 6

33.207.020 Description: An accessory short-term rental is one where an individual or family resides in a house, attached house, duplex, or manufactured home and rents bedrooms to overnight guests. There are two types of accessory short-term rentals.

Type A – 1 & 2 Bedrooms
 Maximum of 5 guests
 New Licensing Procedure
 (\$180 every 2 years)

Type B STR – 3 – 5 Bedrooms
 # Guests Determined by CU Review
 Type II CU
 (\$4,100 +)

**Single Family
 or Duplex**

airbnb “Private Room” Rentals and ADU’s on Operator’s Site
 and Traditional B&B’s
Operator Present During Guest’s Stay
 *** OK All Year ***

To prevent abuse amend to
 require Operator Presence
 and Primary Residency for
 9 months (75%) of the year

airbnb “Entire Place” Rentals and
 Accessory Short-term Vacation Rentals
Operator Absent During Guest’s Stay
 *** OK 6 Months (50%) Of the Year ***

**Apartment
 or Condo**

Excluded from RICAP6
(State Building Code needs to change to accommodate Occupancy Permit)
 Not Eligible for Type A Permit or Type B CU Review
 *** Continue to be Prohibited ***

How to Modify RICAP 6 to Work Better

Keep current inspection requirement

- Protects guests and reassures neighbors
- Covers legal bedrooms, smoke detectors, fire extinguishers (?), and “imminent danger”
- Reduces risk and potential for “horror stories”
- Could raise the \$180 biannual license fee if necessary
 - A bi-annual charge up to \$500 would still be very reasonable
 - Austin, Texas charges \$280 per year
- BDS Compliance willing and able to perform

Amend RICAP 6 in two ways

1. **“License Number must appear in all print and online advertising”**
 - Protects guests and encourages operators to register
 - Provides BDS with a simple objective standard for non-compliance
2. **Close the “PRINO” Loophole (Primary Residence in Name Only)**
 - Prevents unsupervised “vacation rental” abuse

“Require a host to be residing in the property during the guest’s stay”

 - The approach chosen by New York City
 - Host could be Owner, Operator or designee
 - “Residing” does **NOT** mean “present on-site 24-hours a day”

And define “Primary Residence as living in the property to for 9 months (75%) of the year”

 - The approach proposed by San Francisco

Possible definitions:

- 1) Generally residing in the property during the guest’s stay.
- 2) Sleeping in the property during the guest’s stay.
- 3) Present in the property at least 4 hours per day during the guest’s stay.

How to Modify RICAP 6 to Work Better

3 levels of licensing instead of 2?

If the proposed cost difference between licensing a 2 bedroom Type A B&B (\$180 every 2 years) and a 3 bedroom B&B (\$4,100 one time charge) is too great, The City might consider having 3 Categories of RICAP 6 Short-term Rentals:

1. Proposed Type A = 1 & 2 Bedrooms
 - Low cost bi-annual license
2. New Type B = 3 & 4 Bedrooms
 - Consider Type I Conditional Use Review
 - Licensing is more rigorous and more expensive than Type A
3. New Type C = 5 or More Bedrooms
 - Type II Conditional Use Review (\$4,100+)
 - Number of bedrooms to be determined in CU Review based on nature of the property and the neighborhood
 - Might also be applied to larger Vacation Rental properties.

Topics

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Apartments and Condos

Background

- Exclusion from RICAP 6 was based on technical issues rather than policy issues
- Unsupervised “entire place” apartment/condo rentals are more likely to cause problems for neighbors (due to density and proximity) and also reduces the number of month-to-month rental units which is why they remain illegal in New York City

2 Main Scenarios

1. Renter or Unit Owner as Operator

- Host rents a bedroom in a unit in which they also reside during guest’s stay
 - Airbnb host-present “Private Room” rentals are already legal in New York City
 - Only reduces roommate rental stock
- Host rents their apartment or condo while they go away (weekend to several months)
- Host rents an apartment or condo they control even though they never really live there

2. Landlord (Owner of Multi-family Building) as Operator

- Landlord owns and resides in a multi-unit building and wants to rent one or more units short-term rather than month-to-month (e.g. triplex or quad)
- Landlord owns a multi-unit building they do not live in and wants to rent one or more units short-term
- Both scenarios deplete month-to-month rental stock

Other Issues

- Hosts take the risk of violating the terms of their lease or Condo Covenants.
- Which neighbors do you notify? Contiguous units? All units? Landlord or Condo Association?

What needs to happen

- Needs to be covered as a third-category of STR as was done in Austin, Texas

Vacation Rentals

Unsupervised (host absent) short-term “whole place” rentals

- Mostly just a “business decision” Renting “short-term” is more profitable than renting “month-to-month”
- In host-resident “private room” rentals the presence of the host (and often other unrelated guests) tend to keep the renters on their “good behavior”.
- In a Vacation Rental there is usually a single renter for the entire party. The absence of a resident host or unrelated guests opens the door to bad behavior.
- Issues: Can more easily irritate neighbors and also reduces stock of month-to-month rental units
- Traditionally found in resort areas
 - There are many examples of ordinances designed to protect the residential nature of neighborhoods and neighbors
 - May involve large houses (8 bedrooms)
 - Could be second home or an investment property
 - Could be condo or apartment
 - Can be managed by owner or a management service
- Now starting to appear in urban areas

Listing Services

- Airbnb “entire place” rentals
- vrbo.com, homeaway.com, flipkey

What needs to happen

- Create a separate Vacation Rental licensing procedure probably through a Type II Conditional Use Review

Comparison of Listing Services

Listing Service	Owned By	Couch Surfing	Rooms In Houses (B&B)	Vacation Rentals	Hotel Rooms	Collects Money	Guests Review Listings	Guest Profiles Self	Host Profiles Self	Hosts Review Guests	Host Can Refuse
airbnb	-	xxx	xxx	xxx		xxx	xxx	xxx	xxx	xxx	xxx
Bed & Breakfast Listings											
beadandbreakfast.com	HomeAway		xxx				xxx				xxx
Trip Advisor	Trip Advisor		xxx		xxx		xxx				xxx
Yelp	-		xxx		xxx		xxx				xxx
Vacation Rental Listings											
Flip Key	Trip Advisor			xxx			xxx				xxx
HomeAway	-			xxx			xxx		xxx		xxx
VRBO	HomeAway			xxx			xxx				xxx
Hotel Booking Services											
Expedia	-				xxx	xxx	xxx				
Hotels.com	-				xxx	xxx	xxx				
Price Line	-				xxx	xxx	xxx				

What makes Airbnb different?

Airbnb combines a travel website with a dating website (in this case guests connect with hosts)

Airbnb collects the money when the guest makes the reservation
and pays the host after the guest arrives

Summary

Make RICAP 6 Focused and
Immediately Begin Phase 2 to Address Other Areas

	Resident Host airbnb "Private Room"	Unsupervised Vacation Rentals and airbnb "Entire Place"
Single-Family ADU & Duplex	 <p>RICAP 6</p>	<p>Phase 2</p> <p>Challenge: Reduction of Month-to-Month Rentals</p>
Apartment Condo	<p>Phase 2</p> <p>Challenge: More Likely to Irritate Neighbors</p>	<p>Phase 2</p> <p>Challenge: Irritated Neighbors <u>and</u> Reduction of Month-to-Month Rentals</p>

*As shown by regulations in New York City and Austin, Texas
the critical distinction is between "host-resident" and "host-absent" STRs*

Mayor Charles Hales
Commissioner Nick Fish
Commissioner Amanda Fritz
Commissioner Steve Novick
Commissioner Dan Saltzman

Comments on Proposed Accessory Short-term Rental regulations

Dear Mayor Hales, Councillors Fish, Fritz, Novick and Saltzman,

I am one of the hundreds of Portlanders operating a small B&B out of my home without a conditional use permit. I have been doing this for over two years and have earned roughly \$28,500 on which I pay federal and state taxes. When I began to consider running a tiny B&B, just one room in my small SE Portland home, I called the City and the County to see what I needed to do to comply with all local codes. I immediately found that to comply with the zoning code I would have to pay over \$3,500 (now \$4,100) just to apply for a conditional use permit, without any assurance that I could actually *get* the permit. If I wanted some feedback from staff on whether I might be able to get the permit I would have to pay an additional \$900 which would not count toward the \$3,500. Given that I did not have any idea how successful the business might be, I decided not to spend this money, even though I am normally a very law abiding person.

I then researched the building codes and installed easy exit windows, CO2 and smoke detectors, bought extra insurance, got my food handlers permit and my state business license. I do want to run a safe and clean place that complies with regulations. I would be happy to pay the local and state lodging tax. Most of my guests pick me for my location and my reviews. There are very few motels within 3 miles of my neighborhood. Since I am well served by Trimet, 40% of my guests do not drive but either rent bikes or take the bus, so the parking impact is minimal, especially as I have only one car that is garaged.

Because I have this business I have been able to supplement my income, repair and improve my home and yard, and give many people a friendly and pleasant introduction to Portland. Since I am 70 years old, I have every hope that this addition to my pension and Social Security will help me age in place here in my wonderful neighborhood. My guests are a mix of people visiting grown children, people thinking of moving to Portland, and people who think Portland is a cool city and want to experience it. They then go out and spend money on restaurants, events, and sightseeing. I also contribute more to the local economy as I spent an extra \$2,300 last year alone on food and supplies. This year I have been busier than ever.

It has been suggested that making these regulatory changes will worsen Portland's rental situation as long term rentals are taken off the market to become short term. I can assure you

that in my case this is not true. I have no desire to have a permanent roommate and never considered renting my extra bedroom for that purpose. I prefer to have short visits of interesting people while able to keep the room open for visiting family or just privacy when I want to.

I strongly support these proposed regulatory changes that would allow small businesses like mine to operate without having to pay draconian fees. I regret that I will be out of town when Council takes up the matter, but please do not hesitate to contact me if I can clarify anything.

Sincerely,

Judy Crockett
email address jucycrow@gmail.com

Moore-Love, Karla

From: Tracy, Morgan (Planning)
Sent: Thursday, June 26, 2014 4:30 PM
To: Judith Yamada
Cc: Moore-Love, Karla
Subject: RE: Portland and Multnomah County Occupancy Tax and Airbnb

Hi Judith

I am forwarding your letter to the council clerk to be included as testimony for the July 2 hearing.

Sincerely,

Morgan Tracy, AICP | City Planner II
City of Portland Bureau of Planning & Sustainability
1900 SW Fourth Avenue | Suite 7100 | Portland, OR 97201
www.portlandoregon.gov/bps/ricap
503.823.6879

To help ensure equal access to City programs, services and activities, the City of Portland will provide translation, reasonably modify policies/procedures and provide auxiliary aids/services/alternative formats to persons with disabilities. For accommodations, translations, complaints, and additional information, contact me, call 503-823-6879, City TTY 503-823-6868, or use Oregon Relay Service: 711.

From: Judith Yamada [mailto:judiscottage@yahoo.com]
Sent: Thursday, June 26, 2014 1:45 PM
To: Tracy, Morgan (Planning)
Subject: Re: Portland and Multnomah County Occupancy Tax and Airbnb

Judith Yamada,
Innkeeper, Award Winning Cook & Recipe Writer

Portland Urban Cottage LLC
~Bed & Breakfast / Vacation Rental~
www.VRBO.com/401575

Mr. Morgan,

Thank you for responding to my email.

18 67 36

What you wrote, is what I feared. Including previously approved CU's in the new permit requirements is a slap in the face to those owners. Rental owners who've practiced good business practices and gone by the rules shouldn't suffer the consequences of those who flew below the radar.

When my rental was subject to a conditional use review, I paid all the fees required, conducted a good deal of research (re: other comparable enterprises in my neighborhood, parking surveys, etc), was required to write and submit a proposal, participate in hearings, and present a case. I complied. I've faithfully collected taxes from my bed and breakfast guests and submitted them on time. My bed and breakfast has proven a valuable neighborhood amenity, my guests have all been exemplary neighbors and my well maintained (pesticide free) property is a haven for birds and bees.

I strongly request that the Council seriously consider an amendment recognizing previously approved CU's. Exempting those small rental owners (who've brought money into the local economy and obeyed the law) from the new permit laws - speaks volumes to our local small business community. And it's just the right thing to do.

Thank you for your consideration and for taking my concerns seriously.
Judith Berman-Yamada

From: "Tracy, Morgan (Planning)" <Morgan.Tracy@portlandoregon.gov>
To: Judith Yamada <Judiscottage@yahoo.com>
Sent: Thursday, June 26, 2014 11:07 AM
Subject: RE: Portland and Multnomah County Occupancy Tax and Airbnb

Hi Judith,

I wanted to inform you that the City Council has not reached a decision on the proposed short term rental regulations. They have continued the public hearing to July 2nd, at 2:00 pm. Sorry for the delay in responding to your email. I had a conversation with our team about your situation (existing approved conditional use for a 1 or 2 bedroom B&B). It appears that if the new regulations make a 1 or 2 bedroom short term rental an allowed use (subject to a permit), then your prior Conditional Use (CU) is no longer necessary and becomes null and void. Any conditions of approval also cease to apply. On the other hand, this would mean that your operation would be subject to the new permit regulations. Unless Council approves an amendment that recognizes previously approved CU's, then you would be subject to the new permit process.

Morgan Tracy, AICP | City Planner II
City of Portland Bureau of Planning & Sustainability
1900 SW Fourth Avenue | Suite 7100 | Portland, OR 97201
www.portlandoregon.gov/bps/ricap
503.823.6879

To help ensure equal access to City programs, services and activities, the City of Portland will provide translation, reasonably modify policies/procedures and provide auxiliary aids/services/alternative formats to persons with disabilities. For accommodations, translations, complaints, and additional information, contact me, call 503-823-6879, City TTY 503-823-6868, or use Oregon Relay Service: 711.

From: Judith Yamada [<mailto:judiscottage@yahoo.com>]
Sent: Wednesday, June 18, 2014 7:36 AM
To: Tracy, Morgan (Planning)
Cc: eeeyah@aol.com
Subject: Fw: Portland and Multnomah County Occupancy Tax and Airbnb

Good Morning Mr. Tracy,

A while back, I got on the Air BnB email list so I could see what was happening with their illegal operation and the outcome of same. Their latest email is forwarded here.

My questions are, how can a large business, such as Air BnB, with affiliates all over the world not know or at least check the laws in their areas of operation? In addition, what repercussions are faced by all those many Portland Air BnB hosts who neglected to pay their taxes and operated illegally?

There's no reason why everyone involved didn't know and follow the local requirements for operating a business. Not knowing the law is certainly not a viable excuse for breaking the law. They all had the same resources I and other locally licensed (and legally operating) short-terms/bed and breakfast rental owners had.

I know this is the second time I've contacted you, and I don't do this sort of thing on a regular basis. But I'm pretty upset about all these illegal operations and their obvious skirting of any retroactive fines for their actions.

When you change or modify lodging (B and B) laws and fees based on RICAP 6, I hope legal entities, operating within the law, are not affected. We paid, researched and pounded the pavement to open our establishment and don't want to pay the same fees again or be expected to pay some new yearly fee imposed to reign in the Air BnB population.

Thank you and have a good day.

Judith Yamada,
Innkeeper, Award Winning Cook & Recipe Writer

Portland Urban Cottage LLC

~Bed & Breakfast / Vacation Rental~

www.VRBO.com/401575

----- Forwarded Message -----

From: Airbnb <automated@airbnb.com>To: Judiscottage@yahoo.com

Sent: Tuesday, June 17, 2014 2:08 PM

Subject: Portland and Multnomah County Occupancy Tax and Airbnb

||

Hi Judith,

In March, we were proud to announce that Airbnb partnered with Portland to be our first Shared City. Part of this initiative was a productive discussion on how we can work together to simplify the collection of government required occupancy taxes on behalf of our host community.

For reservations booked on or after July 1, Airbnb will begin collecting Multnomah County and Portland occupancy taxes from guests on stays of thirty days or less. We'll then remit those taxes to the government on your behalf. If you've already been collecting and remitting occupancy taxes for Multnomah County or Portland, you should no longer do so on your own. Your guests will see a separate amount for taxes in the total amount they pay for a reservation both before they pay and also on their itemized receipt.

This won't affect the payout amounts you receive as a host. Just like before, you'll continue to receive your accommodation fee minus the Airbnb host service fee. If you'd like to learn more about occupancy taxes and Airbnb, please visit our Help Center.

Collecting tax is one of the first true collaborations between Airbnb and local cities. We're looking for more ways to work together, and we'll keep you posted as plans progress.

Thanks,
The Airbnb Team

Download our app

Sent with ♥ from Airbnb HQ

[Email preferences](#)

Moore-Love, Karla

From: Tracy, Morgan (Planning)
Sent: Thursday, June 26, 2014 12:57 PM
To: Moore-Love, Karla
Subject: a couple of letters of testimony (RICAP6)

I didn't find these in the records you sent, so I am forwarding them along to you:



crockett_letter to imse_Multifamily
Council 5 2... NW letter on ...

Not bad for 160 pages of letters though!

Morgan Tracy, AICP | City Planner II
City of Portland Bureau of Planning & Sustainability
1900 SW Fourth Avenue | Suite 7100 | Portland, OR 97201
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Mayor Charles Hales
Commissioner Nick Fish
Commissioner Amanda Fritz
Commissioner Steve Novick
Commissioner Dan Saltzman

Comments on Proposed Accessory Short-term Rental regulations

Dear Mayor Hales, Councillors Fish, Fritz, Novick and Saltzman,

I am one of the hundreds of Portlanders operating a small B&B out of my home without a conditional use permit. I have been doing this for over two years and have earned roughly \$28,500 on which I pay federal and state taxes. When I began to consider running a tiny B&B, just one room in my small SE Portland home, I called the City and the County to see what I needed to do to comply with all local codes. I immediately found that to comply with the zoning code I would have to pay over \$3,500 (now \$4,100) just to apply for a conditional use permit, without any assurance that I could actually get the permit. If I wanted some feedback from staff on whether I might be able to get the permit I would have to pay an additional \$900 which would not count toward the \$3,500. Given that I did not have any idea how successful the business might be, I decided not to spend this money, even though I am normally a very law abiding person.

I then researched the building codes and installed easy exit windows, CO2 and smoke detectors, bought extra insurance, got my food handlers permit and my state business license. I do want to run a safe and clean place that complies with regulations. I would be happy to pay the local and state lodging tax. Most of my guests pick me for my location and my reviews. There are very few motels within 3 miles of my neighborhood. Since I am well served by Trimet, 40% of my guests do not drive but either rent bikes or take the bus, so the parking impact is minimal, especially as I have only one car that is garaged.

Because I have this business I have been able to supplement my income, repair and improve my home and yard, and give many people a friendly and pleasant introduction to Portland. Since I am 70 years old, I have every hope that this addition to my pension and Social Security will help me age in place here in my wonderful neighborhood. My guests are a mix of people visiting grown children, people thinking of moving to Portland, and people who think Portland is a cool city and want to experience it. They then go out and spend money on restaurants, events, and sightseeing. I also contribute more to the local economy as I spent an extra \$2,300 last year alone on food and supplies. This year I have been busier than ever.

It has been suggested that making these regulatory changes will worsen Portland's rental situation as long term rentals are taken off the market to become short term. I can assure you

that in my case this is not true. I have no desire to have a permanent roommate and never considered renting my extra bedroom for that purpose. I prefer to have short visits of interesting people while able to keep the room open for visiting family or just privacy when I want to.

I strongly support these proposed regulatory changes that would allow small businesses like mine to operate without having to pay draconian fees. I regret that I will be out of town when Council takes up the matter, but please do not hesitate to contact me if I can clarify anything.

Sincerely,

Judy Crockett
email address jucycrow@gmail.com



MULTIFAMILY NW
The Association Promoting Quality Rental Housing

June 3, 2014

Portland City Council
1221 SW Fourth Ave.
Portland, OR 97204

Dear Mayor Hales and Commissioners Fish, Fritz, Novick and Saltzman:

Multifamily NW is committed to quality rental housing and over the years has worked with a wide variety of stakeholders to ensure that Portland has a robust system of complaint-based code enforcement. As you consider adopting a short-term rental policy, complaint-based inspections should be incorporated, rather than mandatory inspections.

Portland's enforcement of code violations is built on a complaint-based system, whether late-night noise, sidewalk repairs or habitability. This has proven to be an effective, consistent system that focuses public resources where they are needed most: on correcting actual code violations. Mandatory inspections require significantly more public resources as every home or condo is inspected, regardless of whether there is any habitability issue or suspected code violation.

It is also important to note that long-term rentals operate under different state law than short-term rentals. In order to have clear consistent policy, all short term rentals should be under a consistent set of certification standards, whether it's Airbnb or a B&B.

I appreciate your consideration of these issues as you deliberate on short-term rental policy for the City of Portland.

Sincerely,

Deborah Imse
Executive Director

EXECUTIVE DIRECTOR
Deborah Imse
deborah@multifamilynw.org

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GSL Properties

Moore-Love, Karla

From: Tracy, Morgan (Planning)
Sent: Friday, June 27, 2014 9:25 AM
To: Moore-Love, Karla
Cc: Wood, Sandra
Subject: FW: Short Term Rentals Position of the Irvington Community Association (ICA)=FORWARD

More testimony for the record...

From: Reyes, Cindy
Sent: Wednesday, June 25, 2014 11:51 AM
To: Dingfelder, Jackie
Cc: Hales, Mayor
Subject: FW: Short Term Rentals Position of the Irvington Community Association (ICA)=FORWARD

FYI

Cindy Reyes
 Constituent Services Specialist
 Office of Mayor Charlie Hales | City of Portland
 1221 SW 4th Ave., Suite 340 | Portland, OR 97204
 E: cindy.reyes@portlandoregon.gov
 P: 503-823-4142

From: Dean P. Gisvold [<mailto:deang@mcewengisvold.com>]
Sent: Sunday, June 01, 2014 11:55 AM
To: Hales, Mayor
Cc: Commissioner Fritz; Commissioner Saltzman; Commissioner Fish; Novick, Steve; Steve Unger; Steven Cole
Subject: Short Term Rentals Position of the Irvington Community Association (ICA)

Mayor and Commissioners

The ICA supports the short term rental provisions of RICAP 6 and the regulatory scheme contemplated by such provisions, but requests that additions be made to the current provisions.

The inspection provisions must be retained to insure that properties are safe and provide legal bedrooms.

Additions:

1. The owner should be required to be on site when guests are occupying the property.
2. A new Compliance with law should be added, such as:

Operators are subject to compliance with all applicable city, county, state and federal laws and regulations, included but not limited to the payment of city and state lodging taxes, and health and safety regulations.

This new provision is necessary to improve the permit revocation process. To revoke a permit, the City must show that the operator failed to comply with the City's regulations. The recommended addition will show that the "regulations" clearly require compliance with law.

3. The ICA fully supports the additions recommended by Steve Unger, co-owner of the Lion and Rose B and B, located in the Irvington neighborhood

Finally, the City should be commended for recognizing that regulating this growth industry is the way to proceed, but first and foremost, it must take steps to protect the health and safety of guests and visitors.

Dean Gisvold
ICA Board Member and Chair of the ICA Land Use Committee

PS I am unable to attend the public hearing on June 4, but I wish to include this email in the public record. Many thanks.

Dean P. Gisvold | Attorney at Law | Senior Partner
M^CEWEN GISVOLD LLP - EST. 1886
1600 Standard Plaza, 1100 SW Sixth Avenue, Portland, Oregon 97204
Direct: 503-412-3548 | Office: 503-226-7321 | Fax: 503-243-2687
Email: deang@mcewengisvold.com
Website: <http://www.mcewengisvold.com>

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If you have received it in error, please delete it and notify the sender.**

Moore-Love, Karla

From: Tracy, Morgan (Planning)
Sent: Friday, June 27, 2014 9:27 AM
To: Moore-Love, Karla
Cc: Wood, Sandra
Subject: FW: RICAP6 Short Term Rentals=FORWARD
Attachments: HILP Resolution for RICAP6.pdf; ATT00001.htm

And another...

(I already cross checked these against the testimony you sent)

-Morgan

From: Wood, Sandra
Sent: Friday, June 27, 2014 8:58 AM
To: Tracy, Morgan (Planning); Gisler, Julia
Subject: FW: RICAP6 Short Term Rentals=FORWARD

From: Dingfelder, Jackie [<mailto:Jackie.Dingfelder@portlandoregon.gov>]
Sent: Wednesday, June 25, 2014 11:10 AM
To: Wood, Sandra
Subject: Fwd: RICAP6 Short Term Rentals=FORWARD

Jackie Dingfelder, Policy Director
Mayor Charlie Hales
City of Portland
jackie.dingfelder@portlandoregon.gov

Sent from my iPhone

Begin forwarded message:

From: "Reyes, Cindy" <Cindy.Reyes@portlandoregon.gov>
Date: June 25, 2014 at 10:54:12 AM PDT
To: "Dingfelder, Jackie" <Jackie.Dingfelder@portlandoregon.gov>
Cc: "Hales, Mayor" <mayorcharliehales@portlandoregon.gov>
Subject: FW: RICAP6 Short Term Rentals=FORWARD

FYI

Cindy Reyes
Constituent Services Specialist
Office of Mayor Charlie Hales | City of Portland
1221 SW 4th Ave., Suite 340 | Portland, OR 97204
E: cindy.reyes@portlandoregon.gov
P: 503-823-4142

From: thomashdana@gmail.com [mailto:thomashdana@gmail.com]

Sent: Tuesday, May 27, 2014 6:49 PM

To: Commissioner Fritz; Novick, Steve; Commissioner Fish; Commissioner Saltzman; Hales, Mayor

Subject: RICAP6 Short Term Rentals

Dear City Commissioners,

Attached is a resolution passed by Hayden Island Livability Project (HILP) concerning the short term rentals part of RICAP6. We appreciate your consideration of this matter

Thank you,

Tom Dana
503-954-9217

6TH REGULATORY IMPROVEMENT CODE AMENDMENT PACKAGE - RICAP6

IF YOU WISH TO SPEAK TO CITY COUNCIL, PRINT YOUR NAME, ADDRESS, AND EMAIL.

NAME (print)	ADDRESS AND ZIP CODE	Email
✓ John Beck	5235 NE Mallory 97211	johnpaulbeck@gmail.com
✓ SCOTT BREON	1103 NE Roselawn 97211	
✓ TRISTAN WEBB	3934 NE MLK 97212	tristan @ vacasarentals
✓ Bob Low	4005 NE DUMAS 97232	RJ Low @ comcast.net
✓ FERRY PARKER	P.O. Box 13503 97213	parkerf2012@gmail.com
✓ Kathleen Escriva	1808 NE 62nd 97213	kescriva@gmail.com
✓ Angela Arment	1030 SW Jefferson St #638	armentangela@gmail.com
✓ Linda Fitzgerald	2009 N Wygant	linf+z@comcast.net
✓ Michael Kaiser-Nyman	70 NE Tillamook St 97212	michaelrkn@gmail.com
✓ ROBERT HERTERT	6210 SW HAINES ST 97219	ROBERT.HERTERT@gmail.com
✓ JULIUS WYLLIE	1926 W. BURNSIDE ST #601 97209	WYLLIE J@GMAIL.COM

Name	address	email
Robin Carlisle	8442 SE 32nd Ave	holidayhairstudio@gmail
Jarod Bishop	Stark Street 97214	jarodbishop@gmail.com
NATHAN TABOR	955 SE 16th Ave #6 97214	nabor@138creative.com

~~8442~~

18 67 36

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NAME (print)	ADDRESS AND ZIP CODE	Email
✓ Phil Finch	8721 SE RHONE ST	finchbook@gmail.com
✓ Malia Sajko	3915 SE 68TH AVE 97206	maliabg@gmail.com
✓ Tom Melillo	1631 New Everett 97209	tommelillo@yahoo.com
✓ Mary Mather-Slac	1665 SE Holly St 97214	gmslac@gmail.com
✓ BRYAN SCOTT	2258 SE 34TH AVE PORTLAND 97214	BRYDANGER@GMAIL.COM
✓ Jere Fitterman	65 NE Graham 97212	jerefit@gmail.com
✓ Betsy LaBerge	PO Box 454, Welches, OR 97067	betsy@mthoodrentals.com
✓ Joelle Budinich	1722 N. Blanders St. Portland, OR 97217	pdxecochic@gmail.com
✓ Hilley Agre	3720 SE 14th Ave Portland OR	ashley.agre@gmail.com
✓ Corinne Foster	1829 SE Mulberry Ave Portland 97214	renniefgp@yahoo.com
✓ mandie white Heather McGarry	6018 N Kelly Ave Portland 97217	heatherbmcgarry@gmail.com

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✓ Rachel Elizabeth	N. Mississippi Ave 97227	r.elizabeth@comcast.net
✓ Elise Wagner	Overlook N. Portland 97217	elise@elisewagner.com
✓ S ^{ML} Carter-Law	Laurelhurst 97232	scarter400@comcast.net
✓ Naomi E. Campbell	NE 7th bet Mason & Shaver 97212	Naomieliz@hotmail.com
✓ DAVID LAWS	1017 N. REVERE ST. 97227	dyoujoushin@gmail.com
✓ Eric Steiner	5530 SE woodstock 97206	ericpdx@live.com
left MAGGIE CHANDLER	3732 SE NEHALEM ST 97202	maggiemchandler@aol.com
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Jessica Garay	Foster-Powell 97206	jessicag.yoga@gmail.com
✓ Michelle Acquaviva	Seattle, WA	michelle@ vacationrentals.com vacationrentals.com

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NAME (print)	ADDRESS AND ZIP CODE	Email
Melka Chkhaidze	61 Nelson Creek Lane Stevens, WA	melka_jan30@yahoo.com
Amy White	³⁶⁰⁰⁵ 34th Ave Portland, OR	amy.lambird@gmail
✓ DEB BAUER	16244 SE Brooklyn St, Portland	gypsydoc@mindspring.com
✓ Molly Turner	San Francisco, CA	
Ashley Henry	Portland, OR	
✓ Marion Hayes	Portland Business Alliance, Portland	
✓ Tamra Kennedy Hill	Travel Portland	
Amy Taylor	4813 NE 14th Pl	amytaylor@comcast.net
✓ Bill Kaberiseman	Garvey Schubert, Portland	
Meridee Pabst	Busch Law Firm SeaWA	meridee.pabst@
Luisa Zoeller	3409 SW US Veterans Hosp Rd	luisa.zoeller@wirelesscount seil.com

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IF YOU WISH TO SPEAK TO CITY COUNCIL, PRINT YOUR NAME, ADDRESS, AND EMAIL.

NAME (print)

ADDRESS AND ZIP CODE

Email

Jessica Kimmet	1638 SE Ash St. 97214	jessicakimmet@gmail.com
Karr. Winn	6933 SE Belmont 97215	Karrinwinn@gmail.com
SUE WILLETTE	3926 NE DAVIS ST 97232	SMWILLETTE2@GMAIL.COM
Joanne Austin	SE Portland	mjoant@comcast.net
William Gregg	123 J SE Salmon	wghegg123@aol.com
Julie Hampson	2829 SE Belmont St.	iheartfancyshoes@gmail.com
Lee Eisenberg	1010 SW Mitchell St.	lee.eisenberg.pdx@gmail.com
Peter Ovington	5530 NE 7th Ave	povington@yshop.com
Molly Turner	Airbnb Office	molly@airbnb.com
JOHN WANKER	AIRBNB	
LISA WARMINGTON	SE 101st AVE	lwarmington@gmail.com

* K - call these together.

* LAMPANA Delcader 1707 NE 52nd Susan
 * Robert McGillond 6123 SE Reed College

more →

NAME

DAVID SWORDS

Mandie White

Address + ZIP

6361 NE CLEVELAND Ave

6916 NE GARFIELD Ave

EMAIL

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EMAIL.COM

Mandie.White.L@
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18 6736

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KRISTAN WELLS		cbuilderdd@gmail.com
Danna Kittell		danna@starfishluxuryrentals.com
KARIN WILLIAMS		
Joan Stezzetti	2380 SW Ghelmsford Ave 97201	
DAVID IVY	Hawthorne SE 97214	david@genki lounge.com
Tamara Kennedy Hill	Travel Portland 1000 SW Broadway, Suite 2300 Portland, OR 97205	tamara@travelportland.com
Jason Miner	1000 Friends of Oregon 133 SW 2nd Ave Suite 201	jason@friends.org
✓ Steve Unge	1517 NE Suchyler 97212	steven.unge@G com est. com

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NAME (print)	ADDRESS AND ZIP CODE	Email
Marie Myers	3553 SE Yamhill St. Portland, OR	Marie.moyal@gmail.com
✓ Andre Baugh	3327 NE 59th PDX	andre@grospgs.com
Lighting	—	—
Ken Lyons	17533 47 th Ave NE, LPP, WA 98155	Ken.Lyons@wacksscounsel.com
✓ Claire Coleman Evans	6260 SW Hamilton Way PDX 97224	eclair27@comcast.net
✓ Greg Schiffsky	4131 SW Lee St PDX	
Charmika Schuster	4536 SW Hamilton Portland OR	CharmikaSchuster@gmail.com
Theresa Hannan	4015 NE DAVIS ST	theresahannan@gmail.com
Chantel Bunkers	4509 N Montana Ave	chantelhb@yahoo.com
Taizz Medalia	2311 N Bixander St 97217	taizz2u@gmail.com

Dear Commissioners and BPS staff,

May 15, 2014

Being a host at airbnb has been fantastic. My husband and I have rented our downstairs basement for 15 years. Renting in the first place was the only way we could afford to buy our own home in 2000. Through out that time there have been mostly great renters that we found through listing our space on Craig's List. Only a few were not great. One of the drawbacks of having permanent renters has been that we never had access to our basement and that square footage of our house. Our house is small (750 square feet on the first floor and 600 square feet in the basement).

One big impact on us from our experience of long term renting has been the damage, wear and tear of renters. Once we had a water leak and tenants didn't tell us for a long time; lots of damage. A big positive impact of renting on airbnb is that our space is treated very well by our guest and much adored! With having this space we now can maintenance any issues right away.

Another draw back was that family could not visit very often because hotel expense was too high and a futon in the living room was all we had to offer. Now that we have a child we want to enjoy family even more. Being able to offer a comfortable bed and space family visits was and is our 2nd biggest reason for choosing to turn to airbnb and short term renting.

Now that we are hosts on airbnb our rental space is remodeled and furnished, so beautiful! We get to enjoy the space, have more pride in our own home, our family gets to use the space and stay with us more often. And now visitors from other cities get to enjoy our space to! We have the joy of extending our community.

The #1 reason we have turned to airbnb for short term and month long rentals is that it allows me to be a stay home mom and raise our daughter. Renting this way has lowered our utility bills and helped pay for our mortgage. The help with mortgage payments, so that I can continue to rise our two year old, allows us to afford our house and pay for our bills, utilities and live a pleasant life with my husband's income.

In addition to supporting us I encourage our guest to further support small business owners. I have put together a binder in our airbnb that leads our guest to wonderful shops and restaurants that are locally owned. That is one of our main goals and focus is to share Portland with people and help them to support our neighborhood; Foster Powell!

Please vote against having the city do rental inspections when it comes to airbnb. This is unnecessary and unjustified. Like I said we have rented for years and have never had the city come in and inspect our rental space. There is no need and I have not heard of any overwhelming evidence that people are dying or getting injured while renting from an airbnb host.

I'm sending this letter from Debi, I support her thoughts:

Dear commissioners and BPS staff:

Last night's hearing on short-term rentals was educational and I was impressed with the good spirit and thoughtful back-and-forth among council members.

One issue bothered me but I was too tired to think it all the way through: inspections. One commissioner pursued the topic with obvious experience in the subject, and I think his questions deserve more consideration. It seems to make complete sense – it is an opportunity for the City to improve safety. But the commissioner brought up the question whether BDS will, without stating it as a goal, use this process to work towards improving compliance in the City's overall pool of residential housing. The commissioner pointed out that it is a bad approach for tackling the city-wide problems of non-compliance with code. I offer a few thoughts, some of which we heard last night:

1. Many homeowner-hosts are involved in the smallest of ways; they might list on AirBnB (free), and only host guests very occasionally. Occasional hosts will increase in number as AirBnB becomes more known in Portland. In the spirit of operating legally and applying for their permits, occasional hosts might be as surprised and affected as full-time hosts by the unforeseen consequences of inspections.
2. Most homeowner-hosts will have no idea of what they could be getting into, once they apply for a permit and an inspection takes place. They enter into this process feeling their home is safe enough for their own family, and BDS has never before required a safety inspection of their home. They may be entirely unaware of alterations made by previous owners.
3. Neither does BDS require a safety inspection for any other of the 200,000 homes in Portland, notably not for those being used as long-term rentals.
4. I don't think BDS is really more concerned about the safety of AirBnB guests than our owners and long-term renters - and I understand why BDS would feel that they should do something, but just because there is a difficult problem in improving overall residential housing code compliance doesn't mean this group of homeowner-hosts should be the focus.
5. BDS staff tried to reassure commissioners that BDS would not be overly zealous in the inspection process, but went on to say that BDS inspectors were highly trained to look for and spot any change in material types, construction methods, etc. any alterations they find are required to be code compliant.

inspectors “could not walk away from any violations they find”. if bedrooms were legal to occupy when originally built, they would be ok now (a standard level of safety is not the goal, but rather code compliance when built and when altered)6. Applicants may be getting way more than they expected.7. The City’s goal to “daylight” the short-term rentals in Portland may be eclipsed, or at least dimmed, if the BDS inspections turn out to be overly broad, and a significant number of fearful owners stay under the radar, using other advertising platforms.

I recommend that the Planning and Sustainability Council drop the inspection requirement unless limited to presence of the required interconnected fire alarms, which everyone can meet.

Respectfully,

Debi

I do hope that the wonderful impact that airbnb has had on Portland hosts and local businesses as well as visitors is supported and cheered. I also ask that the city make decisions to keep this a viable and accessible possibility.

Sincerely,
Amber Arquette

A handwritten signature in cursive script that reads "Amber J. Arquette". The signature is written in black ink and is positioned below the typed name.

18 6736



PORTLAND
OR 970
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USA



Council Clerk ...
City Council
Subject: RICAP 6 SHORT TERM RENTALS
1221 SW 4th Ave.
Room 140
Portland, OR

97206 97206
97206 97206



Moore-Love, Karla

From: Schwab Mary Ann <e33maschwab@gmail.com>
Sent: Wednesday, June 04, 2014 2:40 PM
To: Parsons, Susan; Commissioner Fritz; Moore-Love, Karla
Subject: Fwd: Maryann, here is a great article on Airbnb

186736

Begin forwarded message:

From: Schwab Mary Ann <e33maschwab@gmail.com>
Date: June 2, 2014 11:23:54 PM PDT
To: Fritz Amanda <amanda@portlandoregon.gov>
Subject: Fwd: Maryann, here is a great article on Airbnb

Good Evening Amanda,
 Who in your office is monitoring this issue?
 I just learned SEUL Planning Program Manager Bob Kettlet, and SEUL President Robert McCullough will also be presenting on June 4th...
 Stay tuned for names of two additional neighborhood representative. I asked Karla to schedule NA last -- after the BDS staff report and AirBnB sing about the shared economy, promised to collect 11.5% hotel taxes, file IRS forms for B&B operators.

Did I fail to report, one B&B short term operator earned over \$84,000 last year?
 Or that it takes four computer systems to find the name and address of the B&B short term operator?

As for the new auxiliary detached units, who is to stop property owners from turning it into a B&B short term rental as is happening in HAND. Yes, a point shard recently by Linda Nettekoven.

Yes, we are at a threshold - these serious impacts to established residential neighborhood must be vetted. Get it right with stronger noise enforcement language, increase the Permit fee, and review Permits annually.
 That \$90 a year Permit fee surely needs to be vetted.

Please vote to pull the RICAP 6 #12, #13, #14 from the BDS Housekeeping list so it can be thoroughly vetted.

Best regards,
 mas
 (503) 236-3522

Begin forwarded message:

From: Schwab Mary Ann <e33maschwab@gmail.com>
Date: June 2, 2014 10:57:44 PM PDT
To: Bonny McKnight <bonnymck@comcast.net>

Cc: Jordan Tony <twjordan@gmail.com>, Anne Dufay <anne@seuplift.org>, Kettlet Bob <bob@southeastuplift.org>
Subject: Re: Maryann, here is a great article on Airbnb

Yes, this does bring light on the issue. Thank you.

What I see missing in the BDS Permit process?

- requirement the B&B 1-2 bedroom short term rentals be posted B&B above the house #. lack of legal enforcement by the City Noise Control Officer between 10:00 p.m. and 7:00 a.m.
- requirement that on-line bookers ; >) i.e., AirBnB post the B&B address on line,
- requirement the B&B house hang "Guest House: sign over their address.
- and where to file a citizens complaint when house guests keep the immediate neighbors from sleeping.

Thank you for sharing,
mas

On Jun 2, 2014, at 7:39 PM, Bonny McKnight wrote:

Just to clarify, the permit process does not regulate. It simply issues a "license" based upon what the applicant says on the city form. There is no inspection in the permit process the city is proposing. In fact, the only cost applied for the permit is the cost of processing the application and a single inspection that a smoke alarm is present in the home.

The current process which is required by the Title 33 Conditional Use does have a number of requirements and funded inspectors to inspect and insure that the rental units meet the specific standards of both the Title 33 code as well as the city requirements for reporting and paying business taxes.

The fact that there are currently more than 1,000 short term rental units that Airbnb has noted exist now is due to lack of any regulation because the requirements of Title 33 were not met. The Conditional Use process that should have been used would have provided a guaranteed public process to notify the neighborhood that a short term rental was present in their Single Dwelling Residential zone.

The final problem in the proposal being considered is that it would rely on Airbnb to collect the Multnomah County business taxes and send them to Multnomah County so that the City would not have that responsibility. There is no stipulation of how that would be managed or monitored by the city or what the cost of overseeing the required tax transfer would be.

The proposed system would only require the purchase of a permit from the Bureau of Development Service. The permit cost would cover processing the application and a single inspection that a smoke alarm was present at the site. Any further city action would be based upon a complaint that the permit was being violated and would be processed administratively by BDS. It is not clear whether or not the permit would have to be posted at the residence.

Hope this helps.

Bonny McKnight

On Jun 2, 2014, at 7:07 PM, Tony Jordan wrote:

This is exactly why it's important to begin regulating these services and bringing them above board. If anything this article supports the cities efforts via RICAP 6.

Tony

On Mon, Jun 2, 2014 at 6:52 PM, Schwab Mary Ann <e33maschwab@gmail.com> wrote:

This just in...
mas

Begin forwarded message:

Mary Ann,

Please share this link with interested people. It is a great article on the Airbnb issue. Finally someone is getting it right:

<http://www.theguardian.com/commentisfree/2014/may/27/airbnb-uber-taxes-regulation>

Don't buy the 'sharing economy' hype: Airbnb and Uber are facilitating rip-offs

Dodging taxes and regulation isn't just disruptive – it's bad for the economy

• [Share](#) 918

• [inShare](#)149

• [Email](#)



○ **Dean Baker**

○ theguardian.com, Tuesday 27 May 2014 07.30 EDT
○ [Jump to comments \(807\)](#)



Share artists or scam artists? Photograph: Ole Spata / dpa / Corbis

The "sharing economy" – typified by companies like Airbnb or Uber, both of which now have market capitalizations in the billions – is the latest fashion craze among business writers. But in their exuberance over the next big thing, many boosters have overlooked the reality that this new business

model is largely based on evading regulations and breaking the law.

For the uninitiated, Airbnb is an internet-based service that allows people to rent out spare rooms to strangers for short stays. Uber is an internet taxi service that allows tens of thousands of people to answer ride requests with their own cars. There are hundreds of other such services that involve the renting or selling of everything from power tools to used suits and wedding dresses.

The good thing about the sharing economy is that it facilitates the use of underutilized resources. There are millions of people with houses or apartments that have rooms sitting empty, and Airbnb allows them to profit from these empty rooms while allowing guests a place to stay at prices that are often far less than those charged by hotels. Uber offers prices that are competitive with standard taxi prices and their drivers are often much quicker and more reliable – and its drivers can drive as much or as little as they like, without making a commitment to standard shifts. Other services allow for items to be used productively that would otherwise be gathering dust.

But the downside of the sharing economy has gotten much less attention. Most cities and states both tax and regulate hotels, and the tourists who stay in hotels are usually an important source of tax revenue (since governments have long recognized that a modest hotel tax is not likely to discourage most visitors nor provoke the ire of constituents). But many of Airbnb's customers are not paying the taxes required under the law.

Airbnb can also raise issues of safety for its customers and nuisance for hosts' neighbors. Hotels are regularly inspected to ensure that they are not fire traps and that they don't pose other risks for visitors. Airbnb hosts face no such inspections – and their neighbors in condo, co-ops or apartment buildings may think they have the right not to be living next door to a hotel (which is one reason that cities have zoning restrictions).

Insofar as Airbnb is allowing people to evade taxes and regulations, the company is not a net plus to the economy and society – it is simply facilitating a bunch of rip-offs. Others in the economy will lose by bearing an additional tax burden or being forced to live next to an apartment unit with a never-ending parade of noisy visitors, just to cite two examples.

The same story may apply with Uber. Uber is currently in disputes with regulators over whether its cars meet the safety and insurance requirements imposed on standard taxis. Also, many cities impose some restrictions on the number of cabs in the hopes of ensuring a minimum level of earnings for drivers, but if Uber and related services (like Lyft) flood the market, they could harm all drivers' ability to earn even minimum wage.

This downside of the sharing needs to be taken seriously, but that doesn't mean the current tax and regulatory structure is perfect. Many existing regulations should be changed, as they were originally designed to serve narrow interests and/or have outlived their usefulness. But it doesn't make sense to essentially exempt entire classes of business from safety regulations or taxes just because they provide their services over the Internet.

Going forward, we need to ensure that the regulatory structure allows for real innovation, but doesn't make scam-facilitators into billionaires. For example, rooms rented under Airbnb should be subject to the same taxes as hotels and motels pay. Uber drivers and cars should have to meet the same standards and carry the same level of insurance as commercial taxi fleets.

If these services are still viable when operating on a level playing field they will be providing real value to the economy. As it stands, they are hugely rewarding a small number of people for finding a creative way to cheat the system.

Moore-Love, Karla

From: Dabbs, Eden
Sent: Wednesday, June 04, 2014 2:34 PM
To: 'Doug Beal'
Cc: Moore-Love, Karla
Subject: RE: Council Agenda

Dear Mr. Beal – You need to submit your testimony directly to the City Council. I'm copying the Council Clerk Karla Moore-Love so she can record your testimony.

The hearing is being broadcast live on Channel 30 now, if you can view it remotely.

Best, Eden

Eden Dabbs, Communications/Public Affairs
 City of Portland Bureau of Planning and Sustainability
 p 503 823 9908 | c 503 260 3301 | f 503 823 7800
 Subscribe to the new BPS E-newsletter at: www.portlandoregon.gov/bps

Please note my new email address is eden.dabbs@portlandoregon.gov

From: Doug Beal [<mailto:acupt@comcast.net>]
Sent: Wednesday, June 04, 2014 3:07 PM
To: Dabbs, Eden
Subject: Fwd: Council Agenda

Sent from my iPad

Begin forwarded message:

From: Doug Beal <acupt@comcast.net>
Date: June 4, 2014 3:00:56 PM PDT
To: "susan.parsons@portlandoregon.gov" <susan.parsons@portlandoregon.gov>
Subject: Council Agenda

Hello,

I planned to speak at the council meeting today, but a family emergency came up. I wish to submit my planned comments by email, if I may.

My name is Doug Beal.

I am a resident and homeowner in the university park district of north Portland.

I would like the city to support short term rentals like Airbnb.

I have an ADU that I could rent, which would supplement my income.

Being close to the University of Portland, it would provide more options for visitors or guests who want to be nearby the campus.

I also think it is a progressive thing for the city to do.

It is forward thinking.

It allows guests of our city to be closer to where they want to be, to explore our wonderful neighborhoods and connect with Portland's citizens.

thank you,
Doug Beal

Sent from my iPad

Moore-Love, Karla

From: Schwab Mary Ann <e33maschwab@gmail.com>
Sent: Wednesday, June 04, 2014 1:29 PM
To: Parsons Sue; Moore-Love, Karla
Cc: Hales Charlie; Commissioner Fritz; Commissioner Saltzman; Commissioner Novick; Commissioner Fish
Subject: RE: 577 & 578 TIME CERTAIN: 2:00 PM – Improve land use and other City regulations through the Regulatory Improvement Code Amendment Package 6 – Technical Amendments (Ordinance introduced by Mayor Hales; amend Code Title 16 and Title 33) 3 hours ...

Good Morning Mayor Hales and Commissioners:

RE: **577 TIME CERTAIN: 2:00 PM** – Improve land use and other City regulations through the Regulatory Improvement Code Amendment Package 6 – Technical Amendments (Ordinance introduced by Mayor Hales; amend Code Title 16 and Title 33) 3 hours requested for items 577-578

I am asking you to support Southeast Uplift Board of Directors and others request to removed RICAP 6 #12, #13, #14 from the BDS housekeeping list, so this can be fully vetted.

My concerns as follows:

Officer Paul Van Orden does not have enough specificity in the current Code to enable him in regulating loud voices between 10:00 pm and 7:00 am. How are the families in our Residential areas going to keep their neighborhoods quiet in the evenings if the City allows Bed and Breakfast businesses up and down the street? No back-yard activities, such as, playing cards, drinking, visiting to late hours, as Susan Pearce mentioned happens often over the hedge next to her bedroom. The Noise Control Officer(s) -- need for tools (fines) to enforce it between 10:00 p.m. and 7:00 a.m. B&B operators must bring their short term renters in the house at 10:00 p.m.

April 22, The Planning and Sustainability hearing on Short Term Rentals was a circus where the AirBNB folks were invited up to testify in mass and given 10 minutes to discuss their platform. The Neighborhood Associations were NOT given the same courtesy. Such dismissive behavior by the Commission as your appointed body speaks volumes. It is obvious that the Commission and the Council choose to disregard the opinions of the neighborhoods. How are you as our representatives going to turn this around? Simply by pulling it off the "housekeeping list" to allow ample time it be thoroughly vetted by stakeholders.

The time has come that the Public Involvement Principles be adopted by Ordinance for implementation in all the all the Bureaus, Boards, Commissions, and the City Council itself. This is the only way those new to their position will understand the gravity, the importance that public involvement needs to play in all decision-making. Effective Public Involvement is the cornerstone and essential in our ability to build trust in our relationship with each of you serving on City Council.

1. Separating Short Term Rentals from the RICAP 6 hearing process. If approved today, it is a blatant move to rezone Residential properties as Commercial. Please this issue must be broadly discussed as it will be a major legislative change both in the City Charter and Comp Plan.

2. Scheduling time to drive through our neighborhoods and speak with our Neighborhood Association representatives on a regular basis. We are being barraged by apartment development, studies, and nuisance violations such that many of our volunteers are overwhelmed. We need better coordination between the Bureaus so they collaborate in holding joint public involvement activities. Help us in understanding how other

neighborhoods are best handling issues such as apartments with no parking, collaboration on urban design, and demolitions. We need more staff helping us in these areas.

3. Third, Neighborhood Association Land Use Committees need your assistance to push back on Developers submitting a demolition and building permit at the same time. BDS Planners are fully aware of the 45-days to 60-days depending on the date two permits are submitted -- for neighborhood associations to notify general membership vote will be taken.

In closing, I am asking each of you to support the Southeast Uplift, CNN, as well as individuals here today, asking the RICAP 6 #12, #13, #14 1-2 bedroom short-term rentals be pulled from the BDS housekeeping list, so it can be fully vetted.

RE: 578 Improve land use regulations related to accessory short-term rentals through the Regulatory Improvement Code Amendment Package 6 (Ordinance introduced by Mayor Hales; amend Code Title 3 and Title 33)

As for the Improve land use regulations related to accessory detached units (ADU) -- please understand that SEUL did not have time to review ADU to take a position.

I am asking that too be pulled from the housekeeping list for vetting. Why? Short of stronger language written in the amended Code Title 3 and Title 33 Ordinance, home owners could also rent ADU like short-term rentals, thereby losing affordable housing.

Respectfully,

Mary Ann Schwab

Inner-southeast Sunnyside Neighborhood Resident

Moore-Love, Karla

From: Wiedrick, Gina <WiedrickG@pdc.us>
Sent: Wednesday, June 04, 2014 9:37 AM
To: Hales, Charlie; Fish, Nick; Fritz, Amanda; Novick, Steve; Saltzman, Dan; Moore-Love, Karla; Parsons, Susan
Cc: Quinton, Patrick
Subject: letter from PDC - testimony in support of Airbnb
Attachments: Testimony in Support of Airbnb - Portland City Council Meeting of 06-04-14.pdf

Good morning, Mayor Hales and City Commissioners.

Please find attached a letter from Executive Director Patrick Quinton in support of Airbnb. This is for this afternoon's Portland City Council hearing on amendment(s) to the Regulatory Improvement Code.

Thank you for your consideration.

Gina R. Wiedrick
Sr. Executive Assistant
Portland Development Commission
222 NW 5th Ave.
Portland, OR 97209

Phone: (503) 823-3224
Fax: (503) 823-3368
<http://www.pdc.us>



J. Scott Andrews
Commission Chair

Aneshka Dickson
Commissioner

Tom Kelly
Commissioner

John C. Mohlis
Commissioner

Charles A. Wilhoite
Commissioner

Charlie Hales
Mayor

Patrick Quinton
Executive Director

June 4, 2014

Mayor Charlie Hales
Commissioner Nick Fish
Commissioner Amanda Fritz
Commissioner Steve Novick
Commissioner Dan Saltzman
Portland City Hall
1221 SW 4th Ave.
Portland, OR 97204

Commissioners:

The "sharing economy" represents one of the fastest growing segments of the technology industry. Today, companies like Airbnb, Uber, Lyft, RelayRides, and TaskRabbit enable people to rent beds, cars, work help, and other assets directly from each other. The shared economy concept is as old as civilization itself, and today's technology has reduced transaction costs, making sharing assets cheaper and easier, and is impacting how we live, work, and do business in our communities.

The sharing economy has many benefits, with the most obvious being the money owners make from putting an asset to more efficient use. These new technologies, however, are also disruptive, putting cities at the forefront in addressing the consequences of this change. Despite calls for widespread deregulation to assist in the proliferation of the sharing economy, I believe it is wise for cities to move cautiously to ensure that the public benefits intended from regulation are maintained while allowing for the growth of these promising companies.

In this environment of rapid change, Airbnb is notable in its unequivocal commitment to creating jobs in Portland and its willingness to work with the City of Portland (City) to craft a solution that benefits both the public and the company. For those reasons, I offer my wholehearted support for efforts to ease restrictions on short-term rentals. While the City may not be able to grant all the changes requested by Airbnb, demonstrating a willingness to do business differently will set Portland apart from other cities competing for the economic growth that will be derived from the sharing economy. Moreover, by rewarding Airbnb for its collaborative approach to addressing the consequences of changes in short term rental market, Portland will validate a model of public and private sector cooperation that can be copied both here and around the country.

Thank you for your leadership on this issue, and for your continued work in making Portland a great place to innovate and prosper in business.

Sincerely,

Patrick Quinton
Executive Director

222 NW Fifth Avenue
Portland, OR
97209-3859

503-823-3200 Main
503-823-3368 Fax
503-823-3366 TTY

Moore-Love, Karla

From: Tracy, Morgan (Planning)
Sent: Wednesday, June 04, 2014 8:11 AM
To: Moore-Love, Karla
Subject: FW: RICAP 6 concerns
Attachments: RICAP 6 letter (PUC).doc

Testimony for RICAP 6.

Sent using OWA for iPhone

From: Judith Yamada <judiscottage@yahoo.com>
Sent: Wednesday, June 4, 2014 7:03:05 AM
To: Tracy, Morgan (Planning)
Cc: smilelanduse@gmail.com
Subject: RICAP 6 concerns

Mr. Tracy,
Ellen Burr suggested I forward my letter expressing my concerns regarding RICAP 6. I find it ambiguous and confusing. And I'm concerned as to how it will affect (repercussions) to currently active, *licensed and legal* Portland B & B operations. The letter is attached.

Thanks for reading.

Judith Yamada,
Innkeeper, Award Winning Cook & Recipe Writer

Portland Urban Cottage LLC
~Bed & Breakfast / Vacation Rental~
www.VRBO.com/401575

Date: June 4, 2014
Re: RICAP 6 – Short-Term Rentals
From: Molly Turner, Director of Civics, Airbnb, Inc.

Thank you Mayor Hales and Commissioners for considering short-term rentals in Portland and taking the time to hear from me and members of the Airbnb community.

I'm speaking today on behalf of over 1,500 Portland residents who rent their homes to visitors through Airbnb and over 30,000 Portland residents who travel with Airbnb throughout the world. The members of this community are leaders in a new Sharing Economy, a movement that is changing how resources are used, how hospitality is exchanged, how residents are empowered, and how new economic opportunities are accessed—all values that are at the heart of Portland.

At the recent Planning and Sustainability Commission hearing, I shared the results of a recent study we conducted of our community members in Portland. I'd like to share some of that with you today.

First and foremost – we discovered that our host community in Portland is radically different than traditional vacation rental or corporate housing operators. 84% of Airbnb hosts in Portland rent their primary resident – their own home – occasionally. These folks offer a spare room or in-law unit and love showing off the city to out of town visitors.

The average Airbnb host is 42 years old and 40% of hosts earn below median household income in their primary occupation. That is why the supplemental income they earn on Airbnb is so important, it helps them afford Portland's rising cost of living, while investing more in their homes, pursuing new careers, paying off old loans, and in some cases avoiding eviction or foreclosure.

Travelers use Airbnb because they seek the authentic local experiences that Portland residents provide—they want to “live like locals”. Airbnb guests enjoy exploring the diverse neighborhoods of the city, learning about Portland's cultural heritage and getting to know its residents. Many guests use Airbnb to travel with families or to visit their family members in the neighborhood's where they live.

The benefits of this activity aren't limited to hosts and travelers. Airbnb travelers not only put money directly in the pockets of Portland residents, they also distribute their economic impacts outside the tourist center to small neighborhood businesses.

Our community in Portland is contributing to a new economy—a creative and sustainable economy that supports households, grows and diversifies tourism and activates neighborhoods.

Today, this activity is not clearly regulated. That is why we applaud city leaders and the Planning Bureau for proposing a new policy that explicitly permits local residents to rent their own homes on an occasional basis, subject to reasonable regulations.

We have raised two issues of concern for the Airbnb community – the mandatory bedroom inspections and the exclusion of apartments and condominiums from home sharing.

You will hear a lot about both of these issues today, and I want to reiterate what we've heard from our hosts. Guest safety is a paramount concern for Airbnb and is why we are partnering with cities like Portland on important initiatives like providing free smoke and carbon monoxide detectors. Our hosts are sharing their own homes where they have a significant interest in maintaining safety already.

Requiring inspections of every host's bedroom seems unnecessary when the balance of the building code utilizes complaint-based enforcement for these types of issues. Additionally, the cost and difficulty of administering this program may inhibit its success (as BDS noted at the Planning Commission hearing).

Lastly, we think it is vital to include all aspects of the host community in regulation today. Hosts in apartments and condos make up nearly a third of our community in Portland. Leaving them out of comprehensive, reasonable regulation seems out of step with the City's efforts to be at the forefront of thoughtful regulation in this area, and is simply not equitable.

We thank the Commission for considering our suggestions. By adopting this proposal with our recommendations, Portland would become a true leader in the global Sharing Economy movement. We encourage you to embrace the future and do so!

TO: Sellwood Moreland Improvement League (SMILE) Board

June 3, 2014

In 2010, my husband and I worked with a contractor to convert an under utilized two car garage, on the site of our existing single-family residence, into a Accessory Dwelling Unit. The result was a sustainably focused urban cottage. In 2011, we decided to turn our modern, roomy self-contained “accessory dwelling” into a bed & breakfast rental that would sleep up to four.

We checked the laws online. We contacted city and county agencies to determine how we should proceed. We played by the rules. To open our business, one that has since contributed both money and a unique popular amenity to the community, **we were required to:**

- Complete a comprehensive application for a Type II Conditional Use of Approval to the City of Portland Bureau of Development Services,
- Pay the City of Portland nearly \$4,000.00 just for consideration of our request to open a Bed & Breakfast rental. (*Either outcome, our money would be kept by the City of Portland – and it was*),
- Research the number of other comparable enterprises within our neighborhood and submit the specific written information to our case manager (BDS).
- Conduct at least seven parking impact studies under direction of the Portland Bureau of Transportation. (*varied days of week and times*),
- Awaited a Conditional Use Review decision,

In time, the City of Portland Bureau of Development approved our business. And the City representatives from both the BDS and the Bureau of Transportation were helpful and fair throughout the arduous process.

However, a few neighbors opposed our bed and breakfast.

So we were required to:

- Outline why our enterprise should be considered for a hearing.
- Submit written testimony and rebuttals to a Land Use Hearings Officer,
- Attend a Land Use Appeal Hearing,
- Present oral testimony and written packets verifying our information.
- Submit a follow up letter to the Hearings Officer.
- Await the findings of the Hearings Officer.

The process was stressful, expensive, time-consuming and emotional, but we now have a very successful Bed & Breakfast rental cottage. Our guests have ALL been exemplary renters, and thoughtful temporary neighbors to everyone in our neighborhood.

I’ve looked over RICAP 6 proposed regulations and believe licensed, established, and reputable, Bed & Breakfast rentals should be immune from any new fees or charges imposed upon new

(or previously illegal) enterprises. If implemented, "Use By Right" should be extended only to licensed, established, reputable Bed & Breakfast rentals, including Type A rentals.

The Conditional Use process is certainly due for changes and should be simplified for the benefit of entrepreneurs and neighborhoods alike. But why should those who've run their rentals under the radar be excused from past responsibility?

It would do well to lift some of the extensive constraints, but changes should not be at the expense of those who've licensed and run their Bed & Breakfast rentals within the constraints of the law. And changes shouldn't reward those who haven't.

I don't profess to fully understand the suggested changes, which I find ambiguous, but wanted to express my opinion and relate my experiences.

Thank you,

Judith Berman-Yamada, owner
Portland Urban Cottage, LLC
Bed & Breakfast / Vacation Rental
Portland Oregon 97202
Judiscottage@yahoo.com

RICAP 6 Testimony to City Council by Steven Unger – June 2014

My name is Steve Unger, I operate the Lion and the Rose Bed & Breakfast.

Today you will hear from 3 groups of people:

- First, Airbnb and Airbnb hosts who want even LESS regulation;
- Second, Concerned Neighbors who want A LOT MORE regulation;
- and, third, Moderates, like myself, who want the current proposal amended to close loopholes and be more effective.

So, here's the bottom line:

First, keep the inspection requirement:

- It protects guests and reassures neighbors
- It is already paid for in \$180 biannual license fee
- BDS Compliance is willing and able to perform these inspections
- Other cities, like Austin, Texas, have a similar requirement

Second, instruct the Bureau of Planning to implement the ordinance so that the License Number of the rental must appear in all print and online advertising.

- The Bureau already agrees that this is a good idea
- It is similar to current requirement for Construction Contractors
- It protects guests
- It encourages operators to register in order to be competitive
- It provides BDS a simple objective indicator of non-compliance

And third, close the PRINO Loophole (in this case “PRINO” means Primary Residence in Name Only).

The current proposal only requires the operator to be resident 6 months of the year. This opens the door for abuse.

As an innkeeper I know first-hand that there is a **fundamental difference** between renting a bedroom in your house when you are present (the stated purpose of the ordinance), vs. renting your whole house when you are absent (which is really a vacation rental). Portland does need a true vacation rental ordinance, but that will have to wait to a later time.

- The best way is to close the PRINO loophole is to “Require a host to be living in the property during the guest’s stay”. This approach was chosen by New York City and Austin, Texas. Doing so will virtually eliminate problems with neighbors and airbnb “horror stories”.
- A less effective alternative is proposed in San Francisco. This is to define “Primary Residence as living in the property to for 9 months (75%) of the year” rather than the current 6 months

These changes will make the current proposal work better and provide a good “first step” toward a comprehensive short-term rental policy. The second step needs to be to address airbnb listings in apartments and condos and to develop a true Vacation Rental ordinance.

The Honorable Charles Hales, Mayor
City of Portland
1221 SW 4th Avenue
Portland, Or 97204

June 3, 2014

Short Term Rentals in Residential Neighborhoods

Dear Mayor Hales and Commission Members:

I have written you before on this issue, now I wish to reinforce my original letter with additional facts.

Recommending amendments to short term rental regulations by the Planning and Sustainability Board is rather exasperating considering the strict laws Zoning laws and the departments building codes for new construction or structural residential changes. They are quick to enforce the code and adherence to their rules otherwise penalties are inflicted. Short term rentals certainly break the rules by commercializing residential neighborhoods. These transient people will jeopardize the appearance of established neighborhood by adding more cars, noise, and they will increase vigilance of self and property for security reasons. Approving these amendments will undoubtedly open a Pandora's Box for other operators who wish to open business's in residences.

The rules and requirements to operate a residential BnB are many and complex. Is the Planning and Sustainability dept able to monitor these operations with their available staff, or will they need to hire more personnel to carry out that work? If they do need to hire is the cost of these new employees covered by their budget allocations, and let's not forget the cost of PERS! I doubt the permit fees will be substantial enough to meet the financial burden of hiring and training new staff.

Aside from the residential threat, what about the established Hotel, Motel, B & B owners who really contribute to the economy of this State. They have capital investment in property and its maintenance, plus other related costs. Notwithstanding, they are a large source of employment, investing heavily in training staff to ensure guests a special Oregon experience. Throughout the State we have many fine tourist attractions and related accommodations, some of the destination resorts rely on nearby hotels/motels, for survival. All visitor establishments collect a guest tax on check out which contributes greatly to the State's coffers. Undermining these visitor facilities should not be allowed to happen, they have catered to tourists for a long time and deserve a return on their investments.

Please review and act in the best interest of Portland Neighborhoods and families who live there.

Joan Sterrett
2380 SW Chelmsford Ave
Portland, Or 97201
Tel: 503 228-7068

June 4th, 2014

RE: RICAP 6 Short Term Rentals item

Mr. Mayor and Commissioners,

There is an AirBnB rental in a garage converted ADU across the street from my home and I very much enjoy seeing the guests coming and going. Our neighbors are very attentive hosts. I have also stayed in "separate quarters with owner on site" rentals in other cities. I am concerned that with AirBnB offices now in our city, there is a conflict of interest with regulating them. We welcome them and also need to be sure we have the required regulations in place.

Since Short Term Rentals are a new concept, I don't believe we know how this will play out in the long run as is evidenced by the fact that this somewhat complicated item was even included in RICAP and the fact that many new concerns arose as more thought was given to the possible unintended consequences. As far as the lack of neighbor involvement in the entire RICAP process, as you know, until it happens in our backyard, most neighbors aren't paying attention. I do believe the fears of some neighbors are quite an overreaction and we are not NYC or SF where most residences in the city are in multifamily buildings.

I am concerned about the cumulative impact of many rentals on one block. It seems to be a new concept for us to consider cumulative impact, but I believe that in a *community* this is an important factor - used in approving permits for Street Seats for example - which should be considered here. I know some people would disagree with me, but as we see with development on the Division corridor there is a tipping point where what is good for the community is not a consideration. Particular context is very important and that is why an actual walkabout in a neighborhood is the only way to observe the impacts of changes.

I still believe that the regulations for qualifying residences as STR's is not defined enough. I believe property owners who live on site have the most to lose if a regulation is abused and therefore rentals, particularly in residential zones, should be limited to those properties that the owner considers their primary residence. An impact to a neighbor, such as unreasonable late night noise, should also impact the owner directly. When your room or ADU is rented to overnight guests, you should not be so far away that you cannot personally respond to your neighbor's complaint. I don't believe this will be much of an issue in my neighborhood, but I believe it could be in others where a sense of community is not as strong.

I hope that you will take a moment to tighten up the regulations a bit before you consider approving them. We are a complaint driven system and we know that without regulations to back up our complaints, it takes a lot of persistence and causes great frustration to remedy neighborhood problems. As a land use chair I would prefer that neighbors have the tools readily available to remedy problems themselves rather than coming to their neighborhood association.

Thank you for your consideration of my comments.

Ellen Burr

Land Use Chair, Sellwood Moreland Improvement League

Good afternoon. My name is Thalia Zepatos, and my husband and I reside in Southeast Portland in the Sunnyside Neighborhood at 3829 SE Salmon St.

We've lived in Portland for over thirty years, and one feature that attracted us to our current home was that it had a finished basement—what most of us would call a “mother-in-law apartment” consisting of a bedroom, a sitting area, kitchen and bath, with access from our side door.

This set-up was attractive because we had planned to invite my aging mother to live with us at some point—and luckily I have a husband who is looking forward to living with his mother-in-law. Well my Mom just turned 93 and she is still happily living independently in her own apartment. However, the cost of caring for my dad during his decline and eventual death with from Alzheimer's meant that she has almost outlived her savings. So while she was not ready to occupy the mother in law apartment, she was in need of financial support to keep her living independently for as long as possible.

We learned about Airbnb after staying in Airbnb lodging on a weeklong visit to New York City. At that time, we realized that we could potentially rent out our basement apartment, and use those funds to help support my Mom.

We've been renting this one-bedroom space for almost a year now, with very positive results. Many of our visitors are parents or relatives of neighbors in Sunnyside, and the short-term rentals have provided a chance for us to get to know neighbors who live beyond our block. We've asked our Airbnb visitors to maintain quiet and respect our neighbors, and we haven't had any problem with noise or other complaints.

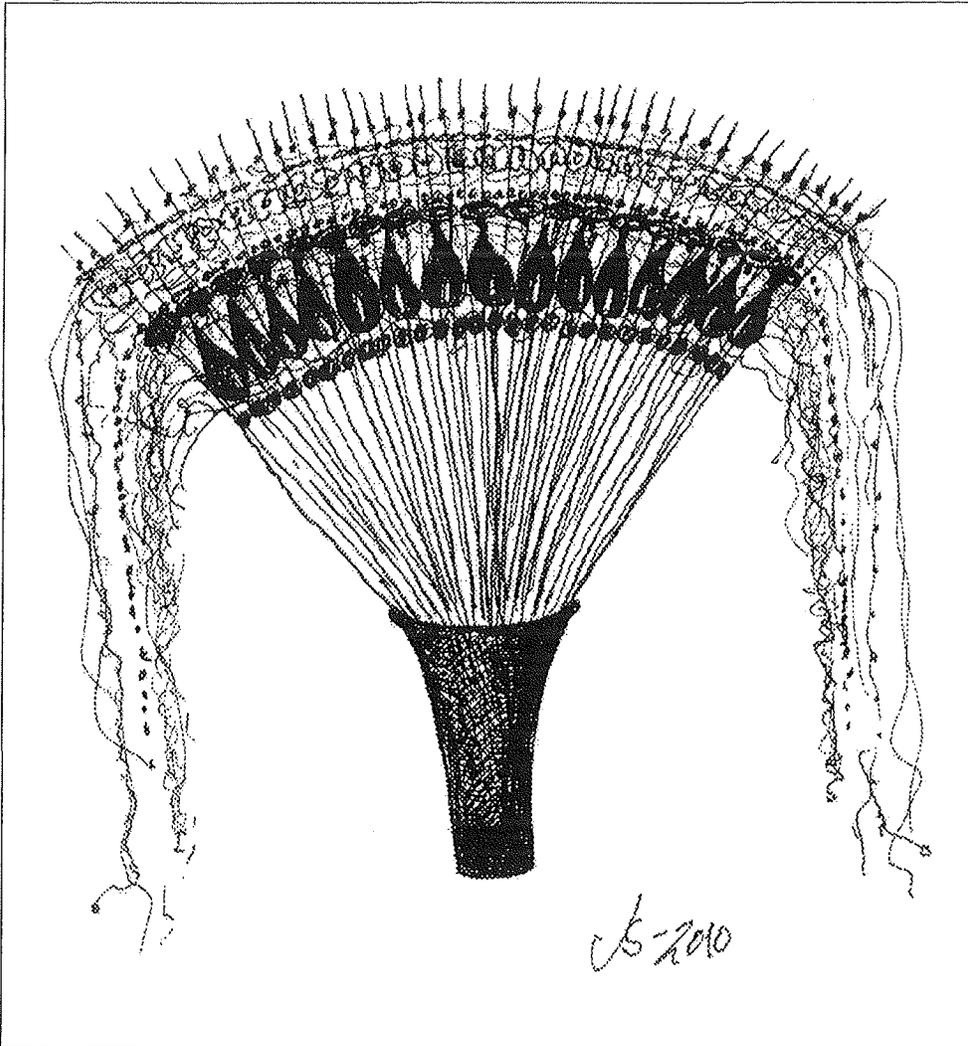
All of the visitors spend their days and evenings visiting Portland restaurants and shops, buying books at Powell's and doughnuts at VooDoo. In winter they've traveled up to Mt Hood to ski. From our experience, Airbnb visitors appear to be pumping money directly into the neighborhood economy.

In our case, we would not offer this rental space to permanent tenants, as we want to have the space ready and available for the time when my Mom might need to come and live with us, or for other family or friends who visit. So we are not removing a permanent rental property for short-term rentals in Portland.

Through Airbnb we have been able to use empty space in our home to support an aging parent, as well as to bring visitors to our neighborhood of Portland. We look forward to these new regulations being implemented so we can conform to the rules being established and help collect taxes from visitors which will help our City, as well.

Thank you.

Design 1 - Fan with flower ornaments



Materials/person:

Vase (ceramic or glass or metal - dark red/purple – waterproof – height 30-40 cm – diameter 15-20 cm)

1 1/2 bricks Flower foam (Smithers-Oasis)

1 roll Gold wire

3 pieces of green straight wire guage 20#

1 box black headed corsage pins

1 Cold glue (Oasis Floral Adhesive green-white tube, not bottle)

20 stems Dogwood Cardinal twigs red (height 80-120 cm)

12 stems Anthurium Safari

20 stems Carnations (Bordeaux red)

10 pcs Typha leaves (as long as possible)

2-3 phaleanopsis roots

30 pcs Rose-hip Rugosa

30 pcs Rose-hip Fantasy

30 Malus Red Sentinel(crab apples)

1 stems Orchid Nora - red (Thailand)

3-5 stems Pepper Ornamental red

10 stems Hypericum pink/red

½ bunch Steel Grass (as long as possible)

186736

Vintage Victorian MARKET BASKET 2010 SIGNUPS

SmartZone Communications Center

sterrettjoan@comcast.net

+ Font size -

FASG SESSION 2 Acceptance

From : CBAileyBMT@aol.com

Mon Aug 30 2010 9:38:55 PM

Subject : FASG SESSION 2 Acceptance

To : rosiesaga@comcast.net, sterrettjoan@comcast.net, swim5678@aol.com, edi4mk@msn.com, teaseus@comcast.net

August 30, 2010

Recent Ladies to Join session 2,

You may now make your hotel reservations! Our sessions are FULL. There is now a waiting list. Things happen and somehow everyone usually gets to in, but it may not happen this year. You may make your hotel reservations by emailing Terry at WestWind Travel in Santa Fe. Her email is *Terry@westwindtravel.net* Her phone is 505-984-0022. You may also make reservations for the shuttle from Albuquerque to Santa Fe on *W/W Sandia Shuttle*. The round trip cost is \$47 per person. I have seen the drawings for the seminar from Jouni and they are wonderful. We are in for an incredible seminar. Thank you for signing up!

I just went to Santa Fe on Monday and I can tell you that you may want to come in a few days earlier or stay later because there is so much to see and the galleries are fabulous and numerous! The hotel will honor the rate for 3 days prior or 3 days after. There will be a garden tour, called Pequeno Tours, offered by the Garden Club of Santa Fe on Thursday afternoon starting at 1:00pm from the hotel. The cost will be \$65 and can be booked through Westwind travel. I will send you a brochure via email as soon as I receive it. Please make your flight reservations now.

Carole Bailey

FASG Chair

713-572-4020 home 713-392-1681 cell

*SAR / box
COY ho HOTEL
1096 E4*

18 67 36

Testimony to City Council on Short Term Housing issue of Ricap 6, sections 12-14----June 4th, 2014

Dear Mayor and Commissioners:

Short term hosted and whole house rentals have been hyped by the PR department of Airbnb as being part of a new "sharing" economy. Since when does a commercial transaction between two parties, facilitated by a huge private company now worth between 2.5 and 10 billion dollars, with them taking a fee on each and every transaction, have anything to do with sharing??!!

Airbnb has operated here for six years, totally in violation of our laws, and now they want us to just up and change these laws just for them. Just because a new web site pops up allowing two parties to set up a short term rental, doesn't mean we should be allowing them to do so. Cities all over the world are beginning to fight back.

This company was built on a business model that is largely based on evading laws and regulations.

You will hear today lots of people extolling the benefits of Airbnb and how they get to meet people from all over the world and on and on. What does that have to do with the fact that this is nothing less than the commercializing of our neighborhoods with businesses operating 24 hours.

Having said this, if we are going to allow this, the law as proposed is full of holes that need to be filled.

- 1) The planning department added just \$30 for inspections. This isn't even close to covering the cost to inspect a house.
- 2) The city seems to want to allow hosted rentals, which can also include ADU's, but not private whole house rentals. But we have heard of many people who have duplexes in R 2.5 zones who are planning on calling the other half of their duplex an ADU. This absolutely needs clarification.
- 3) Host owners should be there at all times. If they are gone to Arizona for the winter, they should not be allowed to continue to rent by the night with who knows who in charge.
- 4) There needs to be the ability to revoke a permit.
- 5) Permit numbers should be placed in ALL ads.
- 6) Absolutely none of these rentals will have the proper liability and property damage insurance in case of accident or death. AirBnb's so-called policy does NOT cover liability claims. Residential insurance simply does NOT cover this commercial use. Any claim filed will very likely be denied and this could lead to huge losses for all parties. Some travelers have said that they know these risks and will bear them themselves. In the event of loss, I guarantee they won't be so charitable.

Finally, Airbnb has lobbied you with all sorts of promises. But make no mistake--if this law is passed, even with the changes above, there will be tons of people not in compliance. Non-hosted rentals, which are not allowed in this law, will still be advertising there. When trying to report this in the past to Airbnb, we were met with total stone walling. They lobby a good line, but what they do is totally different.

Please remove this from Ricap 6 and allow it to get a much more thorough vetting.

Thank you.

William Gregg

1235 SE Salmon St

503.233.1643

Wednesday, June 04, 2014 AOL: WGregg123

From: Doug Beal <acupt@comcast.net>
Sent: Wednesday, June 04, 2014 3:01 PM
To: Parsons, Susan
Subject: Council Agenda

Hello,

I planned to speak at the council meeting today, but a family emergency came up.

I wish to submit my planned comments by email, if I may.

My name is Doug Beal.

I am a resident and homeowner in the university park district of north Portland.

I would like the city to support short term rentals like Airbnb.

I have an ADU that I could rent, which would supplement my income.

Being close to the University of Portland, it would provide more options for visitors or guests who want to be nearby the campus.

I also think it is a progressive thing for the city to do.

It is forward thinking.

It allows guests of our city to be closer to where they want to be, to explore our wonderful neighborhoods and connect with Portland's citizens.

thank you,
Doug Beal

Sent from my iPad



18 67 36

Date: June 4, 2014

To: Mayor Hales, Commissioners Saltzman, Fish, Fritz and Novick.

Fax Number: 503-823-4571

From: Carol Burk / All Seasons Vacation Rentals

Subject: Public Hearing on proposed bans for Short Term Rentals

18 67 36

Dear Mayor Hales and Commissioners:

As a member of The Oregon Vacation Rental Managers Association when we heard about the public hearing being held on June 4th in regards to Short Term Rentals in the Portland Area. We felt that we needed to reach out to you and ask that you please delay any action at this time.

As a small business owner of a Property Management company that specializes in Vacation Rentals we manage about 30 some rentals, and employ 12 to 15 people depending on the season. We are under the impression that if this ordinance was to be put into action a lot of people would lose their job's not to mention all of the contractors who also service these homes such as landscapers, plumbers & electricians.

Then there is the tourism aspect, visitor's came to Portland for all reasons studies show that families like to stay together in one home, and there is also the people that rent these homes in these neighborhoods that want to get a feel for the neighborhood before buying a home there.

Please delay any action at this time until everyone involved has the opportunity to hold an open and transparent discussion further into this matter.

Thank you for your time,

Carol Burk

All Seasons Vacation Rentals

23804 E Greenwood Ave

Welches Or 97067

carol_burk@mthoodrent.com

503-622-1142

18 6736

AUDITOR 06/04/14 AM11:40



June 4, 2014

Mayor Hales
Commissioners Saltzman, Fish, Fritz & Novick
1221 SW 4th Avenue
Portland, OR 97204
Fax: 503-823-4571

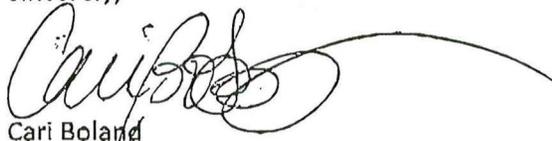
Re: RICAP 6 Recommended Draft for Short Term Rentals in Portland

As an employee for a traditional vacation rental company for the past 11 years, I am requesting a delay in action on any regulations affecting the Short Term Rental Community in Portland without further contributions from the major stakeholders in Oregon of this traditional Short Term Rental activity.

The vacation rental industry is a rewarding career that I really enjoy. I am able to provide for myself and my household all while being close to home. I grew up in the community that I now work in and it is enjoyable to work with local vendors and community members to help promote our area and strengthen our local economy. I really enjoy meeting and working with guests who travel to our destination from all over the world. It is great to experience the excitement of first time visitors and repeat guests as they explore our scenic and beautiful state including the City of Portland and beyond.

My parents also have owned Short Term Rentals throughout Oregon which has helped supplement their retirement income.

Sincerely,



Cari Boland

Oregon Vacation Rental Managers Association
PO Box 3541
Portland, OR 97208

18 6736

June 3, 2014

Mayor Hales
Commissioners Saltzman, Fish, Fritz & Novick
1221 SW 4th Avenue
Portland, OR 97204
Fax: 503-823-4571

Re: RICAP 6 Recommended Draft for Short Term Rentals in Portland

The Oregon Vacation Rental Managers Association (ORVRMA) has learned of a gross misrepresentation of data being used when creating the draft Short Term Rental ordinance. Because of this adulteration of the facts we request a delay of any action regarding Short Term Rentals in favor of gathering accurate data, reviewing best practices, and holding a discussion with the stakeholders.

A recent Economic Impact Study by the Short Term Rental Advocacy Center www.stradvocacy.org shows a total economic impact of the entire STR industry in Portland as just under Fifty Million dollars.

The economic impact study publicized by AirBnB shows a total economic impact for only AirBnB as Sixty-Seven Million dollars.

What is the difference?

The Short Term Rental Advocacy Center used the Average Daily Spend as provided by the State of Oregon for visitors coming to Portland. And, AirBnB asked their hosts and their Travelers to guesstimate what they spent.

In other words, I may have only spent \$59 at the store yesterday, but I'll tell everyone it felt like \$100. – That's not data, it's a colorful anecdote, and we shouldn't have a data conversation with people using colorful anecdotes.

This is playing fast and loose with data and a wildly unorthodox use of standard practices when working with the economic impacts of the tourism sector of Portland's economy.

Because of this eye-catching tall tale, the local community that has been lawfully engaging in this activity would like to delay any upcoming action and instead we request the opportunity to hold an open, transparent stakeholder process that uses accurate data.

Thank you,



Betsy LaBarge
Oregon Vacation Rental Managers Association
503-453-2120
betsy@mthoodrentals.com

June 4, 2014

Portland City Council
1221 SW Fourth
Portland Oregon

Testimony: RICAP 6 – Short Term Rentals
Tamara DeRidder, AICP
1707 NE 52nd Ave
Portland, OR 97213

Dear Honorable Mayor Adams and City Commissioners,

The City of Portland currently spends up to 20% of it's budget on Affordable Housing. This Short Term Rental amendment will eviscerate the Affordable Housing gains funded by the City. I am asking you to remove the Short Term Rental amendment from the RICAP 6 process

My name is Tamara DeRidder. I come to you as a professional land use planner, resident, and representing the Rose City Park Neighborhood Association Chairman as the Board's Vice Chairman. On April 1, 2014 our 22-member Board voted unanimously to approve our letter to you requesting that the Short Term Rental amendment be removed from RICAP 6. This letter then was recommended to the Central NE Neighbors Coalition Board. They too unanimously supported the Removal of the Short Term Rentals from RICAP 6.

The Rose City Park letter goes further by itemizing 15 findings of fact in how this proposal defies the city's own procedures, Municipal Code, and Comprehensive Plan.

As written, this amendment proposes to destabilize the Single Dwelling Zone by allowing Short Term Rental Commercial uses 'by right'. If adopted the proposed language: 1) Open the door for the Auditor, banks, and real estate companies to assess Short Term Rental properties as Commercial; 2) Monetize the 'potential income' that could be generated by a property – driving up home and rental prices; and 3) Pricing both first time home buyers and long-term renters out to East County or Gresham – further away from jobs and family services and into already crowded schools.

As a land use planner, it is required by our AICP code of ethics to speak out for those who are disadvantaged and underserved. Those residents that are barely making ends meet, often working two jobs, do not have the luxury to take 3 hours out of the middle of their work day to come to this hearing – held at 2:00 in the afternoon. Do not approve this amendment and drive up the cost of housing! Do not allow Short Term Rentals un-fettered access to fill up rental properties that are now housing families with children and our elders who need access to services.

As the Vice Chair for RCPNA I ask that you to remove the Short Term Rental amendment to allow all of us adequate time to review the needed information in making this decision. What information, you may ask?

1. 'Where is the housing and economic impact study that show that allowing our single family residential properties to run as motels will not impact housing prices and stability?

2. What is HUD's opinion on giving funding to the City of Portland when adopting this Short Term Rental amendment undermines the very program that supports affordable housing?
3. Why is the City in such a hurry to adopt this language for the short term gain of bringing in more money through hotel taxes, legalizing illegal uses, and limiting staff's involvement in reviewing the impacts of this proposal?

In conclusion, I am asking that you vote to remove the Short Term Rental amendment from the RICAP 6 process. Please do not make our neighborhoods into motels. Do not drive up the costs and destabilize housing. Listen to those of us who **DO NOT** come before you seeking monetary gain. Listen to over 28 neighborhoods requesting that you remove this amendment for further public discussion.

Thank you.

Date: June 4, 2014
Re: RICAP 6 – Short-Term Rentals
From: Molly Turner, Director of Civics, Airbnb, Inc.

Thank you Mayor Hales and Commissioners for considering short-term rentals in Portland and taking the time to hear from me and members of the Airbnb community.

I'm speaking today on behalf of over 1,500 Portland residents who rent their homes to visitors through Airbnb and over 30,000 Portland residents who travel with Airbnb throughout the world. The members of this community are leaders in a new Sharing Economy, a movement that is changing how resources are used, how hospitality is exchanged, how residents are empowered, and how new economic opportunities are accessed—all values that are at the heart of Portland.

At the recent Planning and Sustainability Commission hearing, I shared the results of a recent study we conducted of our community members in Portland. I'd like to share some of that with you today.

First and foremost – we discovered that our host community in Portland is radically different than traditional vacation rental or corporate housing operators. 84% of Airbnb hosts in Portland rent their primary residence – their own home – occasionally. These folks offer a spare room or in-law unit and love showing off the city to out of town visitors.

The average Airbnb host is 42 years old and 40% of hosts earn below median household income in their primary occupation. That is why the supplemental income they earn on Airbnb is so important, it helps them afford Portland's rising cost of living, while investing more in their homes, pursuing new careers, paying off old loans, and in some cases avoiding eviction or foreclosure.

Travelers use Airbnb because they seek the authentic local experiences that Portland residents provide—they want to “live like locals”. Airbnb guests enjoy exploring the diverse neighborhoods of the city, learning about Portland's cultural heritage and getting to know its residents. Many guests use Airbnb to travel with families or to visit their family members in the neighborhood's where they live.

The benefits of this activity aren't limited to hosts and travelers. Airbnb travelers not only put money directly in the pockets of Portland residents, they also distribute their economic impacts outside the tourist center to small neighborhood businesses.

Our community in Portland is contributing to a new economy—a creative and sustainable economy that supports households, grows and diversifies tourism and activates neighborhoods.

Today, this activity is not clearly regulated. That is why we applaud city leaders and the Planning Bureau for proposing a new policy that explicitly permits local residents to rent their own homes on an occasional basis, subject to reasonable regulations.

We have raised two issues of concern for the Airbnb community – the mandatory bedroom inspections and the exclusion of apartments and condominiums from home sharing.

You will hear a lot about both of these issues today, and I want to reiterate what we've heard from our hosts. Guest safety is a paramount concern for Airbnb and is why we are partnering with cities like Portland on important initiatives like providing free smoke and carbon monoxide detectors. Our hosts are sharing their own homes where they have a significant interest in maintaining safety already.

Requiring inspections of every host's bedroom seems unnecessary when the balance of the building code utilizes complaint-based enforcement for these types of issues. Additionally, the cost and difficulty of administering this program may inhibit its success (as BDS noted at the Planning Commission hearing).

Lastly, we think it is vital to include all aspects of the host community in regulation today. Hosts in apartments and condos make up nearly a third of our community in Portland. Leaving them out of comprehensive, reasonable regulation seems out of step with the City's efforts to be at the forefront of thoughtful regulation in this area, and is simply not equitable.

We thank the Commission for considering our suggestions. By adopting this proposal with our recommendations, Portland would become a true leader in the global Sharing Economy movement. We encourage you to embrace the future and do so!

Airbnb Guest Houses – a Condominium Owner's Perspective

Airbnb hosting has been very positive for me. I opened my home to total strangers whose identities have been verified by the AirBNB Company. Strangers from literally all over the world have come to the safety and convenience of my home. During their stay, each has benefitted me culturally and economically. I also know that the City of Portland has also benefitted similarly, from purchases made by my guests, and from the cultural enrichment, contributing to the diversity that Portland deserves.

I moved to Portland over four years ago, purchased a condominium, and began teaching in a private college. Living in Portland is culturally enriching, but now I have added a significant dimension to that cultural exposure. Having a person from Sydney, Australia become my first international guest was terrific. For him, my home offered the safety and friendliness that he needed as a new entrant to our city. The next international guest was from a Medical School in Lahore, Pakistan. My home provided the security needed by the very young man, and he in turn, shared ethnic food, and enjoyed reading my medical texts as he pursued his fellowship at a local medical center. Presently, my international guest from Vienna, Austria is here to attend a summer seminar, and to write her second book. I am honored to have hosted such guests in my home. The City of Portland is also honored by my guests' visits to this city.

As a recently retired college teacher, I am living on less than half my previous income. Airbnb has helped me to continue to pay my mortgage for my house. It is the wise and fortunate person who pays off all major debts before retiring, but I was not so fortunate. Yes, I initially invested in bedding, furniture and other supplies in order to begin offering my home as a place to stay. Now, when a person arrives, she or he is presented with keys to the room, a bottle of Oregon wine, some chocolates, and amenities such as clean towels, shampoo, toothpaste, etc. More important to my guests than the amenities are the security and friendship afforded through my home. I sometimes meet a guest at the airport, especially if the person is from another country, and has flown for nearly a full day to get to Portland. I provide an orientation to the city, showing the guest where shops are, where public transportation is, and other key information. My spending helps the City of Portland, as does my guests spending.

My guests, especially those from other countries often are minimalist travelers. Once here, my guests need to purchase essentials that each needs or desires. The Medical Student from Pakistan brought some of his cultural foods, but purchased specialty foods specific to his religious and dietary preferences. The seminary student from Vienna, Austria has likewise purchased fresh fruits and vegetables to consume as she recovered from the jet lag of her very long journey. She will also purchase a cellular phone for use while here.

Whether from economics or culture, both the City of Portland and I have been benefitted from my opening my home to guests through the Airbnb program. It is my sincere wish to see the City of Portland embrace this wonderful combination of cultural concept and business model.

Respectfully,

Phil Finch



TERRY PARKER
P.O. BOX 13503
PORTLAND, OREGON 97213-0503

18 67 36

**Subject: Testimony to the Portland City Council related to RICAP-6 and Short Term Rentals,
June 4, 2014**

The primary purpose of R-zoned single family home neighborhoods has always been to provide a safe haven refuge where people can live, have yards, potentially raise a family and be free from direct contact with commercial activities. The ploy to allow some of these homes to be commercially operated as a motel - be it only one or two bedrooms - is in direct conflict with the residential sanctuary of these neighborhoods.

Not only does the concept set up impending neighbor to neighbor clashes, but an unscrupulous enterprising individual could buy up numerous adjoining properties and even rent out the bedrooms by the hour, possibly with just one on-site manager. No telling what could be going on there. Homeowners could end up with motel row across the street, or even in their back yards. When a police officer is invited to speak at neighborhood association meetings, the likely first thing that officer says in terms of safety is to know who is coming and going in your neighborhood.

The short term rental scheme in RICAP 6 violates the rights of homeowners who purchased their properties in non-commercial residential only zoned neighborhoods. The entire short term rental proposal as a right needs to be removed from RICAP 6. It is NOT a minor code amendment and requires a broader community discussion. After a fully transparent vetting process that thoroughly scrutinizes all the issues; if a short term rental plan is eventually implemented, a number of safeguards need to be met. They include but are not limited to:

Approval by the majority of the property owners that are on the same block and are within the same footage on the opposite side of the facing street; and a requirement for an annual review and/or application that allows neighbors to re-evaluate the activity.

A requirement for an annual fee that includes proof of liability insurance.

A requirement that managers must be the property owners that live on site and will remain on-site for the duration of when a rentals occur.

A requirement that places limits on outdoor activities and noise.

A requirement that Imposes hefty fines for not following any of these regulations..

And finally, in R-zoned single family home neighborhoods, stop the commercialization and protect the rights of homeowners by disallowing short term rentals.

You have been elected to represent the people of Portland - not big out of town business interests. Numerous Portland neighborhood associations are asking for a broader community discussion coupled with a better vetting process thereby requesting that short term rentals be removed from RICAP 6. Are you listening?

Respectfully submitted,

Terry Parker - Northeast Portland

From: FTVR <matthew@familytimevacationrentals.com>
Sent: Wednesday, June 04, 2014 10:50 AM
To: Parsons, Susan
Subject: Testimony for todays council hearing

Dear Mayor and Commissioners,

We request a delay in action on any regulations affecting the Short Term Rental Community. The users of the Traditional Short Term Rental Community include people who live in Portland - those who bring travelers to town, or have guests visiting for longer stays.

My wife and I, with our five children, moved to the Portland area almost two years ago. One of the benefits of living here is enjoying all this great city has to offer families. There are so many family friendly attractions like OMSI, Washington Park, Blazer games and the Portland Timbers just to name a few. Before we moved here, we had been visiting Portland for over 10 years. With five kids we found there was not adequate accommodations for a family to stay in Portland. Staying in a hotel was not convenient. Staying in a Bed n Breakfast or renting a room in someone's house does not work either. The only way for a family to stay in the city is by renting a vacation rental. The vacation rental industry is a tremendous benefit to Portland and is one that needs to be welcomed.

We are asking you hold on any action until the concerns of those who use the Traditional Short Term Rental Community, the Best Practices, the Economics, the US Conference of Mayors Policy and a transparent stakeholder process, can be full considered.

Thank you,

Matthew Tesdall

Family Time Vacation Rentals

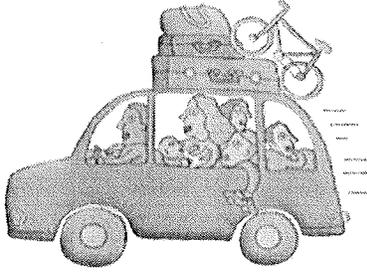
877-632-7007

Vacation Rentals Properties:

<http://familytimevacationrentals.com>

Facebook:

<http://facebook.com/FamilyTimeVacationRentals>



18 6736

FAMILY TIME
VACATION RENTALS

"Family Memories Made Here"

From: Wiedrick, Gina <WiedrickG@pdc.us>
Sent: Wednesday, June 04, 2014 9:37 AM
To: Hales, Charlie; Fish, Nick; Fritz, Amanda; Novick, Steve; Saltzman, Dan; Moore-Love, Karla; Parsons, Susan
Cc: Quinton, Patrick
Subject: letter from PDC - testimony in support of Airbnb
Attachments: Testimony in Support of Airbnb - Portland City Council Meeting of 06-04-14.pdf

Good morning, Mayor Hales and City Commissioners.

Please find attached a letter from Executive Director Patrick Quinton in support of Airbnb. This is for this afternoon's Portland City Council hearing on amendment(s) to the Regulatory Improvement Code.

Thank you for your consideration.

Gina R. Wiedrick
Sr. Executive Assistant
Portland Development Commission
222 NW 5th Ave.
Portland, OR 97209

Phone: (503) 823-3224
Fax: (503) 823-3368
<http://www.pdc.us>

J. Scott Andrews
Commission Chair

June 4, 2014

Aneshka Dickson
Commissioner

Mayor Charlie Hales
Commissioner Nick Fish

Tom Kelly
Commissioner

Commissioner Amanda Fritz
Commissioner Steve Novick

John C. Mohlis
Commissioner

Commissioner Dan Saltzman
Portland City Hall

Charles A. Wilhoite
Commissioner

1221 SW 4th Ave.
Portland, OR 97204

Charlie Hales
Mayor

Commissioners:

Patrick Quinton
Executive Director

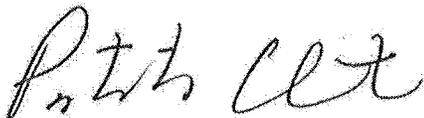
The "sharing economy" represents one of the fastest growing segments of the technology industry. Today, companies like Airbnb, Uber, Lyft, RelayRides, and TaskRabbit enable people to rent beds, cars, work help, and other assets directly from each other. The shared economy concept is as old as civilization itself, and today's technology has reduced transaction costs, making sharing assets cheaper and easier, and is impacting how we live, work, and do business in our communities.

The sharing economy has many benefits, with the most obvious being the money owners make from putting an asset to more efficient use. These new technologies, however, are also disruptive, putting cities at the forefront in addressing the consequences of this change. Despite calls for widespread deregulation to assist in the proliferation of the sharing economy, I believe it is wise for cities to move cautiously to ensure that the public benefits intended from regulation are maintained while allowing for the growth of these promising companies.

In this environment of rapid change, Airbnb is notable in its unequivocal commitment to creating jobs in Portland and its willingness to work with the City of Portland (City) to craft a solution that benefits both the public and the company. For those reasons, I offer my wholehearted support for efforts to ease restrictions on short-term rentals. While the City may not be able to grant all the changes requested by Airbnb, demonstrating a willingness to do business differently will set Portland apart from other cities competing for the economic growth that will be derived from the sharing economy. Moreover, by rewarding Airbnb for its collaborative approach to addressing the consequences of changes in short term rental market, Portland will validate a model of public and private sector cooperation that can be copied both here and around the country.

Thank you for your leadership on this issue, and for your continued work in making Portland a great place to innovate and prosper in business.

Sincerely,



Patrick Quinton
Executive Director

222 NW Fifth Avenue
Portland, OR
97209-3859

503-823-3200 Main
503-823-3368 Fax
503-823-3366 TTY

From: Tamara DeRidder, AICP <SustainableDesign@tdridder.users.panix.com>
Sent: Tuesday, June 03, 2014 4:34 PM
To: Tracy, Morgan (Planning); Moore-Love, Karla
Cc: City Auditor Griffin-Valade; Anne Dufay; Stoll, Alison; McKnight, Bonny; Michael Roth; Nettekoven, Linda; Ellen Burr; Mary Ann Schwab
Subject: SE-Uplift and Central NE Neighbors Request Removal of Short Term Rentals from RICAP 6 - June 4, 2014 Testimony attached
Attachments: PullSTRRICAP6ResponseAsIs05272014Attach3.xlsx; E-BlastRemoveSTRAttach1.docx; RCPNAOppositiontoShortTermRentals,RICAP12,13,14-TDR04152014Attach2E.pdf; SMILE_ricap6[1]Attach2D.docx; HAND_ricap6[1]Attach2C.docx; CNNPullShortTermRentalOutofRICAPMarch2014Attach2B.pdf; SEUplift-PullSShortTermRentalsRICAP 6-2Attach2A.doc; JointCoalitionLtr-RemoveSTR=RICAP606022014.docx
Importance: High

Dear Karla and Morgan,

Please accept the attached letter and documentation as testimony for the City Council RICAP 6 hearing scheduled for June 4, 2014. SE-Uplift and Central NE Neighbors together with neighborhood leaders request that the Mayor and City Commissioners remove Short Term Rentals from RICAP 6 to allow for more public discussion on this topic.

Please let me know if you have any questions. Also, please respond if these documents will be entered into the official record as testimony for this hearing.

Enclosed you will find:

1. Letter of testimony to the City Council 2. Attachment 1: E-mail Blast send to ONI Neighborhood Association Directory 3. Attachment 2: Letters attached to the E-Blast - SE Uplift, CNN, HAND, SMILE, and RCPNA 4. Attachment 3: Excel spreadsheet of respondents to e-mail blasts

Thank you,

Tamara DeRidder, AICP
Acting Chairman, RCPNA
Co-Chair, LU&TC
1707 NE 52nd Ave.
Portland, OR 97213
503-706-5804

The following Portland residents responded to our e-mail request to Neighborhood Association representatives on the ONI NA Directory. In the e-mail we their support for SE Uplift and Central Northeast Neighbors Coalition's request to the City of Portland to remove the Short Term Rental amendment from RICAP 6. The reason is to allow the neighborhoods more time to discuss the impacts of Short Term Rentals.

<u>First Name</u>	<u>Last Name</u>	<u>Neighborhood Affiliation</u>
Susan	Lindsay	
Linda	Niles	Crestwood Neighborhood Association
Beverly	Tobias	
Mark	Lerner	
Erika	Palmer	
Fred	Stovel	
Pete	Sterling	
Christine	Yun	
Linda	Robinson	Resident of East Portland
Emilie	Saks-Webb	St Johns Neighborhood Association
Beth	Zauner	
Claire	Coleman-Evans	Bridlemile Neighborhood Association
Tom	Badrick	Parkrose Heights Association of Neighbors
Dale	Bailey	
Ron		
Bea	Pettit	Eastmoreland Neighborhood
Joanne	Carlson	
Jeff	Bowman	
Martha	Dibblee	
Coleen	Henson	
Rebecca	Brandt	
Jocelyn	Cox	Eastmoreland Neighborhood
David	Dowell	Eastmoreland Neighborhood
Tren	Haselton	
Cynthia A.	Maccini	
Karl E.	Hausafus	
Theo	Downes-Le Guin	

The following Neighborhood Associations have also submitted their support for SE Uplift and Central NE Neighbor's request for the City Council to remove Short Term Rentals from the RICAP 6 process.

<u>Sender's First Name</u>	<u>Last Name</u>	<u>Neighborhood Association</u>
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Claire

Coleman-Evans Bridlemile Neighborhood Association

<u>Position</u>	<u>E-mail</u>	<u>Date Received</u>
SWNI Transportation Committee	Susan Lindsay <lindsays@pdx.edu>	5/13/2014
	LNNILES@stoel.com	5/14/2014
	Beverly.Tobias@greshamoregon.go	5/14/2014
	ibsolutions@earthlink.net	5/14/2014
	erikatakeabow@gmail.com	5/14/2014
	fstovel@gmail.com	5/14/2014
	pete@sterling.net	5/14/2014
	cpypdx@gmail.com	5/14/2014
	lrobinspdx@comcast.net	5/14/2014
	emcrash@gmail.com	5/15/2014
Board Co-Chair	bzauner@msn.com	5/15/2014
Land Use Chair	eclaire27@comcast.net	5/15/2014
Board Chair	TBadrick@aol.com	5/16/2014
	dale6050@yahoo.com	5/16/2014
	printresults@aol.com	5/21/2014
	beatrice.pettit@yahoo.com	5/21/2014
	jncarlson@ipns.com	5/21/2014
	jeffb@linedvci.com	5/21/2014
	dibblee@hevanet.com	5/21/2014
	pchenson@comcast.net	5/21/2014
	rebecca.brandt@comcast.net	5/21/2014
	billjos@spiretech.com	5/21/2014
	daviddowell@gmail.com	5/22/2014
	haselton@easystreet.net	5/22/2014
	gardenfolly001@gmail.com	5/22/2014
	e. khausafus@am-a.com	5/22/2014
	tadownes@me.com	5/27/2014

Sender's PositionSender's e-mailDate

<u>Address</u>	<u>Zip</u>	<u>Phone</u>
1738 SE 114th Pl	97216	
5225 NE Wistaria Drive		503.750.6036
		503-740-7460
		503-287-5966
7605 SE Reed College Pl.	97202	
3108 SE Woodstock Blvd.	97202	503-772-3665
		503 484 4831
7415 SE Reed College Pl	97202	
		503.775.1622
6423 SE 34th Ave	97202	
4146 SE Lambert Street	97202	
		503.808.9514
3340 SE Crystal Springs Blvd	97202	

June 2, 2014 Letter to City Council – Sent by Tamara DeRidder
Request: Remove Short Term Rentals from RICAP 6

ATTACHMENT 1

Subject: REMOVE Short Term Rental amendments from RICAP 6 at June 4th City Council hearing

From: "Tamara DeRidder, AICP" <SustainableDesign@tdridder.users.panix.com>

Date: 5/21/2014 12:25 PM

Dear Neighbors,

We need your support and time is short.

At the April 22, 2014 Portland Planning and Sustainability Commission (PSC) meeting, the Commission voted to approve the proposed draft of the Regulatory Improvement Code Amendment Package 6 (RICAP 6) which includes the *Accessory Short Term Rental amendments*. The package is now moved forward to City Council for approval of the Recommended Draft.

On **June 4th at 2:00 pm**, City Council is scheduled to review all of the RICAP 6 code amendments, including the Accessory Short Term Rental (STR) amendments. For more information, see:

<https://www.portlandoregon.gov/bps/article/490957>

The STR amendments allow 'by right' short term vacation rentals (commercial uses) in single family residential neighborhoods but many neighborhoods have not had the opportunity to review the issues which have recently been raised or comment on the Bureau of Planning and Sustainability's staff proposal. We are not asking you to take a stand on the provisions of the STR {any of these issues} but simply to support the need for a more comprehensive public review of the STR proposal than has occurred to date.

Southeast Uplift (SEUL) and Central Northeast Neighbors (CNN) Coalitions, as well as the Neighborhood Association Boards of Sellwood Moreland (SMILE), Hosford Abernethy (HAND), and Rose City Park (RCPNA), have submitted official letters to the City of Portland requesting that Accessory Short Term Rentals be removed from the RICAP 6 process because of the need for a broader public discussion. These letters state that the Short Term Rental amendments are a *Major Policy Issue* and do not qualify to be considered in the RICAP process, which by PSC's own definition covers *Minor Policy Matters and Technical Corrections*. The above referenced letters are attached.

Please reply to this email with a vote of support by a simple *cut and paste* of the message below, deadline Friday, May 30th:

I support SE Uplift and CNN Coalitions' request for City Council to remove the Accessory Short Term Rentals amendments from RICAP 6 to allow time for a broader community discussion.

Please share this e-mail with your friends and neighbors.

Thank you for your consideration.

Respectfully,

Ellen Burr - SMILE Board & LU Committee Chair, SEUL LU&TC
Tamara DeRidder, AICP – Rose City Park Neighborhood Association (RCPNA), Board & Co-Chair LU&TC
Anne Dufay, Executive Director, SEUL (supporting 20 SE neighborhoods)
Bonny McKnight, Coordinator Citywide Land Use Committee
Linda Nettekoven – Hosford Abernethy Neighborhood Development (HAND) and SEUL LU&TC
Michael Roth - Chairman Rose City Park Neighborhood Association (RCPNA)
Mary Ann Schwab - Southeast Uplift resident
Alison Stoll, Executive Director, Central NE Neighbors - CNN (supporting 7 NE neighborhoods)



Rose City Park Neighborhood Association

April 15, 2014 (amended and transmitted this day via e-mail to the following)

City of Portland
 Bureau of Planning & Sustainability
 Attn: Morgan Tracy, RICAP 6 Coordinator morgan.tracy@portlandoregon.gov
 1900 SW 4th Avenue
 Suite 7100
 Portland, OR 97201

ATTACHMENT 2E
 June 3, 2014
 Request: Remove STR
 from RICAP 6

CC: Susan Anderson Susan.Anderson@PortlandOregon.gov,
 Planning and Sustainability Commission psc@portlandoregon.gov,
 Portland City Council < Karla.Moore-Love@portlandoregon.gov >

Subject: RCPNA Opposition to Short Term Rentals, RICAP 6 Sections 12, 13, & 14

Dear Morgan Tracy,

On April 1, 2014, the Rose City Park Neighborhood Association Board received the recommendation of its Land Use and Transportation Committee that was generated on March 27, 2014. The Board voted unanimously to support the LU&TC recommendations to **oppose** the Short Term Rental amendment as RICAP # 12, 13, and 14 based on the following:

Item I. First and foremost the Short Term Rental amendment language is **NOT** a minor amendment and should be excluded from RICAP 6.

Finding 1. The Bureau of Planning and Sustainability (BPS) website <http://www.portlandoregon.gov/bps/62880> states: "The Regulatory Improvement Code Amendment Projects (RICAP, pronounced "ree-cap") continually update and improve City building and land use regulations that hinder desirable development. Suggestions for improving the City's development codes are entered into the Regulatory Improvement Requests (RIR) database. Issues that require major policy changes are **not** addressed through RICAP but are evaluated through separate legislative projects. RICAP addresses technical matters and clarifications or refinement of existing adopted policy in typically a one-year revolving work plan." The qualifying terms for items that can be permitted for RICAP review include "technical matters", "(technical) clarifications", or "refinement" of existing adopted policy. The Short Term Rental amendment is contained in sections 12, 13, and 14 of RICAP 6 constitute NEW policies. It establishes a Commercial use that is similar to Bed & Breakfast use but would be allowed 'by right' in the Single Dwelling Zone and without the needed Type II review procedure. Therefore, Sections 12, 13, and 14, and their references, should be excluded from RICAP 6 review.

Item II. Second, Short Term Rentals should be excluded from the R5 zone as this is the neighborhood sanctuary where safety and stability need to be maintained for the health and welfare of these residents.

The City of Portland Municipal Code Title 33 Planning and Zoning¹ states:

“33.110 Single Dwelling Zones -

The single-dwelling zones are intended to preserve land for housing and to provide housing opportunities for individual households. The zones implement the comprehensive plan policies and designations for single-dwelling housing.

- A. **Use regulations.** The use regulations are intended to create, maintain and promote single-dwelling neighborhoods. They allow for some nonhousehold living uses but not to such an extent as to sacrifice the overall image and character of the single-dwelling neighborhood.”

Finding 1. The language in Title 33.110 Single Dwelling Zones intends “to preserve land for housing”. Subsection A “state use regulations are intended to create, maintain and promote single-dwelling neighborhoods”. The proposed Short Term Rental amendment proposes to allow this commercial use ‘by right’ in this residential sanctuary. According to proposed Section 33.207.040 A. 2 “The operator of an accessory short-term rental on a site with an accessory dwelling unit may reside in the house” therefore allowing the “operator” to reside in a separate dwelling than the rental. The language also provides for other combinations where the operator and rooms for rent may reside in manufactured home, attached accessory dwellings, and where the renters reside in the house while the operator resides in the accessory dwelling unit. The proposed Short Term Rental amendment creates a commercial motel atmosphere where any and all residential properties are available for this commercial use. This type of use undermines the very foundation for preserving property values for residential use rather than commercial use. Therefore, the Short Term Rental amendment fails to satisfy Portland Municipal Code Title 33 Planning and Zoning Section 33.110 (part) and Subsection 33.110.A(part).

Finding 2. The language in Title 33.110.A Use Regulations directs, “They allow for some non-household living uses but not to such an extent as to sacrifice the overall image and character of the single-dwelling neighborhood.” The character of the neighborhood would quickly change by allowing Short Term Rentals, as written. The current long-term rental properties would likely change over to this more lucrative short-term rental use, forcing out many families and workers who cannot afford to own a home, and replacing them with highly transitional renters. With this change Neighborhood Watches could no longer serve to provide safety as monitoring due to rapid-changing residents making their effort futile. The Neighborhood Watch efforts across the city serve as the foundation for safety and livability for our Portland neighborhoods. The proposed Short Term Rental amendment sacrifices long-term rentals in the Single Dwelling Zone, replacing them with a commercial motel-type use, and forces the Neighborhood Watch program to become futile in providing safety for our neighborhoods. Therefore, the Short Term Rental amendment fails to satisfy Portland Municipal Code Title 33 Planning and Zoning Subsection 33.110.A(part).

¹ <http://www.portlandonline.com/Auditor/index.cfm?c=28197&a=64609>

Item III. The Short Term Rental amendment fails to satisfy the Portland Comprehensive Plan, as follows:

Finding 1. “Urban Objective 2.9 Residential Neighborhoods. Allow for a range of housing types to accommodate increased population growth while improving and protecting the city's residential neighborhoods.” These proposed amendments fail to improve or protect the City’s residential neighborhoods. Instead this Short Term Rental amendment injects this Commercial use into Residential neighborhoods and undermine the fabric of safety provided by long-term residents in knowing your neighbor. The amendment fails to require the property owner to reside in the dwelling used for renting rooms. It fails to require this dwelling serve as the owner’s primary residence. It also fails to require the owner to be present when the room are rented, thereby allowing the entire residence to serve as a short term rental. Therefore, the Short Term Rental amendment fails to satisfy Objective 2.9.

Finding 2. “Urban Objective 2.15. Living Closer to Work Locate greater residential densities near major employment centers, including Metro-designated regional and town centers, to reduce vehicle miles traveled per capita and maintain air quality. Locate affordable housing close to employment centers. Encourage home-based work where the nature of the work is not disruptive to the neighborhood.” Current long-term affordable rental housing in the areas proposed for Short Term Housing will be lost to this more lucrative use. This will further tighten the already tight long-term rental housing market “that has dropped from 7.5% to 2% in the past five years”². The effect will force additional displacement of the elderly, low income, and working poor to move into East County, away from jobs and needed services. This amendment proposes to only exacerbate the “Locked-Out³” policies that have been reported by the Oregonian and disregards the need for equity outlined in the Fair Housing Act. Therefore, the Short Term Rental amendment fails to satisfy Objective 2.15.

Finding 3. “Urban Objective 2.21 Existing Housing Stock. Provide for full utilization of larger single-family homes with conditions that preserve the character of the neighborhood and prevent speculation.” The legitimizing of short term rentals of bedrooms, accessory dwelling units, single family dwellings, or mobile homes in neighborhoods zoned for single family use opens up all these properties to increased speculation. It promotes active turnover of users, makes neighborhood watches ineffective, and degrades the stability of children’s outdoor activities, negating essential rights of these single family residents. Therefore, the Short Term Rental amendment fails to satisfy Objective 2.21.

Finding 4. Neighborhoods Policy and Objectives “3.2 Social Conditions. Provide and coordinate programs to promote neighborhood interest, concern and security and to minimize the social impact of land use decisions” and “3.3 Neighborhood Diversity. Promote neighborhood diversity and security by encouraging a diversity in age, income, race and ethnic background within the City's neighborhoods.” The fact that BPS is inserting a Major Change such as Short Term Rentals as a ‘by right’ use into our single family neighborhoods defies Policy and Objectives 3.2 and 3.3 by failing to fully disclose impacts of this use and thereby negating neighborhood interest, concern and security. This Short Term Rental language expels the idea of Neighborhood Diversity by making rental properties only for mainly the well-to-do Caucasian ambulatory tourists and visitors. Unlike the motel industry that provide for ADA access and maintain strict enforcement of equal access to all people, with no discrimination based on ethnicity, race, color, and sexual orientation, Short Term Rentals run by AirBNB and other Short Term Rental website are not meeting these standards. The displaced residents in the areas taken over by Short Term Rentals will include the working poor, which is disproportionately high with our ethnic

² http://www.pressherald.com/news/rental-demand-in-portland-is-through-the-roof_2013-04-29.html?pagenum=full

³ <http://projects.oregonlive.com/housing/>

populations, our elderly, and those with special needs. Therefore, the Short Term Rental amendment fails to satisfy Policy and Objectives 3.2 and 3.3.

Finding 5. Housing Policy “4.2 Maintain Housing Potential. Retain housing potential by requiring no net loss of land reserved for, or committed to, residential, or mixed-use.” The proposal of Short Term Housing as a ‘by-right’ use in all Single Dwelling residential zones effectively permits commercial uses in direct conflict with Housing Policy 4.2. This commercial use degrades and will irrevocably change the housing potential for residents staying more than 30 days in the Single Dwelling residential zones. The amendment establishes uses inconsistent with the Low Density Residential, R5, zone; the majority of property owners in R5 have purchased their property specifically because of the characteristics of the current zoning. Therefore, the Short Term Rental amendment fails to satisfy Policy 4.2.

Finding 6A. Housing Safety & Quality – Policy “4.4 Housing Safety. Ensure a safe and healthy built environment and assist in the preservation of sound existing housing and the improvement of neighborhoods. Objective A. Ensure safe housing for Portland’s citizens of all income levels.” The proposed Short Term Rental amendment fails to assist in the improvement of neighborhoods by establishing commercial uses as a ‘by-right’ in all Single Dwelling residential zones. The residents that neighbor these Short Term Use applicants are not allowed the opportunity to comment on or defend their residential rights. Short Term Rental uses in the Single Dwelling residential zones conflicts directly with the safety and security promoted by Neighborhood Watch activities as promoted by the Office of Neighborhood Involvement (ONI). ONI’s Crime Prevention Program Coordinators encourage residents to know your neighbors and “recognize and report suspicious activity.”⁴ Short Term Rentals will have such rapid turnover in renters that this will pose ‘stranger danger’ regularly into Portland’s Single Dwelling residential sanctuary and destabilizes the effectiveness of Neighborhood Watch programs, a key foundation for residential safety in our community. Therefore, the Short Term Rental amendment fails to satisfy Policy 4.4 and Objective 4.4.A.

Finding 6B. Housing Safety & Quality – Policy “4.4 Housing Safety. The proposed Short Term Rental amendment fails to require applicants to provide proof of property ownership, that the rental rooms are to be located at the owner’s primary dwelling unit, proof of site inspections to ensure bedrooms meet fire and safety standards, that property insurance has been secured for rental use, and that the Mortgage Carrier has allowed the use as part of its signed contract with the owner. If left unmonitored each one of these issues could cause an illegal activity to be sanctioned by the city code as a Short Term Rental use. This could leave property owners who choose to embrace Short Term Rentals at their home with the potential of facing liability suits from renters as well as loss of their mortgage contract. The amendment creates issues that lower the quality of life and equity for residents of R5 zone, by introducing a motel type establishment to the interior of neighborhoods; proposed zoning equates to pollution of current property owner quality of life analogous to “second hand smoke”. Appropriate areas already exist with the correct zoning for this type of use. The proposal is a dilution and mediocritization of a historically accepted and cherished residential zoning. The Short Term Rental amendment as proposed fails to protect property owners who use Short Term Rentals as well as the neighbors impacted by them. Instead this amendment opens Short Term Rental owners to cover liability and damages generated by the renter, even off site, and to potential illegal activity that may forfeit their homes. Therefore, the Short Term Rental amendment fails to satisfy Policy 4.4 and Objective 4.4.A.

Finding 7. Housing Opportunities – Policies 4.7 “Balanced Communities. Strive for livable mixed-income neighborhoods throughout Portland that collectively reflect the diversity of housing types,

⁴ <http://www.portlandoregon.gov/oni/article/26674>

ensures (rental and ownership) and income levels of the region.” Objective “B. Maintain income diversity within neighborhoods by 1) allowing a mix of housing types and tenures, including houses, houses on smaller lots, small houses, duplexes, attached housing, accessory dwelling units, multi-dwelling housing, and mixed-use developments; and 2) ensure that income diversity is maintained over the long-term(emphasis added).” Short term housing provided ‘by right’ in the Single Dwelling residential zone will eviscerate the number of long-term rentals in these areas in direct conflict with these policies and objectives. Long term rentals in the single family residential zones allow residents with a range of incomes and diversity to reside in stable neighborhoods alongside home-owners. Residents in these inner neighborhoods benefit from access to good schools, services, and transit. Short term rentals with little to no regulation on access or number in these neighborhoods sacrifice room for this long-term diversity. Therefore, this amendment fails to satisfy Policy 4.7 and Objective 4.7.B.

Finding 8. Regional Housing Opportunities, Policy 4.8. “Ensure opportunities for economic and racial integration throughout the region by advocating for the development of a range of housing options affordable to all income levels throughout the region.” Objectives: “A. Advocate for the development of a regional “fair share” strategy for meeting the housing needs of low, moderate, and higher-income households and people in protected classes in cities and counties throughout the region. B. Support regulations and incentives that encourage the production and preservation of housing that is affordable at all income levels throughout the region.” As stated in finding 2(G), above, racial and economic diversity will be greatly impacted by the loss of long-term rental housing to the more lucrative short-term housing. The current short term rental amendment allows ‘by-right’ the rental of rooms, accessory units, houses, and manufactured homes in the Single Dwelling zone. Although new housing opportunities may be created to accommodate these Short Term Rentals, the path of least resistance is for property owners to rent out units they already own. Recent testimony in the Oregonian by a rental property owner in the Laurelhurst Neighborhood who faced fines for conducting short term rentals shared that she went back to renting her rooms to long-term rentals. Short Term Rentals destabilize the long-term rental housing base along with the families who rely on living in these units. The result of losing long-term rental housing in the inner Single Dwelling neighborhoods will force these elderly, protected classes, and working poor into areas such as East County, away from services, transit, and walkable neighborhoods. Therefore, this amendment fails to satisfy Policy 4.8 and Objectives 4.8.A and B.

Finding 9. Fair Housing, Policy 4.9. “Ensure freedom of choice in housing type, tenure, and neighborhood for all, regardless of race, color, age, gender, familial status, sexual orientation, religion, national-origin, source of income or disability. Objectives: A. Support programs that increase opportunities for minorities, low-income people, and people in protected classes to gain access to housing throughout the region. B. Prohibit discrimination in selling, renting, leasing, or subleasing residential real estate on the basis of an individual’s race, color, age if over 18,gender, marital status, familial status, sexual orientation, religion, national origin, source of income, or disability.” Not only will Short Term Rentals, as proposed, displace long term rental residents they then become an unregulated market for discriminatory rental practices. There are no proposed regulations by the city or practices by businesses such as AirBnB that even imply standards that prohibit discrimination as required by the Fair Housing Act. Motels and long-term rental properties must maintain strict adherence to non-discriminatory practices as enforced by various state and federal agencies. AirBnB boasts its ability in ‘flying under the radar’ (meaning ‘unregulated’) in most communities. Here the city is encouraging such flagrant disregard for anti-discrimination laws by opening the Residential property’s ‘barn door’ for these Short Term Rental businesses and not imposing regulations. Therefore, Short Term Rental amendment as written fails to satisfy Policy 4.9 and Objectives 4.9.A and B.

Finding 10A. Housing Diversity, Policy 4.10. “Promote creation of a range of housing types, prices, and rents to 1) create culturally and economically diverse neighborhoods; and 2) allow those whose housing needs change to find housing that meets their needs within their existing community. Objectives: A. Keep Portland inviting to households with children by ensuring through public and private action the availability of housing that meets their needs throughout the city.” “E. Support opportunities for renter households by providing a range of housing types, sizes, and rent levels throughout the city. F. Increase the public school population in Portland, preventing widespread school closures, and the consequent underutilization of public facilities.” Long-term housing types have become more creatively implemented in the past five years as the recent Great Recession forced residents into economizing our use of space. Long-term rentals can now be found as individual rooms, split housing arrangements, detached bedrooms, accessory dwelling units, and manufactured homes. Short Term Rentals will displace any or all of these long-term rental housing types in the Single Dwelling Zone. Therefore, the Short Term Rental amendment fails to satisfy Objective 4.10.E.

Finding 10B. Housing Diversity, Policy 4.10. The 2010 Census identifies an average of 18% of Portland’s children live in households at or below the poverty level and a spike of 39.5% at David Douglas School in East County as of 20125. Of the total number of school-age children living in poverty 85% of them are non-white. Many of these families depend upon available long-term rental space. The city is required to support opportunities for (long-term) renter households and increase the public school population. The Short Term Rental amendment will accelerate the displacement of long-term rental households including those with children. Encouraging this displacement taking could easily force them out of the Portland area schools in violation of this Objectives 4.10.A and F.

Finding 12. Housing Affordability, Policy 4.11. “Promote the development and preservation of quality housing that is affordable across the full spectrum of household incomes. Objectives: A. Include strategies and actions that encourage the provision of housing affordable to all income levels in neighborhood, and community plans, and other area plans that pertain to housing. B. Ensure the availability of housing that meets the needs of all Portland households.” As stated in Objective 2.15, above, the rental vacancy rate has jumped from 7.5% to 2% over the past five years. Short Term Rentals as stated in the RICAP 6 amendment proposes to allow this use ‘by-right’ in all Single Dwelling residential zones and permits owners to raise rents astronomically, such as from \$500/mo. to \$500/week. This amendment disregards the needs of long-term rental market in the Single Dwelling zone by encouraging the reduction of their availability and taking more residential area out of potential use. Therefore, the Short Term Rental amendment fails to satisfy Policy 4.11, Objectives 4.11.A and B.

Finding 13. Neighborhood Stability, Policy 4.14. “Stabilize neighborhoods by promoting: 1) a variety of homeownership and rental housing options; 2) security of housing tenure; and 3) opportunities for community interaction. Objectives: A. Promote and maintain homeownership options within neighborhoods. B. Promote housing opportunities that build a sense of community, civic involvement and neighborhood pride. H. Enable people who are elderly to remain in their own neighborhoods as their needs change by supporting shared housing, accessory dwellings, smaller homes, adult foster homes, and other assisted residential living arrangements.” The Short Term Rental amendment places no restriction on number and location of these uses in the Single Family Zone. As written, all the homes in the block could contain a Short Term Rental use. As written the Short Term Rental amendment proposes to destabilize and replace long-term rentals, make Neighborhood Watch programs ineffectual

⁵ http://www.portlandpulse.org/child_poverty

with the constant turn-over, and destroy the sense of safety that builds a sense of community, thereby fails to satisfy Policy 4.14 and Objective 4.14.B.

Finding 14. The Short Term Rental amendment clumsily attempts to provide an opportunity for this type of use to be used by property owners to enable them to afford to age in place. Instead it offers a wolf in sheep's clothing for those who allow themselves to be taken in by this use. It has been proven that AirBnB's insurance, provided to vendors of their marketing site, only serves as a backup to a Homeowner's Insurance Policy. It does not cover liability. If the property owner has not updated their Homeowner's Insurance to cover Boarders or Renters then they will be saddled with the entire cost of damage and/or liability. Homeowner Mortgage Agreements typically do not allow use of the property for rentals or Boarders. Making a change in the Mortgage Agreement to allow Short Term Rental use will typically include a higher interest rate but ensure the owner does not breach this contract. The Short Term Rental amendment fails to inform and require homeowners to provide proof that they have both insurance and mortgage agreements updated prior to permit approval. This amendment thereby becomes a liability to its users undermines the potential income they might generate. Therefore this amendment as written does more damage than good and fails to satisfy Objective 4.14.H.

Finding 15. Citizen Involvement, Goal 9. "Improve the method for citizen involvement in the on-going land use decision-making process and provide opportunities for citizen participation in the implementation, review and amendment of the adopted Comprehensive Plan. Policies & Objectives: 9.1 Citizen Involvement. Coordination Encourage citizen involvement in land use planning projects by actively coordinating the planning process with relevant community organizations, through the reasonable availability of planning reports to city residents and businesses, and notice of official public hearings to neighborhood associations, business groups, affected individuals (emphasis added) and the general public." The Short Term Rental amendment proposes to adopt language that allows this Commercial use 'by right' in all zones that are Single Dwelling residential as well on properties that permit duplexes and triplexes. The city has advertised the hearings for this amendment as a legislative action. However; the City has NOT notified the affected individuals of this pending land use action. All property owners and residents in these Residential zones are directly affected by this Commercial use being allowed 'by-right' on abutting and adjacent properties. Such general disregard for citizen participation fails to satisfy Goal 9 and Policies & Objectives 9.1.

Based on the above stated Findings the Short Term Rental amendment, Sections 12, 13, and 14 of RICAP 6, fails to satisfy the requirements of the Portland Comprehensive Plan.

Item IV. The Rose City Park Neighborhood Association further recommends that after the Short Term Rental amendment is removed from RICAP 6 a community-wide discussion on this topic be managed by the City to include the following:

1. Address stability and equity issues. Suggestions include:
 - A. Require a Type II process that includes notification and then approval of use by adjacent neighbors prior to permit issuance; mirroring the existing model established by PBOT for The Village Building Convergence. Excerpt from the PBOT website (<http://www.portlandoregon.gov/transportation/article/450138>) "PBOT requires that each project solicit feedback from neighbors within two blocks of the project. Eighty percent of these neighbors must approve of the project as well as 100% of those on properties adjacent to the project. We recommend the use of a 200 foot radius notification area. Such notification shall include the Health Department and OLCC alerting them to the potential sale of food and

- drinks on site. In addition, notification needs to be sent to all Neighborhood Associations and Neighborhood/Rental/Apartment Watch Captains impacted by the notice area.
- B. Applications requiring:
 - i. Proof of ownership of property and residence;
 - ii. Proof of updated insurance that includes coverage of Renters or Boarders;
 - iii. Proof of updated Mortgage Agreement that permits Renters or Boarders;
 - iv. Applications for the service of food and/or liquor on site, for City review and coordination with the Health Department and/or OLCC. We suggest a permit number that reflects this approved use.
 - C. Require rental bedroom(s) be located in the primary residence of the property owner.
 - D. Require the property owner to reside in this primary residence for the duration of every short term rental period;
 - E. Require a Good Neighbor Agreement that involves the neighborhood association and adjacent neighbors to the Short Term Rental site
 - F. Short Term rental owner to provide annual update flyers to adjacent neighbors regarding complaint contact information and proposed ground rules for use of the rental site (including items such as smoking, parking, etc).
 - G. Require annual fee and neighbor review for all Short Term Rentals. Allow neighbor opposition to the Short Term Rental to stop and/or deny continuance of the use.
 - H. Clearly identify conditions of permit revocation.
 - I. Limit number of Short Term Rental Uses by allowing them to be located at least 200 feet apart from each other.
2. Retain rental housing stock.
 - A. Increase fees and fines issued for Short Term Rentals so that it limits the number of units that transition out of housing rentals for this more lucrative use. Fines should mirror those applied in NYC.
 - B. Require all Short Term Rental owners to post their permit number and neighborhood in all advertisements. This will enable City personnel a quick reference for enforcement.
 3. Maintain stability and livability of R5 zone. The R5 residential zone should exclude Short Term Rental uses. These neighborhoods need to remain as the Residential sanctuary for families and their children. Short Term Rentals would insert a Commercial use with high residential turnover into these residential areas making it impossible to maintain a Neighborhood Watch. There are no background checks required by AirBnB and other Short Term Rental markets that determine whether these Short Term Rental users are Registered Sexual Predators or felons. Allowing these types of uses undermines the fabric of security needed to maintain safety and livability in these areas.
 4. Add definitions for:
 - A. Legal Bedroom;
 - B. Recognized Organization; and
 - C. Primary Residence

Thank you for the opportunity to comment on the BPS RICAP 6 proposal. We have serious concerns with the Short Term Rental language as proposed. We ask you to please remove this item from the Municipal Code amendment package. Instead, separate the Short Term Rental proposal for further review and discussion. Please review the standards and requirements implemented by Austin Texas as a

possible template for further discussion. Let us work together to identify the issues and seek a means for joint resolution.

Please contact us if you have any questions or we can be of further assistance in this matter.

Respectfully,



Tamara DeRidder, AICP
Co-Chair, LU & TC
Board, RCPNA
1707 NE 52nd Ave.
Portland, OR 97213
503-706-5804



Nate Carter, AIA
Co-Chair, LU & TC
Board, RCPNA
2432 NE 59th Avenue
Portland, OR 97213
971-344-1919



Michael Roth
Board Chairman, RCPNA
5126 NE Wistaria Drive
Portland, OR 97213
503-493-8316

18 6736

ATTACHMENT 2D

June 3, 2014

Request: Remove STR

From RICAP 6

Dear All,

Thank you for the opportunity to comment on this Short Term Rental amendment. This issue was discussed at last night's April SMILE Board meeting. By a unanimous vote the Sellwood Moreland Improvement League (SMILE) Board has found issue with several items in the proposed language and have concerns that the subject is so substantive that it should be separated from the annual update process, RICAP 6. In our reading of the Short Term Rental amendment it proposes a Commercial Use 'by right' to all who own property in the Residential zone. This change of Use is not incidental language or a minor amendment to the code and should be excluded from the RICAP process. We support the idea of a broader community discussion regarding the pros and cons of the short term rental us in our neighborhood.

Thank-you for considering this issue.

Respectfully,

Gail Hoffnagle

SMILE President

smileghoffnagle@gmail.com



ATTACHMENT 2C

June 3, 2014

Request: Removal of STR
from RICAP 6

18 67 36

April 16, 2014

Planning and Sustainability Commission psc@portlandoregon.gov,
1900 SW 4th Avenue, Suite 7100
Portland, OR 97201
CC: Morgan Tracy, RICAP 6 Coordinator morgan.tracy@portlandoregon.gov
RE: RICAP 6 – Short Term Rentals

Dear Members of the Planning and Sustainability Commission:

The Hosford-Abernethy Neighborhood District Association (HAND) is requesting that you remove the proposed code revisions dealing with Short Term Rentals from the RICAP 6 package when you consider it at your April 22nd meeting. This change of use is not incidental language or a minor amendment to the code and should be excluded from the RICAP process. Our neighborhood has not taken a stand on the issue of Short Term Rentals and our request does not mean we are either opposed or in support of the current concept. However, given the complexity of the issue and the suggestions for additional safeguards that have come forward from the community, it seems clear that the provisions relating to Short Term Rentals are NOT ready to move swiftly through the review process along with the other code” tweaks” and minor modifications contained in the RICAP 6 package.

A seven-week outreach process has not allowed many neighborhoods and business associations to do the kind of outreach needed or to make space in overly full monthly agendas to give community members adequate time for discussion. The full range of health, safety, and enforcement implications, for example, has not been fully addressed in the current package. We are not suggesting a lengthy delay, but rather a more careful consideration of these issues. Creating additional opportunities for engagement in the near future could allow a more thorough vetting of the proposed code changes with the community as well as a more thorough response from staff to the issues raised to date, along with any that may arise in a future round of conversations.

Thank you for your consideration of our request.

Sincerely,

Susan E. Pearce, HAND Chair
c/o Southeast Uplift
3534 SE Main St
Portland, OR 97214

CENTRAL NORTHEAST NEIGHBORS, INC.

4415 NE 87th Ave * Portland, OR 97220-4901
503-823-3156

18 67 36

Attachment 2B
June 3, 2014
Remove STR from
RICAP 6

March 3, 2014

City of Portland
Bureau of Planning & Sustainability
Attn: Morgan Tracy, RICAP 6 Coordinator morgan.tracy@portlandoregon.gov
1900 SW 4th Avenue
Suite 7100
Portland, OR 97201

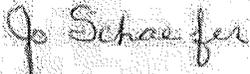
Subject: Central NE Neighbors Request to remove Short Term Rentals, RICAP 6 Sections 12, 13, & 14 for further discussion

Dear Morgan Tracy,

We ask you to please remove Short Term Rentals, RICAP 6 Sections 12, 13, & 14 from the Municipal Code amendment package. Our board composed of representatives from Beaumont Wilshire, Cully, Hollywood, Madison South, Rose City Park, Roseway and Sumner neighborhood associations voted unanimously to request that you would like to separate the Short Term Rental proposal for further review and discussion. We believe that this is not a minor amendment but rather a more complicated one that needs further public discussion.

Thank you for your time and consideration.

Regards,



Jo Schaefer, President of the Board

CC: Susan Anderson Susan.Anderson@PortlandOregon.gov,
Planning and Sustainability Commission psc@portlandoregon.gov,
Portland City Council < Karla.Moore-Love@portlandoregon.gov >



18 67 36 Southeast Uplift
3534 SE Main St
Portland, OR 97214

p: 503 232-0010
f: 503 232-5265

www.southeastuplift.org

May 7, 2014

Morgan Tracy, RICAP 6 Coordinator
Portland Bureau of Planning and Sustainability
1900 SW 4th Avenue, Suite 7100
Portland, Oregon 97201-5380

ATTACHMENT 2A

June 3, 2014

Remove STR from RICAP 6

Dear Mr. Tracy:

At the May 4, 2014 board meeting, the Southeast Uplift board, following the recommendation of its land use committee, voted to eliminate the proposed regulatory changes in RICAP 6 listed in work plan Items 12, 13, and 14 (short term rentals) from RICAP 6.

We suggest that any proposed changes to the regulation of short term rentals be considered on their own and with sufficient input from residents who may be affected by any regulatory changes.

The Discussion Draft (p. 7) indicates that RICAP 6 is "designed to provide an ongoing and rapid vehicle for *technical and minor* policy amendments to the City's regulations." The proposed changes to short term rental regulations are more than a minor policy item. The Discussion Draft proposes controversial and major changes with a wide range of impacts across the entire City of Portland.

This is a case where the City of Portland should "measure twice and cut once." Please put down your regulatory saw and allow a thorough discussion on this issue before you rush to judgment.

A handwritten signature in black ink, appearing to read 'R. McCullough', is written over a light blue horizontal line.

Robert McCullough
Treasurer
Southeast Uplift

cc: Mayor Charlie Hales
Commissioner Amanda Fritz
Commissioner Nick Fish
Commissioner Dan Saltzman
Commissioner Steve Novick
Paul Scarlett
Susan Anderson
Julia Gisler
Phil Nameny
Jackie Dingfelder

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Hosford-Abernethy • Kerns • Laurelhurst • Montavilla • Mt. Scott-Arleta • Mt. Tabor • North Tabor • Reed • Richmond
Sellwood-Moreland • South Tabor • Sunnyside • Woodstock



Southeast Uplift
3534 SE Main St
Portland, OR 97214

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18 67 36

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Hosford-Abernethy • Kerns • Laurelhurst • Montavilla • Mt. Scott-Arleta • Mt. Tabor • North Tabor • Reed • Richmond
Sellwood-Moreland • South Tabor • Sunnyside • Woodstock

June 3, 2014 (Sent via e-mail, identified below, on this date)

City of Portland
Bureau of Planning & Sustainability
Attn: Morgan Tracy, RICAP 6 Coordinator morgan.tracy@portlandoregon.gov
19—SW 4th Ave.
Suite 7100
Portland, OR 97201

City of Portland
Clerk, Karla Moore karla.moore-love@portlandoregon.gov
Attn: City Council
1221 SW Fourth Ave.
Room 130
Portland, OR 97204

CC: City Auditor La Vonne Griffin-Valade, LaVonne@portlandoregon.gov

Subject: Removal of Short Term Rentals from RICAP 6 Requested by SE-Uplift and Central NE Neighbors Coalition's to allow more Public Discussion.

Honorable Mayor Adams and City Commissioners:

Both SE-Uplift and Central NE Neighbors Coalitions, representing a total of 27 active neighborhoods, request that you remove Short Term Rentals from the RICAP 6 review process to allow more public discussion on this topic. Eight neighborhood representatives and concerned residents crafted two e-mail blasts that were sent to the Neighborhood Association (NA) representatives in the ONI NA Directory. We received twenty-six responses stating:

“I support SE Uplift and CNN Coalitions’ request for City Council to remove the Accessory Short Term Rentals amendments from RICAP 6 to allow time for a broader community discussion.”

The Bridlemile Neighborhood Association was able to hold a Board meeting in time for this meeting and also supports this request.

Together, at least 28 neighborhoods that represent close to 1/3 of the Portland Neighborhood Associations are requesting that the City Council remove Short Term Rentals from the RICAP 6 review process. We believe that Short Term Rentals are a timely issue and wish to move forward with a public discussion that enables the Neighborhood Associations to help develop the model that best fits Portland's neighborhoods.

Thank you for your continued support in maintaining affordable safe housing for our community.

Respectfully,

Ellen Burr - SMILE Board & LU Committee Chair, SEUL LU&TC

Tamara DeRidder, AICP: 1707 NE 52nd Ave, PDX 97213 RCPNA Acting Chairman & Co-Chair LU&TC

Anne Dufay, Executive Director, SEUL (supporting 20 SE neighborhoods)

Bonny McKnight, Coordinator Citywide Land Use Committee

Linda Nettekoven – Hosford Abernethy Neighborhood Development (HAND) and SEUL LU&TC

Michael Roth – Former Chairman Rose City Park Neighborhood Association (RCPNA)

Mary Ann Schwab - Southeast Uplift resident

Alison Stoll, Executive Director, Central NE Neighbors - CNN (supporting 7 NE neighborhoods)

Responses of support for SE-Uplift and Central NE Neighbors Coalition's request for Short Term Rental removal from RICAP 6 review process:

Susan Lindsay

Claire Coleman-Evans

Linda Niles

Tom Badrick

Beverly Tobias

Dale Bailey

Mark Lerner

Ron

Erika Palmer

Bea Pettit

Fred Stovel

Joanne Carlson

Pete Sterling

Jeff Bowman

Christine Yun

Martha Dibblee

Linda Robinson

Coleen Henson

Emilie Saks-Webb

Rebecca Brandt

Jocelyn Cox

Cynthia A. Maccini

David Dowell

Karl E. Hausafus

Tren Haselton

Theo Downes-Le Guin

Attachments:

1. E-mail blast
2. Letters Attached to E-mail Blast: SE Uplift; CNN; HAND; SMILE; and RCPNA
3. Excel File of respondents
4. Copy of E-mail Responses (available upon request).

Letter transmitted by Tamara DeRidder, AICP

SE-Uplift & CNN

Request: Remove Short Term Rentals from RICAP 6

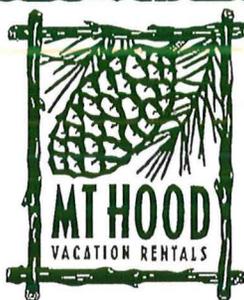
June 3, 2014

Page 2 of 2

June 4, 2014

18 67 36

Mayor Hales
Commissioners Saltzman, Fish, Fritz & Novick
1221 SW 4th Avenue
Portland, OR 97204
Fax: 503-823-4571



AUDITOR 06/03/14 PM 4:29

Re: RICAP 6 Recommended Draft for Short Term Rentals in Portland

As a vacation rental manager in Oregon for almost 23 years, I am requesting a delay in action on any regulations affecting the Short Term Rental Community in Portland without further contributions from the major stakeholders in Oregon of this traditional Short Term Rental activity.

As a reference point, The United States Conference of Mayors unanimously passed in 2012 a policy that states (http://www.usmayors.org/resolutions/80th_conference/cdh08.asp):

1. Short-term rental of homes can provide a flexible housing stock that allows family travelers spending longer periods of time in a community a safe accommodation while contributing to the local economy.
2. Short-term rental of homes can provide homeowners an opportunity to hold property as an investment, for a better sales market, or for future planning.
3. Fair regulation of short-term rentals ensures greater compliance and greater receipt of local hotel taxes.
4. Regulations of short-term rentals that establish a reliable way for a municipality to identify and contact the short-term rental owner, make the tax collection and remittance obligation clear and treat the short-term rental owner the same as long-term rental owners can achieve the highest level of compliance.

The current proposed regulation in the RICAP 6 Recommended Draft for Short Term Rentals in Portland DOES NOT represent the US Conference of Mayors best practice.

The proposed regulation will encourage renters and property owners to operate under the radar and / or will effectively ban Traditional Short Term Rental Activity – and therefore a property owner's ability to use the flexibility of this option for their real estate investment.

The proposed regulation was conceived without a transparent dialogue of all the stakeholders, including the Traditional Short Term Rental Community in Portland and throughout the state of Oregon, effectively keeping safe, legal Short Term Rentals which currently produce dozens of jobs from existing in the city of Portland.

I ask that you delay any action until we can have an effective and thorough discussion that includes the Traditional Short Term Rental Community about this and any future regulations.

Thank you,

Betsy LaBarge
CEO & President, Mt Hood Vacation Rentals

From: Suzanne E. Hannam <suzanne_e_hannam@hotmail.com>
 Sent: Monday, June 02, 2014 9:42 PM
 To: Hales, Mayor
 Cc: Moore-Love, Karla
 Subject: RICAP 6 & SHORT TERM RENTALS IN SINGLE-FAMILY ZONES

Respectfully Mayor Hales,

I ask you to please fully read the proposed zoning change in RICAP 6 which will allow short term rentals in single-family zones. There are significant issues that have not been addressed in the proposed code :

- 1) There is no limit as to how many Short Term Rentals can be on your block or in your neighborhood.
- 2) There is no requirement that it is OWNER OCCUPIED as was stated in multiple BPS presentations.
- 3) There is no definition of PRIMARY RESIDENCE and residency proof requirement.
- 4) As the code is written investors or an entrepreneurial group could buy multiple properties and have "tenants" manage their mini-motels.
- 5) The 'operator' does not have to be onsite - they could live elsewhere or be snowbirds, etc., essentially never be at the property while they have short term renters.
- 6) Neighbors of the Short Term Rentals have no input or choice and have to 'accept' living next door to a mini-motel.
- 7) There is no monitoring by the City.
- 8) There is no enforcement by the City.
- 9) Short Term Rentals negate Neighborhood Watch Programs.
- 10) Short Term Rentals reduce available long term rental property and exclude long term tenants who become part of our neighborhoods and community.
- 11) Short Term Rentals will impact our property values - (imagine Short Term Rentals operating on both sides of your home - again there is no limit how many Short Term Rentals can be on your block or in your neighborhood)
- 12) Notification is only required to a maximum of 7 neighbors in immediate proximity.

I attended the April PSC hearing:

One young gal testified that her neighbors live in Mexico and rent their house full time on a short-term basis -this would be legal with the proposed code. She said they make over \$3000/month and her rent is \$1400/month. She stated that her landlords may now decide to rent on a short term basis because they can make more than twice the money that she pays in rent. She said she is afraid she will lose her place to live.

Another guy testified and said he and both of his next door neighbors were going to convert to short term rentals - 3 mini-motels in a row in a family neighborhood. There were many present who identified they will switch from renting their duplex, basement apartment or ADU on a long term basis to a short term basis when. This will be a significant impact to the availability of rental housing. There is lottery row on Hayden Island. The possibility of MINI-MOTEL ROWs in our neighborhoods is a reality with this proposed zoning change.

Portland police officers regularly attend our neighborhood meetings and have continually stressed to us to "know who are neighbors are and who belongs on our street". How are we as neighbors to be expected to know who "belongs" on our street with the constant flow of transient strangers? This is a safety issue and makes neighborhood watch impossible.

Further, per the Planning and Sustainability web site it is stated that "Issues that require major policy changes are not addressed through RICAP but are evaluated through separate legislative projects." I am aware that multiple neighborhood associations and coalitions, including SE UPLIFT to which the EASTMORELAND Neighborhood is a member, have requested that short term rentals be removed from RICAP 6 as this proposed zoning change is not minor. It is a significant change to the fabric and livability of our neighborhoods and should be removed from RICAP 6.

The single-family zone has been reduced significantly over the years and is continuing to be reduced and encroached upon by high-density zoning plans to accommodate an increasing population. Families choose to buy homes in single-family zones for reasons – to raise our families, to not live next door to businesses and to know who are neighbors are and to become part of our neighborhood community. Our neighborhoods are the backbone of our City and knowing your neighbors is part of building our neighborhood community.

We need to preserve and protect single-family zones from the commercial enterprise of mini-motels. To allow this proposed code to be passed allows Short Term Rentals, essentially mini-motels, in single-family zones. Single-family zones should be excluded from this zoning change. The allowance of Short Term Rentals in single-family zones is an equity, livability, quality and safety issue.

I again state that this zoning change is significant and should be removed from RICAP 6 for further study. I ask you to choose to protect our single-family neighborhoods and the quality, livability and safety of our neighborhoods.

I thank you for your time and consideration.

Sincerely,
Suzanne E Hannam
2955 NE 56TH AVE

Moore-Love, Karla

From: Suzanne E. Hannam <suzanne_e_hannam@hotmail.com>
Sent: Monday, June 02, 2014 9:55 PM
To: Commissioner Fish
Cc: Moore-Love, Karla
Subject: RICAP 6 & SHORT TERM RENTALS IN SINGLE-FAMILY ZONES

Respectfully Commissioner Nick Fish,

I ask you to please fully read the proposed zoning change in RICAP 6 which will allow short term rentals in single-family zones. There are significant issues that have not been addressed in the proposed code :

- 1) There is no limit as to how many Short Term Rentals can be on your block or in your neighborhood.
- 2) There is no requirement that it is OWNER OCCUPIED as was stated in multiple BPS presentations.
- 3) There is no definition of PRIMARY RESIDENCE and residency proof requirement.
- 4) As the code is written investors or an entrepreneurial group could buy multiple properties and have "tenants" manage their mini-motels.
- 5) The 'operator' does not have to be onsite - they could live elsewhere or be snowbirds, etc., essentially never be at the property while they have short term renters.
- 6) Neighbors of the Short Term Rentals have no input or choice and have to 'accept' living next door to a mini-motel.
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- 8) There is no enforcement by the City.
- 9) Short Term Rentals negate Neighborhood Watch Programs.
- 10) Short Term Rentals reduce available long term rental property and exclude long term tenants who become part of our neighborhoods and community.
- 11) Short Term Rentals will impact our property values - (imagine Short Term Rentals operating on both sides of your home - again there is no limit how many Short Term Rentals can be on your block or in your neighborhood)
- 12) Notification is only required to a maximum of 7 neighbors in immediate proximity.

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Another guy testified and said he and both of his next door neighbors were going to convert to short term rentals - 3 mini-motels in a row in a family neighborhood. There were many present who identified they will switch from renting their duplex, basement apartment or ADU on a long term basis to a short term basis when. This will be a significant impact to the availability of rental housing. There is lottery row on Hayden Island. The possibility of MINI-MOTEL ROWs in our neighborhoods is a reality with this proposed zoning change.

Portland police officers regularly attend our neighborhood meetings and have continually stressed to us to "know who are neighbors are and who belongs on our street". How are we as neighbors to be expected to know who "belongs" on our street with the constant flow of transient strangers? This is a safety issue and makes neighborhood watch impossible.

Further, per the Planning and Sustainability web site it is stated that "Issues that require major policy changes are not addressed through RICAP but are evaluated through separate legislative projects." I am aware that multiple neighborhood associations and coalitions, including CNN to which the BEAUMONT WILSHIRE Neighborhood is a member, have requested that short term rentals be removed from RICAP 6 as this proposed zoning change is not minor. It is a significant change to the fabric and livability of our neighborhoods and should be removed from RICAP 6.

The single-family zone has been reduced significantly over the years and is continuing to be reduced and encroached upon by high-density zoning plans to accommodate an increasing population. Families choose to buy homes in single-family zones for reasons – to raise our families, to not live next door to businesses and to know who are neighbors are and to become part of our neighborhood community. Our neighborhoods are the backbone of our City and knowing your neighbors is part of building our neighborhood community.

We need to preserve and protect single-family zones from the commercial enterprise of mini-motels. To allow this proposed code to be passed allows Short Term Rentals, essentially mini-motels, in single-family zones. Single-family zones should be excluded from this zoning change. The allowance of Short Term Rentals in single-family zones is an equity, livability, quality and safety issue.

I again state that this zoning change is significant and should be removed from RICAP 6 for further study.

I ask you to choose to protect our single-family neighborhoods and the quality, livability and safety of our neighborhoods.

I thank you for your time and consideration.

Sincerely,

Suzanne E Hannam

2955 NE 56TH AVE

From: Suzanne E. Hannam <suzanne_e_hannam@hotmail.com>
Sent: Monday, June 02, 2014 10:03 PM
To: Commissioner Fritz
Cc: Moore-Love, Karla
Subject: RICAP 6 & SHORT TERM RENTALS IN SINGLE-FAMILY ZONES

Respectfully Commissioner Amanda Fritz,

I ask you to please fully read the proposed zoning change in RICAP 6 which will allow short term rentals in single-family zones. With your 17 year experience as a Neighborhood Association land use chair you will see that there are significant issues that have not been addressed in the proposed code :

- 1) There is no limit as to how many Short Term Rentals can be on your block or in your neighborhood.
- 2) There is no requirement that it is OWNER OCCUPIED as was stated in multiple BPS presentations.
- 3) There is no definition of PRIMARY RESIDENCE and residency proof requirement.
- 4) As the code is written investors or an entrepreneurial group could buy multiple properties and have "tenants" manage their mini-motels.
- 5) The 'operator' does not have to be onsite - they could live elsewhere or be snowbirds, etc., essentially never be at the property while they have short term renters.
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- 8) There is no enforcement by the City.
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Another guy testified and said he and both of his next door neighbors were going to convert to short term rentals - 3 mini-motels in a row in a family neighborhood. There were many present who identified they will switch from renting their duplex, basement apartment or ADU on a long term basis to a short term basis when. This will be a significant impact to the availability of rental housing. There is lottery row on Hayden Island. The possibility of MINI-MOTEL ROWs in our neighborhoods is a reality with this proposed zoning change.

Portland police officers regularly attend our neighborhood meetings and have continually stressed to us to "know who are neighbors are and who belongs on our street". How are we as neighbors to be expected to know who "belongs" on our street with the constant flow of transient strangers? This is a safety issue and makes neighborhood watch impossible.

Further, per the Planning and Sustainability web site it is stated that "Issues that require major policy changes are not addressed through RICAP but are evaluated through separate legislative projects." I am aware that multiple neighborhood associations and coalitions have requested that short term rentals be removed from RICAP 6 as this

proposed zoning change is not minor. It is a significant change to the fabric and livability of our neighborhoods and should be removed from RICAP 6.

The single-family zone has been reduced significantly over the years and is continuing to be reduced and encroached upon by high-density zoning plans to accommodate an increasing population. Families choose to buy homes in single-family zones for reasons – to raise our families, to not live next door to businesses and to know who are neighbors are and to become part of our neighborhood community. Our neighborhoods are the backbone of our City and knowing your neighbors is part of building our neighborhood community.

We need to preserve and protect single-family zones from the commercial enterprise of mini-motels. To allow this proposed code to be passed allows Short Term Rentals, essentially mini-motels, in single-family zones. Single-family zones should be excluded from this zoning change. The allowance of Short Term Rentals in single-family zones is an equity, livability, quality and safety issue.

I again state that this zoning change is significant and should be removed from RICAP 6 for further study. I ask you to choose to protect our single-family neighborhoods and the quality, livability and safety of our neighborhoods.

I thank you for your time and consideration.

Sincerely,
Suzanne E Hannam
2955 NE 56TH AVE

Moore-Love, Karla

From: Suzanne E. Hannam <suzanne_e_hannam@hotmail.com>
Sent: Monday, June 02, 2014 10:09 PM
To: Commissioner Novick
Cc: Moore-Love, Karla
Subject: RICAP 6 & SHORT TERM RENTALS IN SINGLE-FAMILY ZONES

Respectfully Commissioner Steve Novick,

I ask you to please fully read the proposed zoning change in RICAP 6 which will allow short term rentals in single-family zones. There are significant issues that have not been addressed in the proposed code :

- 1) There is no limit as to how many Short Term Rentals can be on your block or in your neighborhood.
- 2) There is no requirement that it is OWNER OCCUPIED as was stated in multiple BPS presentations.
- 3) There is no definition of PRIMARY RESIDENCE and residency proof requirement.
- 4) As the code is written investors or an entrepreneurial group could buy multiple properties and have "tenants" manage their mini-motels.
- 5) The 'operator' does not have to be onsite - they could live elsewhere or be snowbirds, etc., essentially never be at the property while they have short term renters.
- 6) Neighbors of the Short Term Rentals have no input or choice and have to 'accept' living next door to a mini-motel.
- 7) There is no monitoring by the City.
- 8) There is no enforcement by the City.
- 9) Short Term Rentals negate Neighborhood Watch Programs.
- 10) Short Term Rentals reduce available long term rental property and exclude long term tenants who become part of our neighborhoods and community.
- 11) Short Term Rentals will impact our property values - (imagine Short Term Rentals operating on both sides of your home - again there is no limit how many Short Term Rentals can be on your block or in your neighborhood)
- 12) Notification is only required to a maximum of 7 neighbors in immediate proximity.

I attended the April PSC hearing:

One young gal testified that her neighbors live in Mexico and rent their house full time on a short-term basis -this would be legal with the proposed code. She said they make over \$3000/month and her rent is \$1400/month. She stated that her landlords may now decide to rent on a short term basis because they can make more than twice the money that she pays in rent. She said she is afraid she will lose her place to live.

Another guy testified and said he and both of his next door neighbors were going to convert to short term rentals - 3 mini-motels in a row in a family neighborhood. There were many present who identified they will switch from renting their duplex, basement apartment or ADU on a long term basis to a short term basis when. This will be a significant impact to the availability of rental housing. There is lottery row on Hayden Island. The possibility of MINI-MOTEL ROWs in our neighborhoods is a reality with this proposed zoning change.

Portland police officers regularly attend our neighborhood meetings and have continually stressed to us to "know who are neighbors are and who belongs on our street". How are we as neighbors to be expected to know who "belongs" on our street with the constant flow of transient strangers? This is a safety issue and makes neighborhood watch impossible.

Further, per the Planning and Sustainability web site it is stated that "Issues that require major policy changes are not addressed through RICAP but are evaluated through separate legislative projects." I am aware that multiple neighborhood associations and coalitions have requested that short term rentals be removed from RICAP 6 as this proposed zoning change is not minor. It is a significant change to the fabric and livability of our neighborhoods and should be removed from RICAP 6.

The single-family zone has been reduced significantly over the years and is continuing to be reduced and encroached upon by high-density zoning plans to accommodate an increasing population. Families choose to buy homes in single-family zones for reasons – to raise our families, to not live next door to businesses and to know who are neighbors are and to become part of our neighborhood community. Our neighborhoods are the backbone of our City and knowing your neighbors is part of building our neighborhood community.

We need to preserve and protect single-family zones from the commercial enterprise of mini-motels. To allow this proposed code to be passed allows Short Term Rentals, essentially mini-motels, in single-family zones. Single-family zones should be excluded from this zoning change. The allowance of Short Term Rentals in single-family zones is an equity, livability, quality and safety issue.

I again state that this zoning change is significant and should be removed from RICAP 6 for further study. I ask you to choose to protect our single-family neighborhoods and the quality, livability and safety of our neighborhoods.

I thank you for your time and consideration.

Sincerely,
Suzanne E Hannam
2955 NE 56TH AVE

Moore-Love, Karla

From: Suzanne E. Hannam <suzanne_e_hannam@hotmail.com>
Sent: Monday, June 02, 2014 10:08 PM
To: Commissioner Saltzman
Cc: Moore-Love, Karla
Subject: RICAP 6 & SHORT TERM RENTALS IN SINGLE-FAMILY ZONES

Respectfully Commissioner Dan Saltzman,

I ask you to please fully read the proposed zoning change in RICAP 6 which will allow short term rentals in single-family zones. There are significant issues that have not been addressed in the proposed code :

- 1) There is no limit as to how many Short Term Rentals can be on your block or in your neighborhood.
- 2) There is no requirement that it is OWNER OCCUPIED as was stated in multiple BPS presentations.
- 3) There is no definition of PRIMARY RESIDENCE and residency proof requirement.
- 4) As the code is written investors or an entrepreneurial group could buy multiple properties and have "tenants" manage their mini-motels.
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- 11) Short Term Rentals will impact our property values - (imagine Short Term Rentals operating on both sides of your home - again there is no limit how many Short Term Rentals can be on your block or in your neighborhood)
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The single-family zone has been reduced significantly over the years and is continuing to be reduced and encroached upon by high-density zoning plans to accommodate an increasing population. Families choose to buy homes in single-family zones for reasons – to raise our families, to not live next door to businesses and to know who are neighbors are and to become part of our neighborhood community. Our neighborhoods are the backbone of our City and knowing your neighbors is part of building our neighborhood community.

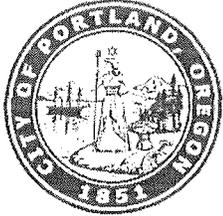
We need to preserve and protect single-family zones from the commercial enterprise of mini-motels. To allow this proposed code to be passed allows Short Term Rentals, essentially mini-motels, in single-family zones. Single-family zones should be excluded from this zoning change. The allowance of Short Term Rentals in single-family zones is an equity, livability, quality and safety issue.

I again state that this zoning change is significant and should be removed from RICAP 6 for further study. I ask you to choose to protect our single-family neighborhoods and the quality, livability and safety of our neighborhoods.

I thank you for your time and consideration.

Sincerely,
Suzanne E Hannam
2955 NE 56TH AVE

#578



CITY OF

PORTLAND, OREGON

OFFICE OF NEIGHBORHOOD INVOLVEMENT

CHARLIE HALES, MAYOR
Amalia Alarcón de Morris, Bureau Director
Crime Prevention Program
4747 E. Burnside Street
Portland, Oregon 97215

Organizing and supporting community partnerships to prevent crime and the fear of crime.

18 67 36

Portland Planning and Sustainability Commission
1900 SW 4th Avenue, Suite 7100
Portland Oregon 97201

AUDITOR 06/03/14 PM 3:44

April 4, 2014

Dear Members of the Planning and Sustainability Commission:

It has come to my attention that you will soon be considering the Bureau of Planning and Sustainability's proposal to allow bed-and-breakfast style short term rentals in people's homes by right. I also understand that at least one community member who is opposed to this idea has referenced our Neighborhood Watch program as a reason not to approve this proposal. While the Office of Neighborhood Involvement's Crime Prevention Program has no official position about the short term rental proposal itself, I wanted to set the record straight about what effect the proposal might have on Neighborhood Watch.

I am the manager of the Crime Prevention Program for the City of Portland. Among many other services, we administer Portland's Neighborhood Watch. Neighborhood Watch is a longtime program, in use across the United States, which promotes social cohesion as a way to prevent crime. Newly forming Neighborhood Watch groups in Portland are taught by our staff how to recognize and report criminal activity, work with the police to resolve ongoing crime issues, and most importantly, to get to know each other. Research supports the concept that social cohesion and collective efficacy lead to lower crime rates. Members of Neighborhood Watch groups exchange contact information and stay in touch with each other, whether by email, phone calls, or seeing each other on the street.

The community member who has stated that short term rentals would destroy her Neighborhood Watch because it would bring strangers to her street misses the point of our instruction to get to know one's neighbors. The point of knowing one's neighbors is not to exclude everyone else, but to have a network. A neighborhood network can thrive whether or not guests or strangers are present. In short, I do not agree with the argument that short term rentals would nullify existing Neighborhood Watches.

If you have any questions about this, please contact me at 503-823-2030 or stephanie.reynolds@portlandoregon.gov.

Sincerely,

STEPHANIE K. REYNOLDS
Crime Prevention Program Manager
City of Portland- Office of Neighborhood Involvement

Cc: Julia Gisler, City Planner, BPS



AUDITOR 06/03/14 PM 3:18

RICAP 6

18 67 36



Tuesday, June 03, 2014

Dear Mayor and Commissioners,

I am writing to you as both a tourist and visitor to Portland as well as the President of the Vacation Rental Managers Association of Washington, I request a delay in action on any regulations affecting the Short Term Rental Community. The users of the Traditional Short Term Rental Community include visitors like myself who prefer to stay in vacation rentals.

I recently travelled to Portland for the long Memorial Day weekend. My fiancé and I were meeting friends of ours from Eugene and searched for a traditional short term rental home or apartment for the 4 of us to stay in. Unfortunately we weren't able to find one and had to stay in 2 hotel rooms. Staying in a hotel room is not an ideal set up for this kind of travel, where if we want to relax together we are crowded in a hotel room basically sitting in each other's "bedrooms". We would have preferred to stay in a traditional short term rental home with a common living room and kitchen with the privacy to catch up and relax together. We had a great time in your gorgeous city! Portland has so much to offer tourists, however the lack of traditional short term rental homes would put it low on my list for a return visit.

The AirBnB model of sharing a house with the owner also does not allow for the privacy sought by a family or friends gathering for a vacation to have the same experience they would get while staying in a traditional short term rental. Please carefully consider the impacts of any regulations you create regarding short term rentals. Portland is a world class city with a large tourism industry, don't short change that by eliminating the very popular option of renting an entire home or apartment as a short term rental.

I would ask that you hold off on taking any action until you have heard from the entire short term rental community not just AirBnB.

Most Sincerely,

1824 N. 48th St,
Seattle, WA 98103

VRMAWA President 2014-2016

Oregon Vacation Rental Managers Association
PO Box 3541
Portland, OR 97208

June 2, 2014

AUDITOR 06/03/14 AM 8:25

Mayor Hales
Commissioners Saltzman, Fish, Fritz & Novick
1221 SW 4th Avenue
Portland, OR 97204
Fax: 503-823-4571

Re: RICAP 6 Recommended Draft

Dear Mayor Hales and Commissioners:

The Oregon Vacation Rental Managers Association requests a delay of any action regarding Short Term Rentals in favor of gathering more data, reviewing best practices, and holding a discussion with the stakeholders.

Traditional Vacation Rentals, a model that has existed in Portland for more than fifty years, will be effectively banned under the current proposal in favor of a brand-new model. Best practices, and data from around the country, show that the Traditional Vacation Rental -- often managed by a professional -- have a high rate of compliance with local rules and regulations.

The ORVRMA and our members were not invited to participate in any discussions regarding this new proposal. Many of our Portland and Oregon members only learned of the action taken by the Planning Commission through the press.

Please give this local community, and our Association, the opportunity for a transparent discussion about our industry, the data and best practices.

We pride ourselves on working in partnership with local government, and we look forward to taking a thoughtful approach to creating fair and effective regulations.

Thank you,



Betsy LaBarge
Oregon Vacation Rental Managers Association
503-453-2120
betsy@mthoodrentals.com

Moore-Love, Karla

From: Alison Stoll <alisons@cnncoalition.org>
Sent: Monday, June 02, 2014 11:52 PM
To: Tracy, Morgan (Planning); Moore-Love, Karla
Cc: SustainableDesign@tdridder.users.panix.com
Subject: Letter Re RICAP 6 Letter please remove sec. 12, 13, and 14 for futher public discussion
Attachments: RICAP resubmit letter.pdf; CNNPullShortTermRentalOutofRICAPMarch2014.pdf

Please find attached two letters regarding removing RICAP 6, sections 12,13 and 14 for further public discussion. Please make sure City Council receives both copies together.

Thank you.

Alison Stoll

Alison Stoll
Executive Director
Central NE Neighbors
www.cnncoalition.org
503-823-3156 fax 503-823-3159

18 67 36

CENTRAL NORTHEAST NEIGHBORS, INC.

4415 NE 87th Ave * Portland, OR 97220-4901
503-823-3156

June 2, 2014

City of Portland
Bureau of Planning & Sustainability
Attn: Morgan Tracy, RICAP 6 Coordinator morgan.tracy@portlandoregon.gov
1900 SW 4th Avenue
Suite 7100
Portland, OR 97201

City of Portland
Clerk
Attn: Karla Moore karla.moore-love@portlandoregon.gov
1221 SW Fourth Ave.
Room 130
Portland OR 97204

Subject: Central NE Neighbors Request to remove Short Term Rentals, RICAP 6 Sections 12, 13, & 14 for further discussion

Dear Tracy and Karla,

It is my understanding that the attached letter has not been considered as testimony from our Central NE Neighbors.

I am resubmitting our letter dated March 3, 2014 to be included in the official record.

Thank you for your attention to this matter.

Sincerely,


Alison Stoll, Executive Director

CENTRAL NORTHEAST NEIGHBORS, INC.

18 6736

4415 NE 87th Ave * Portland, OR 97220-4901
503-823-3156

March 3, 2014

City of Portland
Bureau of Planning & Sustainability
Attn: Morgan Tracy, RICAP 6 Coordinator morgan.tracy@portlandoregon.gov
1900 SW 4th Avenue
Suite 7100
Portland, OR 97201

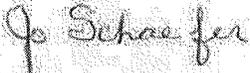
Subject: Central NE Neighbors Request to remove Short Term Rentals, RICAP 6 Sections 12, 13, & 14 for further discussion

Dear Morgan Tracy,

We ask you to please remove Short Term Rentals, RICAP 6 Sections 12, 13, & 14 from the Municipal Code amendment package. Our board composed of representatives from Beaumont Wilshire, Cully, Hollywood, Madison South, Rose City Park, Roseway and Sumner neighborhood associations voted unanimously to request that you would like to separate the Short Term Rental proposal for further review and discussion. We believe that this is not a minor amendment but rather a more complicated one that needs further public discussion.

Thank you for your time and consideration.

Regards,



Jo Schaefer, President of the Board

CC: Susan Anderson Susan.Anderson@PortlandOregon.gov,
Planning and Sustainability Commission psc@portlandoregon.gov,
Portland City Council < Karla.Moore-Love@portlandoregon.gov >

Moore-Love, Karla

From: Bonny McKnight <bonnymck@comcast.net>
Sent: Monday, June 02, 2014 1:55 PM
To: Moore-Love, Karla
Subject: Testimony for June 4, 2014 Council Hearing on RICAP 6
Attachments: RICAP 6 TestimonyCouncil6414.pdf

Karla

I am not sure whether or not you are still the person I should contact but please officially enter this testimony in the official hearing record of the RICAP package being considered on June 4, 2014.

Thanks Karla.

Bonny

June 2, 2014

Testimony
Bonny McKnight
1617 NE 140th Avenue; Portland, OR 97230
bonnymck@comcast.net

City Council Testimony for June 4, 2014 Hearing
Re: RICAP 6 Items #12, 13, & 14 (Short Term Rentals)

Mayor Hales, Members of the Council

The RICAP 6 items referred to as Short Term Rentals act as a zone change and require a legislative process. For that reason they should be removed from today's consideration by City Council as part of the RICAP 6 code package.

The changes proposed in these items will eliminate Title 33 Land Use Code requirements and development standards specific to Single Family Residential zones. In addition it will change City Code Title 6 Special Taxes and Title 7 Business Licenses requirements.

The change from a land use process to a permit process for Single Family Residential zones eliminates the Conditional Use process required in the SFR zone. In order to eliminate the required TYPE II Land Use Review a legislative process must be used under the adopted Comprehensive Plan. The RICAP process is not a legislative process and does not meet that requirement.

Denial of the legislative process for a zone change would be subject to an appeal to the state Land Use Board of Appeals as a violation of the Comprehensive Plan.

RICAP 6 Items #12, #13, and #14 should be removed from the package being considered today.

CITY CODE REFERENCES:

TITLE 33 ZONE DEFINITIONS

"The single-dwelling zones are intended to preserve land for housing and to provide housing opportunities for individual households. The zones implement the comprehensive plan policies and designations for single-dwelling housing.

1. Use Regulations. The use regulations are intended to create, maintain, and promote single-dwelling neighborhoods. They allow for some nonhousehold living uses but not to such an extent as to sacrifice the overall image and character of the single-dwelling neighborhood.

B. McKnight – City Council Testimony for June 4, 2014 RICAP 6 Hearing – Cont. 2

2. Development Standards. The development standards preserve the character of the neighborhoods by providing six different zones with different densities and development standards. The development standards work together to promote desirable residential areas In addition, the regulations provide certainty to property owners, developers, and neighbors about the limit of what is allowed.”

“SINGLE-DWELLING ZONE PRIMARY USES

Single Dwelling Zones (Table 110-1)

RF, R20, R10, R7, R5, R2.5 (Group Living and Institutional Categories require approval as a Conditional Use)

C. Conditional Uses

2. Bed and Breakfast facilities. Bed and Breakfast facilities are accessory uses which are regulated as conditional uses. See Chapter 33.212.”

“33.203.020 Description of Type A and Type B Accessory Home Occupations.

There are two types of home occupations, Type A and Type B.

A. Type A

B. Type B

C. Bed and breakfast facility. Bed and breakfast facilities are exempt from the regulations of this chapter. The regulations for bed and breakfast facilities are stated in Chapter 33.212.”

“CHAPTER 33.212 BED AND BREAKFAST FACILITIES

(Ordinance No. 178657, effective 9/3/04)

33.212.010 Purpose

“This chapter provides standards for the establishment of bed and breakfast facilities. The regulations are intended to allow for a more efficient use of large, older houses in residential areas if the neighborhood character is preserved to maintain both the residential neighborhood experience and the bed and breakfast experience...”

“33.212.020 Description

A. Bed and breakfast facility. A bed and breakfast facility is one where an individual or family resides in a house and rents bedrooms to overnight guests. A bed and breakfast facility may also have visitors and non-resident employees.

B. Retail Sales and Service use.”

“33.212.030 Where These Regulations Apply

The regulations of Sections 33.212.040 through 33.212.080 apply to bed and breakfast facilities in the R zones. In the RX and RH zone, where a limited amount of commercial uses are allowed by right or by conditional use, a bed and breakfast facility may be regulated as a Retail Sales and Service use, or as a bed and breakfast facility under the regulations of this chapter. The decision is up to the applicant.”

B. McKnight – City Council Testimony for June 4, 2014 RICAP 6 Hearing – Cont. 3

(Continued) - **CHAPTER 33.212 BED AND BREAKFAST FACILITIES**
(Ordinance No. 178657, effective 9/3/04)

“33.212.040 Use-Related Regulations

A. Accessory use. A bed and breakfast facility must be accessory to the Household Living use on a site. This means that the individual or family who operate the facility must occupy the house as their primary residence. The house must be at least 5 years old before a bed and breakfast facility is allowed.

B. Maximum size. Bed and breakfast facilities are limited to a maximum of 5 bedrooms for guests. In the single-dwelling zones, a bed and breakfast facility over this size limit is prohibited.

- C. Employees**
- D. Services to guests and visitors**
- E. Meetings and social gatherings.”**

“33.212.050 Site-Related Standards”

“33.212.060 Conditional Use Review

Bed and breakfast facilities require a conditional use review. A facility that proposes commercial meetings as provided in 33.212.040.E.1.b. is processed through a Type III procedure. The review for all other facilities is processed through a Type II procedure. The approval criteria are stated in 33.815.105, Institutional and other uses in R Zones.”

ADDITIONAL CITY CODE REFERENCES TO BED AND BREAKFAST FACILITIES:

Source: Online Charter and Code of the City of Portland, Oregon (Auditor’s Web Site)

Title 6 Special Taxes

6.04.010 Definitions

(Amended by Ord. No. 162647; Jan. 4, 1990)

B. “Bed and Breakfast Home” means a home where a resident individual or family rents out guest bedrooms (no more than two) in their house, which is continually occupied as their primary residence.

C. “Bed and Breakfast Inn” means a home where a resident individual or family rents out guest bedrooms (between three and six) in their house, which is continually occupied as their primary residence.”

(and subject to)

“Title 7 Business Licenses
Chapter 7.02 Business License Law”

Moore-Love, Karla

From: Planning and Sustainability Commission
Sent: Monday, June 02, 2014 9:37 AM
To: Moore-Love, Karla
Cc: Tracy, Morgan (Planning); Wood, Sandra
Subject: FW: short-term rentals

This should have gone to Council testimony, not PSC.

I'll reply to let them know I've forwarded it to Karla for Wednesday's hearing.

Thanks,
 julie

Julie Ocken
 City of Portland
 Bureau of Planning and Sustainability
 1900 SW 4th Ave, Suite 7100
 Portland, OR 97201
 503-823-6041
www.portlandoregon.gov/bps

From: Gaetano DeLeonibus [mailto:gaetano.deleonibus@gmail.com]

Sent: Sunday, June 01, 2014 5:38 PM

To: Planning and Sustainability Commission; Hales, Mayor; Commissioner Saltzman; Commissioner Fritz; Commissioner Novick; Commissioner Fish

Subject: short-term rentals

Dear Members of the Planning and Sustainability Commission,

I write to alert you to some major flaws being glided over concerning the zoning change proposed with regard to Short Term Rentals (STRs) in residential single family neighborhoods, a proposal buried in RICAP 6 among 45 different items. This zoning change is wrongly listed as a minor policy item, and its passing could potentially have dire consequences on our way of life here in Portland:

- There is no requirement that the STR be OWNER OCCUPIED as was stated in multiple BPS presentations.
- There is no definition of PRIMARY RESIDENCE and residency proof requirement.
- As the code is written, investors or an entrepreneurial group could buy multiple properties and have "tenants" manage their mini-motels.

- There is no limit to how many Short Term Rentals can be on your block or in your neighborhood.
- The ‘operator’ does not have to be onsite – they could live elsewhere or be snowbirds, etc., essentially never be at the property while they have short term renters.
- Neighbors of the Short Term Rentals have no input or choice, but have to accept living next door to a mini-motel in a residential neighborhood.
- Notification is only required to a maximum of 7 neighbors.
- There is no monitoring by the City.
- There is no enforcement by the City- Neighbors have to report on neighbors for the “operators” not following the proposed code.
- Short Term Rentals reduce available long term rental property and exclude long term tenants who become part of our neighborhoods and community.
- Short Term Rentals will impact our property values-imagine Short Term Rentals operating on both sides of your home- again there is no limit to how many Short Term Rentals can be on your block or in your neighborhood.

In conclusion, to allow this code to be passed would allow STRs in single family zones and thus negatively impact the fabric of our neighborhoods and community. Allowing STRs in a single family zone should be considered an equity, livability, quality, and safety issue. I ask that you consider the above very seriously before casting your vote.

Respectfully,

Gaetano DeLeonibus

18 6736

Gina Greco
3007 NE 56TH AVE
Portland, OR 97213

Parsons, Susan

From: Steve Unger <steven.unger@comcast.net>
Sent: Thursday, May 29, 2014 10:07 AM
To: Moore-Love, Karla
Subject: RICAP 6 - Testimony for June 4th Hearing from Steve Unger
Attachments: STRs under RICAP 6 - from Steve Unger.pdf

18 6736

Dear Karla,

Please include the note below and the attached document in the Public Record as my testimony to City Council for the RICAP 6 hearing on June 4th.

Please confirm that you received this.

Thanks.

Steve Unger

*-----

Dear Commissioners,

Short-term rentals are a complex issue. We need to have an ordinance that is a "win" for all stake holders: airbnb hosts can be licensed at a low cost, concerned neighbors and guests are protected, and The City collects lodging tax and has an ordinance that is enforceable. The only folks likely to object will be airbnb who wants less regulation and advertisers who want to game the ordinance.

So here is the bottom line:

Keep current inspection requirement

- Protects guests and reassures neighbors
- Reduces risk and potential for "horror stories"
- \$30 cost is already included in the \$180 biannual license
- BDS Compliance willing and able to perform

Amend RICAP 6 in two ways

1) "License Number must appear in all print and online advertising"

- Protects guests
- Encourages operators to register
- Provides BDS a simple objective standard for non-compliance

2) "Require a host to be living in the property during the guest's stay"

or

Define "Primary Residence as living in the property to for 9 months (75%) of the year"

- Prevents unsupervised "vacation rental" abuse

18 6736

Steve Unger
Innkeeper

Lion and the Rose
Victorian Bed & Breakfast Inn
1810 NE 15th Ave.
Mailing Address: 1517 NE Schuyler St.
Portland, OR 97212

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Directions: <http://www.lionrose.com/directions.html>

Short-term Rentals Under RICAP 6

33.207.020 Description: An accessory short-term rental is one where an individual or family resides in a house, attached house, duplex, or manufactured home and rents bedrooms to overnight guests. There are two types of accessory short-term rentals.

Type A – 1 & 2 Bedrooms
 Maximum of 5 guests
 New Licensing Procedure
 (\$180 every 2 years)

Type B STR – 3 – 5 Bedrooms
 # Guests Determined by CU Review
 Type II CU
 (\$4,100 +)

**Single Family
 or Duplex**

airbnb “Private Room” Rentals and ADU’s on Operator’s Site
 and Traditional B&B’s
Operator Present During Guest’s Stay
 *** OK All Year ***

To prevent abuse amend to
 require Operator Presence or
 Primary Residency for
 9 months (75%) of the year

airbnb “Entire Place” Rentals and
 Accessory Short-term Vacation Rentals
Operator Absent During Guest’s Stay
 *** OK 6 Months (50%) Of the Year ***

**Apartment
 or Condo**

Excluded from RICAP6
(State Building Code needs to change to accommodate Occupancy Permit)
 Not Eligible for Type A Permit or Type B CU Review
 *** Continue to be Prohibited ***

RICAP 6

Request to City Council

Keep current inspection requirement

- Protects guests and reassures neighbors
- Reduces risk and potential for “horror stories”
- \$30 cost is already included in the \$180 biannual license
- BDS Compliance willing and able to perform

Amend RICAP 6 in two ways

- 1) **“License Number must appear in all print and online advertising”**
 - Protects guests and encourages operators to register
 - Provides BDS with a simple objective standard for non-compliance
- 2) **“Require a host to be living in the property during the guest’s stay”**
or

Define “Primary Residence as living in the property to for 9 months (75%) of the year”

- Prevents unsupervised “vacation rental” abuse

Parsons, Susan

From: Jane Waddell <jtw@paws.com>
Sent: Wednesday, May 28, 2014 7:26 AM
To: Moore-Love, Karla
Cc: Ed Menze
Subject: RICAP 6 - Accessory Short Term Rentals

Members of the Portland City Council,

We are homeowners, residents of the Sunnyside neighborhood in SE Portland. Ed is a software engineer who frequently telecommutes and Jane is a PhD candidate in Urban Studies at Portland State University who generally works at home. So we spend a lot of time in our home and in our neighborhood. We are writing to express our concerns over the provisions proposed in RICAP 6 that pertain to accessory short term rentals. While we appreciate the enthusiasm behind this new form of accommodation, we fear that these provisions are a bit naive with respect to the impacts such changes could have throughout the city. Our concerns stem both from the threat we perceive to the character of our neighborhood as well the way the proposed changes fit into larger economic forces already at play here.

As residents, we are concerned that these provisions as written could result in significant impacts on neighborhood life. Specifically, they allow non-resident property owners to install an "operator" who lives on site and manages the short term rentals. Because the operator resides on the property, the rental activity is still considered accessory to the household living use. We don't share this perspective. Someone living on site for business purposes does not constitute a primarily householding function. It seems to us that if the operator is choosing to live there because it's their job, they are less likely to be a good neighbor.

We are further concerned about the impact this could have on the Portland long-term rental market. As you are no doubt aware, the Portland Metro Area has one of the tightest vacancy rates in the country. Affordable housing is a serious concern here as well. The regulatory changes made in RICAP 6 could exacerbate both of these issues. A recent Oregonian article discussed the increase in the number of house sales that were all cash transactions, an indication that houses are being bought for investment purposes rather than as homes. Allowing investors to turn such homes into short-term rentals could very well increase this sort of activity.

These are not esoteric concerns or reactionary NIMBYism. They are rooted in the circumstances we see in our immediate neighborhood. We have a nice mix of long-term renters and homeowners, about equal parts each. It's a quiet, walkable neighborhood with easy access to dining, shops, and parks. But just as home prices have risen precipitously in our neighborhood over the last 20 years, we hear from our neighbors who rent that their rents are also quite high. We live next door to a home with an ADU. Our previous neighbor lived in the ADU and rented out the house to a series of long-term renters. After she passed, this property was sold to an investor from out of state, and our understanding is that her plan is to offer it as a short term rental. She has no plans to live there, so presumably under the provisions set forth in RICAP 6, she would be installing an operator and renting out 2 of the bedrooms. This is a concrete example of how the RICAP 6 changes enable the conversion of long-term rental housing into short-term rentals.

This is a drastic change in policy from having this sort of activity generally prohibited in residential areas to having it be quite easy. We don't really know how this could impact neighborhood life and vulnerable populations in particular. Not everybody wants a "vibrant" neighborhood. Some people prefer a quieter atmosphere and to not see lots of strangers around (parents, older folks come to mind). There are other aspects of these provisions that seem poorly considered as well. For example, it doesn't make sense to us why it would cost just a few hundred dollars to rent out 2 bedrooms of your home under a Type A permit, but cost on the order of four thousand dollars to do this with 3 bedrooms via a Type B permit. This seems unfair to existing Bed and Breakfast facilities. We would prefer to see this proposal made more moderate in its allowance of this type of activity (for example, restricting short-term rentals to owner-occupied

dwelling) or even to remove these provisions entirely from RICAP 6 in order to make a more careful evaluation of the various risks and opportunities.

Apparently there are approximately 1500 households doing this type of rental in Portland now. But just because there are 1500 folks doing this now doesn't mean that once the process is regulated the number will be about the same. Current hosts are the early adopters. The establishment of regulations could make this type of activity much more appealing to people. Please take some measures to moderate or reconsider the RICAP 6 provisions and help protect the interests of Portlanders.

Ed Menze and Jane Waddell

18 67 36

May 27, 2014

Dear Portland City Council Commissioners,

"The Hayden Island Livability Project" (HILP) Board of Directors voted unanimously on May 15th, 2014, in support of the following resolution:

Accessory Short Term Rentals provisions be removed from RICAP6.

The HILP Board believes these provisions are more than a minor change to the City Code, and, deserve a wider public discussion about the positive and negative impacts of the change. Without a thorough public vetting of this change, there is the danger of implementing something which has unintended consequences or loopholes which could have the impact of a major policy change.

Again, the HILP Board asks City Council to remove the Accessory Short Term Rental Provisions from RICAP 6, and provide for a broader public discussion of this change in City Code.

Thank you.

Tom Dana, Board Member

Authorized by the Hayden Island Livability Project Board of Directors

Moore-Love, Karla

From: Tracy, Morgan (Planning)
Sent: Thursday, May 22, 2014 2:16 PM
To: Moore-Love, Karla
Subject: FW: Bridlemile Neighborhood Association request to remove RICAP 6 Short Term Rentals, Sections 12, 13, & 14, for further discussion.

RE: RICAP6 Hearing.

Here's one for you, in case you haven't received already.

-Morgan

From: Claire Coleman-Evans [mailto:eclair27@comcast.net]
Sent: Thursday, May 22, 2014 2:12 PM
To: Tracy, Morgan (Planning)
Cc: Anderson, Susan; Planning and Sustainability Commission; Hales, Mayor; Commissioner Fritz; Commissioner Fish; Commissioner Novick; Commissioner Saltzman; City Auditor Griffin-Valade; Scarlett, Paul; Claire Coleman-Evans
Subject: Bridlemile Neighborhood Association request to remove RICAP 6 Short Term Rentals, Sections 12, 13, & 14, for further discussion.

5/22/2014

City of Portland

Bureau of Planning & Sustainability

Attn.: Morgan, Tracy, RICAP 6 Coordinator morgan.tracy@portlandoregon.gov

1900 SW 4th Avenue Suite 7100

Portland, Oregon 97201

Subject: Bridlemile Neighborhood Association request to remove RICAP 6 Short Term Rentals, Sections 12, 13, & 14, for further discussion.

Dear Morgan Tracy,

This issue came to our attention and was discussed at our Bridlemile Neighborhood Association meeting on 5/14/2014 and we voted unanimously to request that you please remove from RICAP 6 Short Term Rentals sections 12, 13, 14 as we feel it is not a minor amendment change and we would like more time and further community discussion.

Thank you very much for time and consideration in this matter.

18 67 36

Best Regards

Claire Coleman-Evans

6260 SW Hamilton Way
Portland Oregon 97221

Bridlemile Neighborhood Association land use chair person

CC: Susan Anderson Susan.Anderson@PortlandOregon.gov

Planning and Sustainability Commission psc@portlandoregon.gov

Paul Scarlett paul.scarlett@portlandoregon.gov

Mayor Charlie Hales, mayorcharliehales@portlandoregon.gov

Commissioner Amanda Fritz, Amanda@portlandoregon.gov

Commissioner Nick Fish, nick@portlandoregon.gov

Commissioner Dan Saltzman, dan@portlandoregon.gov

Commissioner Steve Novick, novick@portlandoregon.gov

City Auditor La Vonne Griffin-Valade, LaVonne@portlandoregon.gov

From: Schwab Mary Ann <e33maschwab@gmail.com>
Sent: Thursday, May 22, 2014 9:00 AM
To: Commissioner Saltzman; Commissioner Novick; Commissioner Fritz; Commissioner Fish; Hales Charlie; Moore-Love, Karla; Rosenblum Ellen F.
Cc: van Orden, Paul; DeRidder Tamara; Nettekoven, Linda; Anne Dufay; Ellen Burr; McKnight, Bonny; Stoll, Alison; Roth Michael; Pearce Susan; Gregg Williams
Subject: City Council PLEASE WAKE-UP huge news on Airbnb in NEW YORK regarding serious B&B issues

Good Morning City Council, et al:

Now that you have read the huge news on Airbnb in New York, I am asking each of you to think about dropping B&B short term rentals off the BDS RICAP 6 #12, #13,#14 housekeeping list. Please think about losing existing duplex rental house, owner living in one and operating a B&B short term rental in the other -- how most of which have three (3) bedrooms units. Think about B&B short term saturation exceeding 3,600 OLCC outlets -- knowing Noise Control Officer Paul van Orden does not have enough specificity in the current Code to enable him in regulating loud human voices between 10:00 p.m. and 7:00 a.m.. He has no means to effectively enforce ONI Noise complaints from immediate neighbors. Think about how the families in our Residential areas will be able to keep their neighborhoods quiet in the evenings if the City allows Bed and Breakfast operators to commercial businesses 24/7 up and down the street? Think about the loss of value to the B&B operator's neighbor property when attempting to sell it on a "commercial" street? Currently, it takes the skills of a Realtor to vet out B&B addresses posted on line. Think about establishing Permit requirement for commercial liability insurance for property owners as well as short-term renters. Requirement? Yes, according to my Farmer's Insurance Agent -- the minute I accept money -- my homeowners policy will not cover "renter's claims" for injury or damage. Those who file false claims will only increase the annual premiums for those of us to rarely if ever file claims.

I remain hopeful, Karla Love-Moore is able to schedule B&B short term testimony in the following order: BDS Staff, Airbnb representatives, and Neighborhood Representative (TBA) each given 10-minutes to discuss their platforms. And to pay close attention to why Planning and Sustainability Commission Chair, Andre's Baugh, opposition vote needs vetting.

Yes, I plan to attend the Wednesday, June 4th RICAP 6 #12, #13, #14 Public Hearing -- and will support your dropping it from the "housekeeping list" asking B&B 1-2 bedroom short term issue be tabled three years. Might I suggest highest priority spending B&B short term Hotel Taxes be designated to off-set the BDS housing inspections as well as the hiring of additional Noise Control Officers -- followed by % on low-income housing for homeless.

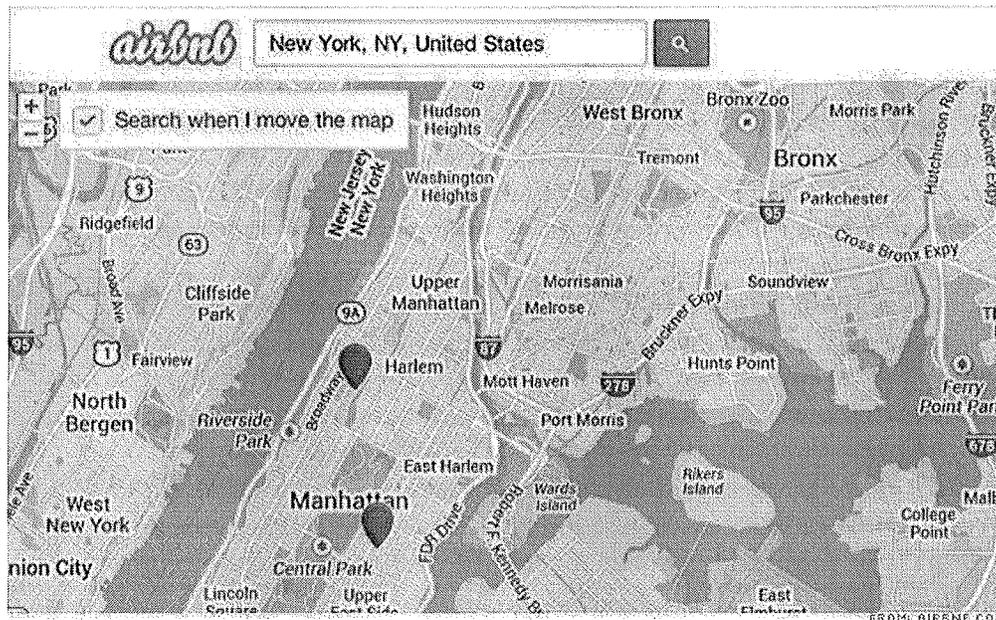
In closing, I am asking the City Council to adhere to the Public Involvement Principles on the issues before you now. I trust each of you will follow the spirit of the Public Involvement Process in policy decisions, prior to announcements and initiatives, rather than after the fact. Please involve us citizens in a timely manner early in the process.

Thank you for taking my comments to heart.
mas
(503) 236-3522

Airbnb to hand over user data to New York attorney general

By James O'Toole @jtotoole May 21, 2014: 11:42 AM ET

-
-
-
-
-



Airbnb listings for New York City.

- 86

TOTAL SHARES

- 18
- 52
- 11
- 5

NEW YORK (CNNMoney)

Airbnb is finally opening up to the New York attorney general's office, after a six-month long legal battle.

The housing-rental site announced Wednesday that it had reached an agreement to turn over data on users that New York Attorney General Eric Schneiderman says may be violating state housing laws.

The two sides said in a joint statement that their accord balances "Schneiderman's commitment to protecting New York's residents and tourists from illegal hotels with Airbnb's concerns about the privacy of thousands of other hosts."

Airbnb offers an online platform for people to rent out their homes or apartments to travelers. The issue it's facing in New York is a law stating that residents can't rent out properties for fewer than 30 days when they aren't living there.

Airbnb has argued that the law is meant to crack down on landlords who buy residential buildings and run them as hotels, not on individual tenants. The company **had been fighting** the attorney general's request that it give up data on its hosts, calling the subpoena a "vast data demand on regular New Yorkers." Schneiderman has countered that as many as two thirds of Airbnb rentals in New York City may be illegal.

Related: Airbnb faces off with New York over housing rentals

Under the agreement announced Wednesday, Airbnb will provide Schneiderman with anonymized user information, redacting personal details, including names, email addresses, tax information and Social Security numbers. Airbnb must later surrender some of those details if New York officials choose to single out individual users for investigation.

Airbnb public policy head David Hantman said in **a blog post** Wednesday that the company believes Schneiderman's effort "is focused on large corporate property managers and hosts who take apartments off the market and disrupt communities."

"We have already removed more than 2,000 listings in New York and believe that many of the hosts the Attorney General is concerned about are no longer a part of Airbnb," Hantman said. Going forward, he added, Airbnb wants New York to amend its housing laws "to allow anyone in New York who wants to rent out their own home to do so."

This isn't the first legal headache Airbnb has faced as it works to bring its unconventional home-rentals model to cities across the world. In San Francisco, a law is pending that would allow residents to rent out their primary homes only after applying for the right to do so and agreeing to legal guidelines.

But despite these challenges, the service is growing rapidly and is now available in more than 34,000 cities in 192 countries. The company has reportedly been engaged **infundraising** this year that would value it at \$10 billion, more than all but three of America's largest hotel chains. ■

Moore-Love, Karla

From: pete@sterling.net
Sent: Wednesday, May 14, 2014 2:16 PM
To: Moore-Love, Karla
Cc: pete@sterling.net
Subject: Short Term Rental - Remove from RICAP 6

Ms. Moore-Love - Please pass these comments on the City Council. I would like to ask for 1 minute and 30 seconds time to comment if I may at a meeting when this issue is considered. Thank you for your attention to this matter.

Richard Petersen

To Members of the City Council -

I am a resident of Portland at 5225 NE Wistaria Drive, where my wife and I own our home. I understand that the Accessory Short Term Rentals amendments from RICAP 6 will be presented for your consideration without opportunity for full and complete discussion and review. Please, this is a big deal. Please allow time for community discussion.

Note the potential for litigation and detriment to the neighborhoods that can be gleaned from the pages of the New York Times the past several weeks and even today as the NY State Attorney General battles over this issue.

Please this is a dangerous issue to just allow as a matter of right. It will be as difficult to manage as a termite infestation. The damage will be at least as significant.

Stop before you pass this ordinance as if it were a mere zephyr in the night.

Richard Petersen

Moore-Love, Karla

From: WGregg123@aol.com
Sent: Wednesday, May 14, 2014 1:23 PM
To: Moore-Love, Karla
Subject: note on Short Term Housing issue

05/14/14

Please send to:

Mayor Hales
Commissioner Novick
Commissioner Fritz
Commissioner Fish
Commissioner Saltzman

Dear City Council members:

I am writing to you one and all to request that you remove the Short Term Housing items 12-14 from Ricap 6. This issue is not just a small housekeeping matter. It is getting huge interest here in the neighborhoods, and this commercialization of our residential zones deserves a much larger vetting process. Just because outfits like Airbnb and others have been operating with impunity for years is not a reason to just now allow them without a careful study of the issues involved. This was done very well in Austin, Texas and we too deserve this up here.

The planning bureau and the PSC have done a little work on it, but many issues remain, which need further consideration both by city departments and the citizenry.

Some of the issues that still remain are:

- 1) Does the \$30 for a city inspection really cover the costs? I don't think even close.
- 2) Is there a limit on the overall number of these rentals, or a way to keep them from surrounding my house, with these hotel-like houses on all sides?
- 3) What about fines for non-compliance, and a way to revoke a permit?
- 4) People should be required to put their permit numbers in all ads. Without that, they will be next to impossible to audit for compliance since most sites hide all contact information.
- 5) They should require the owner to be present and not for them to put someone else in charge.
- 6) Insurance is a huge issue. NONE of them will be properly insured for liability for this risk. Residential insurance policies do not cover the risk of nightly people staying there.
- 7) Finally, many people are telling us that while ADU's will be allowed, that they will be using their R2.5 duplexes as short term rentals. In other words, they will be calling their other unit an ADU. This needs clarification. Without it, much more housing stock will be removed from inventory as people rent out the other half of their duplexes as a private vacation rental.

In summary, we don't have the lobbyists that Airbnb has, but we will be the ones effected by these changes. Please allow this to be removed from Ricap 6 and get the thorough vetting that it deserves.

Thank you.

William Gregg

1235 SE Salmon St

May 14, 2014

Mayor Hales and Commissioners,

My name is Mary Ann Schwab, Inner-Southeast Sunnyside Resident

I would respectfully request that the City's Public Involvement Principles [& Office of Equity and Human Rights] "Equity" be adhered to as a principle in the development of public policy rather than be merely a token step begrudgingly undertaken during the process. With three minutes, I offer a recent example:

When on April 22nd the Planning and Sustainability Commissioners hearing on Short Term Rentals where the AirBNB representatives were invited up to testify in mass and given 10 minutes to discuss their platform. The Neighborhood Associations were NOT given the same courtesy. At the close of public testimony, they voted to approve the Final with only one negative vote by Andre' Baugh. Chairman Baugh further stated that he was very concerned about how this amendment will impact long-term rental housing. I am concerned for how existing Neighborhood Watch will play out with B&B renters coming and going 24/7. **PIP, Inclusiveness and Equity were compromised here.**

Why the rush on the RICAP 6 #12, #13, #14 B&B 1-2 bedroom short term rentals? The Short Term Amendments allow 'by right' short term vacation rentals in single family residential neighborhoods but many neighborhoods have not had the opportunity to review the issues which have recently been raised or comment on the Bureau of Planning and Sustainability's staff proposal. Public needs answers to the following: need for liability insurance coverage, a lack of regulation, potential lack of enforcement, minimal application procedures, the city license fee won't pay for the required health and safety inspections, loss of on-street parking, decline in home values, potential for illegal activities, a lack of transparency. **PIP, Accountability was compromised here.**

As for how the Noise Control Officer is able to respond to complaints and issue fines also needs review. Today, Noise Control Officer Paul Van Orden does not have enough specificity in the current Code to enable him in regulating loud voices between 10:00 pm and 7:00 am. How will the families in our Residential areas be able to keep their neighborhoods quiet in the evenings if the City allows Bed and Breakfast operators to commercial businesses 24/7 up and down the street? **PIP, Good Quality Process Design and Implementation were compromised here.**

In closing, I am asking the City Council to adhere to the Public Involvement Principles on the issues before you now. I trust each of you will follow the spirit of the Public Involvement Process in policy decisions, prior to announcements and initiatives, rather than after the fact. Please involve us citizens in a timely manner early in the process.

Regulations on Short Term Rentals

MAY 1, 2014 2:37 PM 0 COMMENTS VIEWS: 5

By Don MacGillivray

Airbedandbreakfast.com, known as Airbnb, is initiating a "Shared City" concept to help the city of Portland and local businesses attract visitors showing off Portland as a great place to visit. They want to work with local leaders to create a more livable community by sharing unused space in local residences with visitors.

It is a win-win for everyone, businesses, local government, residents and also for Airbnb who selected Portland as the place to open their North American operational headquarters with an expected staff of 160 new hires.

It's partly because of Portland's reputation as a place where innovation in green technology, technological talent, and a progressive outlook are known (in addition to being in a beautiful natural location). Portland will be Airbnb's first Shared City.

This initiative is designed to help lawmakers see that the company's business practices work for the benefit of everyone.

Highlights from a recent article in *The Oregonian* give impressive local statistics:

In 2013, Airbnb had 1,120 rental host listings in the City of Portland serving 48,000 guests. The average usage was 86 nights per year which generated an income of almost \$7,000 a year for each of the hosts. These guests supported 660 jobs in Portland and added \$61 million to the local economy.

In discussions with the City, Airbnb has made a number of promises that make this a very attractive proposal.

They will police hosts who give guests a bad experience by ending their use of Airbnb. They will make free smoke and carbon monoxide detectors available to hosts; work with Portland's Bureau of Emergency Management to find emergency housing for victims of disasters; encourage Portland hosts to make monetary donations to local charities and then match these donations. Airbnb also is offering to collect 11.5% tax from hosts on behalf

of local government, and work with Portland's tourism office to promote the city to the world.

At a recent three hour hearing of the Portland Planning and Sustainability Commission, opinions split evenly between those in favor of and those against the short-term rental proposal.

Those opposed were mostly private citizens or representatives from Portland neighborhood associations. Neighborhood groups have expressed many of the same concerns. Most of those speaking in favor were local hosts and have had good experiences and few problems.

Those speaking against the proposal had a myriad of potential specific issues as well as generic challenges like liability insurance coverage, a lack of regulation, potential lack of enforcement, minimal application procedures, the license fee won't pay for the required health and safety inspections, loss of on-street parking, decline in home values, potential for illegal activities, a lack of transparency, etc.

Those against short-term rentals wanted this to be an independent proposal reviewed on its own and greater public awareness of the implications.

In the end the planning commission passed the proposal on to Portland City Council with only one negative vote. It is expected to be heard by the council in late May or early June. The Portland city planners assigned to the RICAP #6 proposals are Sandra Wood and Julia Gisler.

Moore-Love, Karla

From: Moore-Love, Karla
Sent: Tuesday, May 13, 2014 9:56 AM
To: 'Schwab Mary Ann'; Tracy, Morgan (Planning)
Cc: DeRidder Tamara; Stoll, Alison; Anne Dufay
Subject: RE: [Approved Sender] Missing Documents of Record for PSC April 22, 2014 Hearing - RICAP 6

That's correct. All testimony I receive is forwarded to all members of Council (unless it indicates it has already been sent to Council), the Mayor's Bureau of Planning and Sustainability liaison, Planning staff, and is entered into the record.

Testimony I receive will not appear in Efiles until a final decision has been made and the entire final record will then be entered.

Karla

Karla Moore-Love | Council Clerk
 Office of the City Auditor
 503.823.4086

From: Schwab Mary Ann [mailto:e33maschwab@gmail.com]
Sent: Tuesday, May 13, 2014 9:14 AM
To: Tracy, Morgan (Planning)
Cc: DeRidder Tamara; Stoll, Alison; Moore-Love, Karla; Anne Dufay
Subject: [Approved Sender] Re: [Approved Sender] Re: [Approved Sender] Re: [Approved Sender] Re: [Approved Sender] Missing Documents of Record for PSC April 22, 2014 Hearing - RICAP 6

It was my understanding the Council Clerk would see to it our letters would be personally delivered to each of the Mayor and Commissioner's offices, and the Auditor would record letters in the official record.

mas

On May 13, 2014, at 8:52 AM, Tracy, Morgan (Planning) wrote:

Mary Ann, submitting the letter to the council clerk will get it into the record, but there's no harm in sending it to the auditor as well, I suppose.

Allison is the Executive Director for CNN so she may have worked on occasion with Sandra or Julia on other projects, but she is not in our Bureau.

-Morgan

From: Schwab Mary Ann [mailto:e33maschwab@gmail.com]
Sent: Monday, May 12, 2014 9:02 PM
To: SustainableDesign@tdridder.users.panix.com
Cc: Tracy, Morgan (Planning); Stoll, Alison
Subject: [Approved Sender] Re: [Approved Sender] Re: [Approved Sender] Re: [Approved Sender] Missing Documents of Record for PSC April 22, 2014 Hearing - RICAP 6

...as well as the Auditor's office so the CNN correspondence gets recorded in the official record.

Morgan, have I met Alison Stoll? Does she work with Sharon Wood and Julia Gisler?
mas

On May 12, 2014, at 5:26 PM, Tamara DeRidder, AICP wrote:

Very curious, Morgan -!!

Thank you for the additional information as well. I will circle back around with folks at CNN to see what happened and get that document sent again - this time to the City Council.

Thanks again!

Tamara

On 5/12/2014 5:22 PM, Tracy, Morgan (Planning) wrote:

Tamara,

I looked through my files and did not see a letter from CNN. I did have a letter from Jo Schaefer relaying the Hollywood NA letter on 2/21, but nothing more recent. Not sure what happened there. However, as Julie notes, the record for City Council is open so CNN can still submit their comments into the record through the Council Clerk. I'm attaching a copy of the Council notice (with testimony instructions) if you'd like to forward to others.

Morgan Tracy, AICP | City Planner II
City of Portland Bureau of Planning & Sustainability

1900 SW Fourth Avenue | Suite 7100 | Portland, OR 97201

www.portlandoregon.gov/bps/ricap

503.823.6879

From: Tamara DeRidder, AICP

[mailto:SustainableDesign@tdridder.users.panix.com]

Sent: Monday, May 12, 2014 4:35 PM

To: Ocken, Julie

Cc: Mary Ann Schwab; Stoll, Alison; Tracy, Morgan (Planning)

Subject: [Approved Sender] Re: [Approved Sender] Re:

Very interesting...

T

On 5/12/2014 4:29 PM, Ocken, Julie wrote:

Hi Tamara,

On further review, it looks like we never received the CNN letter (neither directly to Morgan or to the PSC mailbox; I was thinking of a letter of similar content from another group). I'm copying Morgan here who can help with further explanation.

Thanks,
julie

Julie Ocken
City of Portland
Bureau of Planning and Sustainability
1900 SW 4th Ave, Suite 7100
Portland, OR 97201
503-823-6041
www.portlandoregon.gov/bps

From: Tamara DeRidder, AICP
[mailto:SustainableDesign@tdridder.users.panix.com]

Sent: Monday, May 12, 2014 3:49 PM

To: Ocken, Julie

Cc: Mary Ann Schwab; Stoll, Alison

Subject: [Approved Sender] Re: [Approved Sender] Missing Documents of Record for PSC April 22, 2014 Hearing - RICAP 6

OK - Frustrating that CNN's letter does not get included with the PSC hearing documents as the changes made to the Proposed Draft were not substantive in nature.

Who makes that call?

Tamara

On 5/12/2014 3:35 PM, Ocken, Julie wrote:

Hi Tamara,

The Central NE Neighbors letter was received on March 3 and was forwarded to PSC members. Because this letter came before the Proposed Draft was released, it was not included as testimony in the PSC packet, but PSC members did receive it.

The SE Uplift letter you forwarded to me just now was dated May 7, after the PSC hearing, and was not sent to the PSC (or cc'd), so they did not receive this one, nor will it go into the record for the PSC. I see that all Council members were copied on that letter, but I would still suggest you forward it directly to the Council Clerk's office as testimony for the RICAP project when it goes to Council on June 4.

Hope that helps.
Thanks,
julie

Julie Ocken
City of Portland
Bureau of Planning and Sustainability
1900 SW 4th Ave, Suite 7100
Portland, OR 97201
503-823-6041
www.portlandoregon.gov/bps

From: Tamara DeRidder, AICP
[mailto:SustainableDesign@tdri.dden.users.panix.com]
Sent: Monday, May 12, 2014
3:27 PM
To: Ocken, Julie
Cc: Mary Ann Schwab; Stoll, Alison
Subject: [Approved Sender]
Missing Documents of Record
for PSC April 22, 2014 Hearing -
RICAP 6
Importance: High

Hi there Julie,
There are two (2)
neighborhood coalitions that
sent letters of opposition on
Short Term Rentals prior to
the April 22nd, 2014 PSC
RICAP 6 hearing. I have not
found either of these
documents on the e-files
website: <https://www.portlandoregon.gov/bps/41664>

The City of Portland should
received signed copies of the
following documents:

- SE Uplift (attached)
- Central NE Neighbors
(content attached)

Please let me know if you did
not receive these documents
prior to the PSC hearing.

18 6736

Thank you,

Tamara DeRidder, AICP
RCPNA
503-706-5804

Robert and Debra Hertert

6210 SW Haines Street

Portland, Oregon 97219

April 28, 2014

AUDITOR 05/06/14 AM 10:38

emailed
to Council
5/6/14
pu

To: Council Clerk, 1221 SW 4th Ave, Room 140, Portland, Oregon 97204

Subject: Testimony for City Council: RICAP 6 SHORT TERM RENTALS

Dear City Council:

The April Planning Commission hearing on short-term rentals was educational and I was impressed with the good spirit and thoughtful back-and-forth among council members and staff. One issue bothered me but I was too tired to think it all the way through: inspections. One commissioner pursued the topic with obvious experience in the subject, and I think his questions deserve more consideration. But by this time the commission had voted and there wasn't an opportunity for the following discussion.

Inspections seems to make complete sense – it is an opportunity for the City to improve safety. But the commissioner brought up the question whether BDS will, without stating it as a goal, use this process to work towards improving compliance in the City's overall pool of residential housing. The commissioner pointed out that it is a bad approach for tackling the city-wide problems of code compliance.

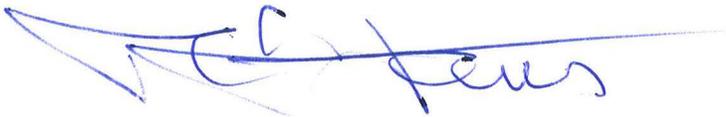
I offer a few thoughts, some of which we heard last night, some new:

1. Many homeowner-hosts are involved in the smallest of ways; they might list on AirBnB (free), and only host guests very occasionally. Occasional hosts will increase in number as AirBnB becomes more known in Portland. In the spirit of operating legally and applying for their permits, occasional hosts might be as surprised and affected as full-time hosts by the unforeseen consequences of inspections.
2. Most homeowner-hosts will have no idea of what they could be getting into, once they apply for a permit and an inspection takes place. They enter into this process feeling their home is safe enough for their own family, and BDS has never before required a safety inspection of their home. They may be entirely unaware of alterations made by previous owners.
3. Neither does BDS require a safety inspection for any other of the 200,000 homes in Portland, notably not for those being used as long-term rentals.
4. I don't think BDS is really more concerned about the safety of AirBnB guests than our owners and long-term renters - and I understand why BDS would feel that they should do something, but just because there is a difficult problem in improving overall residential housing code compliance doesn't mean this group of homeowner-hosts should be the focus.

5. BDS staff tried to reassure commissioners that BDS would not be overly zealous in the inspection process, but went on to say that
 - BDS inspectors were highly trained to look for and spot any change in material types, construction methods, etc.
 - any alterations they find are required to be code compliant
 - inspectors “could not walk away from any violations they find”
 - if bedrooms were legal to occupy when originally built, they would be ok now (meaning a standard level of safety is not the goal, but rather code compliance when built and when altered)
6. Applicants may be getting way more than they expected.
7. The City’s goal to “daylight” the short-term rentals in Portland may be eclipsed, or at least dimmed, if the BDS inspections turn out to be overly broad, and a significant number of fearful owners stay under the radar, using other advertising platforms.

RECOMMENDATION: Let’s continue the City’s wonderfully proactive and positive approach on this issue, bringing into permit as many hidden short-term rentals as possible. I recommend that the RICAP 6 be adopted but with the change of dropping the inspection requirement unless limited to presence of the required interconnected fire alarms, which everyone can meet.

Respectfully,



Robert and Debra Hertert

Moore-Love, Karla

From: Schwab Mary Ann <e33maschwab@gmail.com>
Sent: Friday, May 02, 2014 1:21 PM
To: Moore-Love, Karla
Subject: [Approved Sender] Fwd: [Approved Sender] Re: RICAP 6 - short-term rentals testimony

MANY THANKS,
 MAS

Begin forwarded message:

From: Schwab Mary Ann <e33maschwab@gmail.com>
Date: May 2, 2014 1:18:35 PM PDT
To: Jordan Tony <twjordan@gmail.com>
Cc: Dufay Anne <anne@southeastuplift.org>, Alarcon-Morris Amalia <Amalia.AlarconMorris@portlandoregon.gov>, van Orden Paul <Paul.VanOrden@portlandoregon.gov>
Subject: Fwd: [Approved Sender] Re: RICAP 6 - short-term rentals testimony

The good news: There is time to alert the Executive Directors serving ONI seven (7) collation, instructing each to alert their Boards and Neighborhood Associations, they have until June 1st to instruct City Council to remove the RICAP 6 from the PSC housekeeping list.

Modeled similar to the No Apartment Parking Task Force organized by Tamara DeRidder and numerous volunteers who were in attendance during a City Wide Land Use Group meeting. Several weeks later, we were successful in pushing back Developers ability to construct 139 units lacking parking back to 40+ units. For example, in Sunnyside currently under construction there are the 113 condos backing to Peacock Lane fences, -- 40 parking spaces.

Given support from ONI, collectively we can work toward win-win solutions again. Thinking equity -- invite key stakeholders to vet the livability impacts for immediate neighbors as well as need for permits and building inspections to protect the renter.

Highest priority? Terri Williams, Tax Division Manager, Deputy Director 503.865.2469 suggested we write in strong enforceable Noise Control language. Why? To give Paul the tools needed to issue fines -- when immediate neighbors (document via cell phones or time, place, manner) report loud renters conversations in back yard or front porches. Fee equal to two nights rental fees. Second complaint three nights rental fee. Third time -- pull permit. Like baseball three strike you are out.

There are 3,600 OLCC outlets within Portland, reviewed annually.

If not checked, in no time double if not triple that figure with short time rentals.

As for collecting the 12% hotel tax -- good luck. That % will lesson when AirBnB collects a % of the 12% for processing the paperwork, as for similar on-line rental companies -- I'm clueless how to solve inter-state commerce.

Please never again poorly written methods of collecting the Arts in the Schools Tax. As for how Commissioner Novick plans to collect the highway maintenance \$8 or \$12 monthly fee from homeowners -- stay tuned. To is credit, he did offer to discontinue the \$15.00 leaf street sweeping fees.

Please get back to me, as I be addressing City Council June 8th, so please get back to me with copies. Yes, four days after they vote on the RICAP 6 short term rental issue.

Your thoughts?

mas

Begin forwarded message:

From: "Ocken, Julie" <Julie.Ocken@portlandoregon.gov>
Date: May 2, 2014 12:04:32 PM PDT
To: Schwab Mary Ann <e33maschwab@gmail.com>
Subject: RE: [Approved Sender] Re: RICAP 6 - short-term rentals testimony

Hi Mary Ann,

I forwarded Andre' you contact information, so you should be hearing from him soon.

You can review all the written testimony we received about RICAP 6 online at ftp://ftp02.portlandoregon.gov/BPS/PSC/RICAP6_testimony/. On a quick glance, here's the written testimony from neighborhood associations (and similar groups) about short-term rentals:

- Buckman Community Association Board
- Sellwood Moreland Improvement League
- HAND
- Irvington Community Association
- Rose City Park

Hope this helps.

- julie

Julie Ocken
 City of Portland
 Bureau of Planning and Sustainability
 1900 SW 4th Ave, Suite 7100
 Portland, OR 97201
 503-823-6041
www.portlandoregon.gov/bps

From: Schwab Mary Ann [<mailto:e33maschwab@gmail.com>]
Sent: Thursday, May 01, 2014 4:24 PM
To: Ocken, Julie
Subject: [Approved Sender] Re: RICAP 6 - short-term rentals testimony

I hope to receive the data a few days prior to the City Council Hearing at 2:00 p.m. "time certain" on Wednesday, June 4th,
 Many thanks for your willingness to assist me. On a side note, I have yet to find the SEUL letter -- which could have been processed

prior to when SEUL Planning program manager, Bob Kellett took a three month maternity leave. He is due back in six-weeks.

One final plea -- would you please ask the PSC Chair to call me. I would like to meet with him over coffee.

Best regards,
mas
(503) 236-3522

On May 1, 2014, at 4:02 PM, Ocken, Julie wrote:

Hi Mary Ann,

For a count of testimony from Neighborhood Associations who testified against short-term rentals (and/or pulling those components off of RICAP 6), I'd have to take some time to review all the submitted testimony documents. I can't promise when I can get to that, but I'm hoping to have some time next week to get that to you.

Thanks,
julie

Julie Ocken
City of Portland
Bureau of Planning and Sustainability
1900 SW 4th Ave, Suite 7100
Portland, OR 97201
503-823-6041
www.portlandoregon.gov/bps

Moore-Love, Karla

From: Joanne Stainbrook <jstainbrook2004@yahoo.com>
Sent: Monday, April 21, 2014 7:39 PM
To: Tracy, Morgan (Planning)
Cc: Anderson, Susan; Planning and Sustainability Commission; Moore-Love, Karla; Hales, Mayor; Commissioner Saltzman; Commissioner Fritz; Commissioner Novick; Commissioner Fish
Subject: RICAP 6 & SHORT TERM RENTALS

Short Term Rentals and RICAP 6

Thank you for the opportunity to comment on the BPS RICAP 6 proposal. As a lifelong member of the Portland community and active member of the Hosford Abernethy Neighborhood District Association (HAND) I would like to ask that you remove the Short Term Rental language in the RICAP 6 proposal so that the community has a chance to understand better the implications of the code and provide input to ensure that it is a successful program.

Within the community I have been hearing many concerns about this code change that is more than an adjustment or clarification to existing code.

Some concerns are:

- Owner Occupied versus Operator run and how the definition of these could impact the character of the business and the impact to neighbors.
- Quantity and Density of Short Term Rentals within residential areas. How many is too many?
- Loss of housing for long term renters.
- Creating a new investment opportunity that may accelerate the demolition of affordable single family homes to create homes that meet the Short Term Rental criteria.

I see many opportunities with this new concept for Portland. By adding this to the RICAP you have started the conversation, but I feel strongly that it deserves more input than the RICAP allows.

Please remove the Short Term Rental language from the Municipal Code Amendment Package.

Thank you for considering these comments.

Joanne Stainbrook
2424 SE Orange Ave
Portland, OR 97214

Moore-Love, Karla

From: Peter Sergienko <petersergienko@gmail.com>
Sent: Monday, April 21, 2014 3:23 PM
To: Tracy, Morgan (Planning)
Cc: Anderson, Susan; Planning and Sustainability Commission; Moore-Love, Karla
Subject: Comments to Short Term Rentals, RICAP 6 Sections 12, 13, & 14

Greetings,

Thank you for the opportunity to comment on the proposed Short Term Rental amendment. I am a resident of Northwest Portland, currently living in a condominium unit as an owner.

Procedurally, the proposed revisions seem inappropriate for adoption under the annual update process, RICAP 6, because the language grants a substantive commercial use "by right" to all property owners in residential zones. This does not appear to be an incidental or minor amendment to the code. Thus, it should be excluded from the RICAP process. For a substantive change such as this, there should be different process requiring, at minimum, a broad community discussion prior to creating new property rights.

Substantively, I am mostly concerned with any potential adverse impacts the proposed amendments may have on housing affordability. As explained in this article, <http://www.dailykos.com/story/2014/04/20/1293378/-Housing-Secretary-the-worst-rental-affordability-crisis-that-this-country-has-ever-known?detail=facebook#>, the current housing recovery is being driven almost entirely by the investment class flipping residential homes and turning owner-occupied residences into rental units. This is drastically reducing housing affordability. Granting a property right to all owners allowing unrestricted short term rentals might further this unfortunate trends, and its follow-on adverse consequences, namely, an increase in the income and wealth gaps between the investor class and everyone else.

For the foregoing reasons, I can only support permitted short term rentals if the following provisions are included in the final changes:

1. The owner must be present at their residence during the term of the short-term rental.
2. The owner must be limited to renting out no more than bedrooms located within their primary residence (i.e., garage apartments or adjunct short-term rental facilities should be permitted). Short-term rentals of 3 or more bedrooms should be B&Bs.
3. Before being granted a permit allowing short-term rentals, the applicant should be required to obtain the approval of the majority of property owners that are within 200 feet of the subject property. Neighborhood notice should include all Block Watch captains in the affected neighborhood whether they reside within the 200-foot limit or not.
4. Permits should be reviewable annually and subject to revocation for non-compliance with applicable standards. Permit review should include notice to neighbors to allow them to comment.
5. Rented rooms must meet fire/life/safety requirements.
6. Short-term renters must observe reasonable no noise/no outdoor activity limitations on their use of the short-term rental (e.g., no noise or outdoor activities before 8:00 a.m. or after 9:00 p.m. Vehicle parking by short-term renters should be considered and restricted or prohibited where appropriate given current neighborhood needs.

Conceptually, I support the policy of allowing property owners to take on boarders to make their housing affordable. However, I think this policy needs to be considered carefully and limited appropriately so that it does not have the opposite effect--making housing less affordable for young people and regular folks as opposed to the investor class.

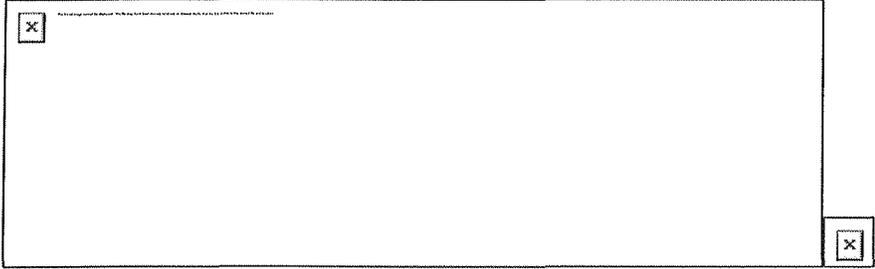
Thank you for considering these comments.

Peter Sergienko
2127 NW Irving Street, Apt 101
Portland, OR 97210-5242

18 67 36

Moore-Love, Karla

From: Gail Hoffnagle <smileghoffnagle@gmail.com>
Sent: Thursday, April 17, 2014 12:46 PM
To: Tracy, Morgan (Planning); Anderson, Susan; Planning and Sustainability Commission; Moore-Love, Karla; board-l
Subject: Opposition to Short Term Rentals, RICAP 6



Dear All,

Thank you for the opportunity to comment on this Short Term Rental amendment. This issue was discussed at last night's April SMILE Board meeting. By a unanimous vote the Sellwood Moreland Improvement League (SMILE) Board has found issue with several items in the proposed language and have concerns that the subject is so substantive that it should be separated from the annual update process, RICAP 6. In our reading of the Short Term Rental amendment it proposes a Commercial Use 'by right' to all who own property in the Residential zone. This change of Use is not incidental language or a minor amendment to the code and should be excluded from the RICAP process. We support the idea of a broader community discussion regarding the pros and cons of the short term rental us in our neighborhood.

Thank-you for considering this issue.

Respectfully,
Gail Hoffnagle
SMILE President

Moore-Love, Karla

From: LMASONRY@aol.com
Sent: Wednesday, April 16, 2014 10:29 AM
To: Tracy, Morgan (Planning)
Cc: Anderson, Susan; Planning and Sustainability Commission; Moore-Love, Karla
Subject: Fwd: Opposition to Short Term Rental Amendment - RICAP 6 Sections 12, 13, and...

16 April, 2014

City of Portland

Bureau of Planning & Sustainability

Attn: Morgan Tracy, RICAP 6 Coordinator morgan.tracy@portlandoregon.gov

1900 SW 4th Avenue

Suite 7100

Portland, OR 97201

CC: Susan Anderson Susan.Anderson@PortlandOregon.gov,

Planning and Sustainability Commission psc@portlandoregon.gov,

Portland City Council < Karla.Moore-Love@portlandoregon.gov >

Subject: Opposition to Short Term Rentals, RICAP 6 Sections 12, 13, & 14

Dear Morgan Tracy,

Thank you for the opportunity to comment on this Short Term Rental amendment. We have issue with several items in the proposed language and have concerns that the subject is so substantive that it should be separated from the annual update process, RICAP 6. In our reading of the Short Term Rental amendment it proposes a Commercial Use 'by right' to all who own property in the Residential zone. This change of Use is not incidental language or a minor amendment to the code and should be excluded from the RICAP process. We support the idea of a broader community discussion regarding the pros and cons of the short term rental use in our neighborhood.

We are long time residents of the Laurelhurst neighborhood and appreciate knowing our neighbors and being able to participate in our block watch. We fear that the proposed amendment will permit absentee landlords to buy up properties and make

them into short term rentals. This would create a motel environment, change the residential character of our neighborhood, and the use would eventually take over properties that hold long term rentals as well as owner-occupied homes as they transition out.

We do support short term rentals if they have limits placed on them that ensures our neighborhood can maintain its residential character. This includes:

1. Owner-occupied residences renting out 1-2 rooms located inside their primary residence.
2. The owner needs to be present at their residence when these short-term rental rooms are being rented.
3. Approval by the majority of the property owners that abut and are within 200 feet along the street frontage. This notice should include the Block Watch captains in the affected notification area.
4. Annual review and/or application to allow neighbors to check-in, if needed.
5. Limitations placed on renters when outside the residence, such as no noise after 9:00 pm, no outdoor activity at the residence after 9:00 pm, and parking of vehicle(s) on the property or in street abutting their residence. These limitations and the property owner's contact number should be provided all property owners in the notification area.
6. Bedrooms need to meet fire/life/safety requirements.

We support the idea of allowing property owners to take on Boarders to help them afford aging in place. Our concerns rest with the abuse of that privilege. The current Short Term Rental language is far too broad and also offers no safe-guards on how the city will police the violators.

One idea for enforcement is to have owners who advertise their rooms include their permit number in these postings. Neighbor complaints that quantify clear violations should also be grounds for permit revocation.

Thank you again for your consideration. Please contact us if you have any questions.

Respectfully,

Charles & Lynn Mason
3811 NE Flanders
Portland, OR 97232

Moore-Love, Karla

From: Tamara DeRidder, AICP <SustainableDesign@tdridder.users.panix.com>
Sent: Tuesday, April 15, 2014 10:58 AM
To: Tracy, Morgan (Planning)
Cc: Anderson, Susan; Planning and Sustainability Commission; Moore-Love, Karla
Subject: RCPNA Opposition to Short Term Rentals - RICAP 6 Sections 12, 13, 14
Attachments: RCPNAOppositiontoShortTermRentals, RICAP12,13,14-TDR04152014-final2.pdf

Importance: High

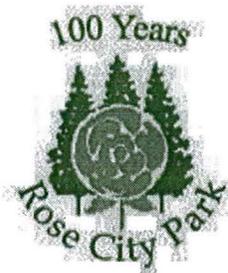
Hi Morgan,
Attached is a re-issuance of the RCPNA opposition to the Short Term Rental amendment coming up for review by the PSC on April 22nd. I have added the addresses of the signers of this letter. I understand now that that is needed to qualify testimony for acceptance.

Please accept this document as our formal testimony before both the PSC and City Council on this matter.

My best,

Tamara

Tamara DeRidder, AICP
Co-Chair, Land Use & Transportation Committee Board, Rose City Park Neighborhood Assoc.
503-706-5804
&
Principal, TDR & Associates
1707 NE 52nd Ave.
Portland, OR 97213
503-706-5804



Rose City Park Neighborhood Association

April 15, 2014 (amended and transmitted this day via e-mail to the following)

City of Portland
 Bureau of Planning & Sustainability
 Attn: Morgan Tracy, RICAP 6 Coordinator morgan.tracy@portlandoregon.gov
 1900 SW 4th Avenue
 Suite 7100
 Portland, OR 97201

CC: Susan Anderson Susan.Anderson@PortlandOregon.gov,
 Planning and Sustainability Commission psc@portlandoregon.gov,
 Portland City Council < Karla.Moore-Love@portlandoregon.gov >

Subject: RCPNA Opposition to Short Term Rentals, RICAP 6 Sections 12, 13, & 14

Dear Morgan Tracy,

On April 1, 2014, the Rose City Park Neighborhood Association Board received the recommendation of its Land Use and Transportation Committee that was generated on March 27, 2014. The Board voted unanimously to support the LU&TC recommendations to **oppose** the Short Term Rental amendment as RICAP # 12, 13, and 14 based on the following:

Item I. First and foremost the Short Term Rental amendment language is **NOT** a minor amendment and should be excluded from RICAP 6.

Finding 1. The Bureau of Planning and Sustainability (BPS) website <http://www.portlandoregon.gov/bps/62880> states: "The Regulatory Improvement Code Amendment Projects (RICAP, pronounced "ree-cap") continually update and improve City building and land use regulations that hinder desirable development. Suggestions for improving the City's development codes are entered into the Regulatory Improvement Requests (RIR) database. Issues that require major policy changes are **not** addressed through RICAP but are evaluated through separate legislative projects. RICAP addresses technical matters and clarifications or refinement of existing adopted policy in typically a one-year revolving work plan." The qualifying terms for items that can be permitted for RICAP review include "technical matters", "(technical) clarifications", or "refinement" of existing adopted policy. The Short Term Rental amendment is contained in sections 12, 13, and 14 of RICAP 6 constitute NEW policies. It establishes a Commercial use that is similar to Bed & Breakfast use but would be allowed 'by right' in the Single Dwelling Zone and without the needed Type II review procedure. Therefore, Sections 12, 13, and 14, and their references, should be excluded from RICAP 6 review.

Item II. Second, Short Term Rentals should be excluded from the R5 zone as this is the neighborhood sanctuary where safety and stability need to be maintained for the health and welfare of these residents.

The City of Portland Municipal Code Title 33 Planning and Zoning¹ states:

“33.110 Single Dwelling Zones -

The single-dwelling zones are intended to preserve land for housing and to provide housing opportunities for individual households. The zones implement the comprehensive plan policies and designations for single-dwelling housing.

- A. **Use regulations.** The use regulations are intended to create, maintain and promote single-dwelling neighborhoods. They allow for some nonhousehold living uses but not to such an extent as to sacrifice the overall image and character of the single-dwelling neighborhood.”

Finding 1. The language in Title 33.110 Single Dwelling Zones intends “to preserve land for housing”. Subsection A “state use regulations are intended to create, maintain and promote single-dwelling neighborhoods”. The proposed Short Term Rental amendment proposes to allow this commercial use ‘by right’ in this residential sanctuary. According to proposed Section 33.207.040 A. 2 “The operator of an accessory short-term rental on a site with an accessory dwelling unit may reside in the house” therefore allowing the “operator” to reside in a separate dwelling than the rental. The language also provides for other combinations where the operator and rooms for rent may reside in manufactured home, attached accessory dwellings, and where the renters reside in the house while the operator resides in the accessory dwelling unit. The proposed Short Term Rental amendment creates a commercial motel atmosphere where any and all residential properties are available for this commercial use. This type of use undermines the very foundation for preserving property values for residential use rather than commercial use. Therefore, the Short Term Rental amendment fails to satisfy Portland Municipal Code Title 33 Planning and Zoning Section 33.110 (part) and Subsection 33.110.A(part).

Finding 2. The language in Title 33.110.A Use Regulations directs, “They allow for some non-household living uses but not to such an extent as to sacrifice the overall image and character of the single-dwelling neighborhood.” The character of the neighborhood would quickly change by allowing Short Term Rentals, as written. The current long-term rental properties would likely change over to this more lucrative short-term rental use, forcing out many families and workers who cannot afford to own a home, and replacing them with highly transitional renters. With this change Neighborhood Watches could no longer serve to provide safety as monitoring due to rapid-changing residents making their effort futile. The Neighborhood Watch efforts across the city serve as the foundation for safety and livability for our Portland neighborhoods. The proposed Short Term Rental amendment sacrifices long-term rentals in the Single Dwelling Zone, replacing them with a commercial motel-type use, and forces the Neighborhood Watch program to become futile in providing safety for our neighborhoods. Therefore, the Short Term Rental amendment fails to satisfy Portland Municipal Code Title 33 Planning and Zoning Subsection 33.110.A(part).

¹ <http://www.portlandonline.com/Auditor/index.cfm?c=28197&a=64609>

Item III. The Short Term Rental amendment fails to satisfy the Portland Comprehensive Plan, as follows:

Finding 1. “Urban Objective 2.9 Residential Neighborhoods. Allow for a range of housing types to accommodate increased population growth while improving and protecting the city’s residential neighborhoods.” These proposed amendments fail to improve or protect the City’s residential neighborhoods. Instead this Short Term Rental amendment injects this Commercial use into Residential neighborhoods and undermine the fabric of safety provided by long-term residents in knowing your neighbor. The amendment fails to require the property owner to reside in the dwelling used for renting rooms. It fails to require this dwelling serve as the owner’s primary residence. It also fails to require the owner to be present when the room are rented, thereby allowing the entire residence to serve as a short term rental. Therefore, the Short Term Rental amendment fails to satisfy Objective 2.9.

Finding 2. “Urban Objective 2.15. Living Closer to Work Locate greater residential densities near major employment centers, including Metro-designated regional and town centers, to reduce vehicle miles traveled per capita and maintain air quality. Locate affordable housing close to employment centers. Encourage home-based work where the nature of the work is not disruptive to the neighborhood.” Current long-term affordable rental housing in the areas proposed for Short Term Housing will be lost to this more lucrative use. This will further tighten the already tight long-term rental housing market “that has dropped from 7.5% to 2% in the past five years”². The effect will force additional displacement of the elderly, low income, and working poor to move into East County, away from jobs and needed services. This amendment proposes to only exacerbate the “Locked-Out”³ policies that have been reported by the Oregonian and disregards the need for equity outlined in the Fair Housing Act. Therefore, the Short Term Rental amendment fails to satisfy Objective 2.15.

Finding 3. “Urban Objective 2.21 Existing Housing Stock. Provide for full utilization of larger single-family homes with conditions that preserve the character of the neighborhood and prevent speculation.” The legitimizing of short term rentals of bedrooms, accessory dwelling units, single family dwellings, or mobile homes in neighborhoods zoned for single family use opens up all these properties to increased speculation. It promotes active turnover of users, makes neighborhood watches ineffective, and degrades the stability of children’s outdoor activities, negating essential rights of these single family residents. Therefore, the Short Term Rental amendment fails to satisfy Objective 2.21.

Finding 4. Neighborhoods Policy and Objectives “3.2 Social Conditions. Provide and coordinate programs to promote neighborhood interest, concern and security and to minimize the social impact of land use decisions” and “3.3 Neighborhood Diversity. Promote neighborhood diversity and security by encouraging a diversity in age, income, race and ethnic background within the City’s neighborhoods.” The fact that BPS is inserting a Major Change such as Short Term Rentals as a ‘by right’ use into our single family neighborhoods defies Policy and Objectives 3.2 and 3.3 by failing to fully disclose impacts of this use and thereby negating neighborhood interest, concern and security. This Short Term Rental language expels the idea of Neighborhood Diversity by making rental properties only for mainly the well-to-do Caucasian ambulatory tourists and visitors. Unlike the motel industry that provide for ADA access and maintain strict enforcement of equal access to all people, with no discrimination based on ethnicity, race, color, and sexual orientation, Short Term Rentals run by AirBNB and other Short Term Rental website are not meeting these standards. The displaced residents in the areas taken over by Short Term Rentals will include the working poor, which is disproportionately high with our ethnic

² http://www.pressherald.com/news/rental-demand-in-portland-is-through-the-roof_2013-04-29.html?pagenum=full

³ <http://projects.oregonlive.com/housing/>

populations, our elderly, and those with special needs. Therefore, the Short Term Rental amendment fails to satisfy Policy and Objectives 3.2 and 3.3.

Finding 5. Housing Policy “4.2 Maintain Housing Potential. Retain housing potential by requiring no net loss of land reserved for, or committed to, residential, or mixed-use.” The proposal of Short Term Housing as a ‘by-right’ use in all Single Dwelling residential zones effectively permits commercial uses in direct conflict with Housing Policy 4.2. This commercial use degrades and will irrevocably change the housing potential for residents staying more than 30 days in the Single Dwelling residential zones. The amendment establishes uses inconsistent with the Low Density Residential, R5, zone; the majority of property owners in R5 have purchased their property specifically because of the characteristics of the current zoning. Therefore, the Short Term Rental amendment fails to satisfy Policy 4.2.

Finding 6A. Housing Safety & Quality – Policy “4.4 Housing Safety. Ensure a safe and healthy built environment and assist in the preservation of sound existing housing and the improvement of neighborhoods. Objective A. Ensure safe housing for Portland’s citizens of all income levels.” The proposed Short Term Rental amendment fails to assist in the improvement of neighborhoods by establishing commercial uses as a ‘by-right’ in all Single Dwelling residential zones. The residents that neighbor these Short Term Use applicants are not allowed the opportunity to comment on or defend their residential rights. Short Term Rental uses in the Single Dwelling residential zones conflicts directly with the safety and security promoted by Neighborhood Watch activities as promoted by the Office of Neighborhood Involvement (ONI). ONI’s Crime Prevention Program Coordinators encourage residents to know your neighbors and “recognize and report suspicious activity.”⁴ Short Term Rentals will have such rapid turnover in renters that this will pose ‘stranger danger’ regularly into Portland’s Single Dwelling residential sanctuary and destabilizes the effectiveness of Neighborhood Watch programs, a key foundation for residential safety in our community. Therefore, the Short Term Rental amendment fails to satisfy Policy 4.4 and Objective 4.4.A.

Finding 6B. Housing Safety & Quality – Policy “4.4 Housing Safety. The proposed Short Term Rental amendment fails to require applicants to provide proof of property ownership, that the rental rooms are to be located at the owner’s primary dwelling unit, proof of site inspections to ensure bedrooms meet fire and safety standards, that property insurance has been secured for rental use, and that the Mortgage Carrier has allowed the use as part of its signed contract with the owner. If left unmonitored each one of these issues could cause an illegal activity to be sanctioned by the city code as a Short Term Rental use. This could leave property owners who choose to embrace Short Term Rentals at their home with the potential of facing liability suits from renters as well as loss of their mortgage contract. The amendment creates issues that lower the quality of life and equity for residents of R5 zone, by introducing a motel type establishment to the interior of neighborhoods; proposed zoning equates to pollution of current property owner quality of life analogous to “second hand smoke”. Appropriate areas already exist with the correct zoning for this type of use. The proposal is a dilution and mediocrization of a historically accepted and cherished residential zoning. The Short Term Rental amendment as proposed fails to protect property owners who use Short Term Rentals as well as the neighbors impacted by them. Instead this amendment opens Short Term Rental owners to cover liability and damages generated by the renter, even off site, and to potential illegal activity that may forfeit their homes. Therefore, the Short Term Rental amendment fails to satisfy Policy 4.4 and Objective 4.4.A.

Finding 7. Housing Opportunities – Policies 4.7 “Balanced Communities. Strive for livable mixed-income neighborhoods throughout Portland that collectively reflect the diversity of housing types,

⁴ <http://www.portlandoregon.gov/oni/article/26674>

ensures (rental and ownership) and income levels of the region.” Objective “B. Maintain income diversity within neighborhoods by 1) allowing a mix of housing types and tenures, including houses, houses on smaller lots, small houses, duplexes, attached housing, accessory dwelling units, multi-dwelling housing, and mixed-use developments; and 2) ensure that income diversity is maintained over the long-term(emphasis added).” Short term housing provided ‘by right’ in the Single Dwelling residential zone will eviscerate the number of long-term rentals in these areas in direct conflict with these policies and objectives. Long term rentals in the single family residential zones allow residents with a range of incomes and diversity to reside in stable neighborhoods alongside home-owners. Residents in these inner neighborhoods benefit from access to good schools, services, and transit. Short term rentals with little to no regulation on access or number in these neighborhoods sacrifice room for this long-term diversity. Therefore, this amendment fails to satisfy Policy 4.7 and Objective 4.7.B.

Finding 8. Regional Housing Opportunities, Policy 4.8. “Ensure opportunities for economic and racial integration throughout the region by advocating for the development of a range of housing options affordable to all income levels throughout the region.” Objectives: “A. Advocate for the development of a regional “fair share” strategy for meeting the housing needs of low, moderate, and higher-income households and people in protected classes in cities and counties throughout the region. B. Support regulations and incentives that encourage the production and preservation of housing that is affordable at all income levels throughout the region.” As stated in finding 2(G), above, racial and economic diversity will be greatly impacted by the loss of long-term rental housing to the more lucrative short-term housing. The current short term rental amendment allows ‘by-right’ the rental of rooms, accessory units, houses, and manufactured homes in the Single Dwelling zone. Although new housing opportunities may be created to accommodate these Short Term Rentals, the path of least resistance is for property owners to rent out units they already own. Recent testimony in the Oregonian by a rental property owner in the Laurelhurst Neighborhood who faced fines for conducting short term rentals shared that she went back to renting her rooms to long-term rentals. Short Term Rentals destabilize the long-term rental housing base along with the families who rely on living in these units. The result of losing long-term rental housing in the inner Single Dwelling neighborhoods will force these elderly, protected classes, and working poor into areas such as East County, away from services, transit, and walkable neighborhoods. Therefore, this amendment fails to satisfy Policy 4.8 and Objectives 4.8.A and B.

Finding 9. Fair Housing, Policy 4.9. “Ensure freedom of choice in housing type, tenure, and neighborhood for all, regardless of race, color, age, gender, familial status, sexual orientation, religion, national-origin, source of income or disability. Objectives: A. Support programs that increase opportunities for minorities, low-income people, and people in protected classes to gain access to housing throughout the region. B. Prohibit discrimination in selling, renting, leasing, or subleasing residential real estate on the basis of an individual’s race, color, age if over 18,gender, marital status, familial status, sexual orientation, religion, national origin, source of income, or disability.” Not only will Short Term Rentals, as proposed, displace long term rental residents they then become an unregulated market for discriminatory rental practices. There are no proposed regulations by the city or practices by businesses such as AirBnB that even imply standards that prohibit discrimination as required by the Fair Housing Act. Motels and long-term rental properties must maintain strict adherence to non-discriminatory practices as enforced by various state and federal agencies. AirBnB boasts its ability in ‘flying under the radar’ (meaning ‘unregulated’) in most communities. Here the city is encouraging such flagrant disregard for anti-discrimination laws by opening the Residential property’s ‘barn door’ for these Short Term Rental businesses and not imposing regulations. Therefore, Short Term Rental amendment as written fails to satisfy Policy 4.9 and Objectives 4.9.A and B.

Finding 10A. Housing Diversity, Policy 4.10. “Promote creation of a range of housing types, prices, and rents to 1) create culturally and economically diverse neighborhoods; and 2) allow those whose housing needs change to find housing that meets their needs within their existing community. Objectives: A. Keep Portland inviting to households with children by ensuring through public and private action the availability of housing that meets their needs throughout the city.” “E. Support opportunities for renter households by providing a range of housing types, sizes, and rent levels throughout the city. F. Increase the public school population in Portland, preventing widespread school closures, and the consequent underutilization of public facilities.” Long-term housing types have become more creatively implemented in the past five years as the recent Great Recession forced residents into economizing our use of space. Long-term rentals can now be found as individual rooms, split housing arrangements, detached bedrooms, accessory dwelling units, and manufactured homes. Short Term Rentals will displace any or all of these long-term rental housing types in the Single Dwelling Zone. Therefore, the Short Term Rental amendment fails to satisfy Objective 4.10.E.

Finding 10B. Housing Diversity, Policy 4.10. The 2010 Census identifies an average of 18% of Portland’s children live in households at or below the poverty level and a spike of 39.5% at David Douglas School in East County as of 20125. Of the total number of school-age children living in poverty 85% of them are non-white. Many of these families depend upon available long-term rental space. The city is required to support opportunities for (long-term) renter households and increase the public school population. The Short Term Rental amendment will accelerate the displacement of long-term rental households including those with children. Encouraging this displacement taking could easily force them out of the Portland area schools in violation of this Objectives 4.10.A and F.

Finding 12. Housing Affordability, Policy 4.11. “Promote the development and preservation of quality housing that is affordable across the full spectrum of household incomes. Objectives: A. Include strategies and actions that encourage the provision of housing affordable to all income levels in neighborhood, and community plans, and other area plans that pertain to housing. B. Ensure the availability of housing that meets the needs of all Portland households.” As stated in Objective 2.15, above, the rental vacancy rate has jumped from 7.5% to 2% over the past five years. Short Term Rentals as stated in the RICAP 6 amendment proposes to allow this use ‘by-right’ in all Single Dwelling residential zones and permits owners to raise rents astronomically, such as from \$500/mo. to \$500/week. This amendment disregards the needs of long-term rental market in the Single Dwelling zone by encouraging the reduction of their availability and taking more residential area out of potential use. Therefore, the Short Term Rental amendment fails to satisfy Policy 4.11, Objectives 4.11.A and B.

Finding 13. Neighborhood Stability, Policy 4.14. “Stabilize neighborhoods by promoting: 1) a variety of homeownership and rental housing options; 2) security of housing tenure; and 3) opportunities for community interaction. Objectives: A. Promote and maintain homeownership options within neighborhoods. B. Promote housing opportunities that build a sense of community, civic involvement and neighborhood pride. H. Enable people who are elderly to remain in their own neighborhoods as their needs change by supporting shared housing, accessory dwellings, smaller homes, adult foster homes, and other assisted residential living arrangements.” The Short Term Rental amendment places no restriction on number and location of these uses in the Single Family Zone. As written, all the homes in the block could contain a Short Term Rental use. As written the Short Term Rental amendment proposes to destabilize and replace long-term rentals, make Neighborhood Watch programs ineffectual

⁵ http://www.portlandpulse.org/child_poverty

with the constant turn-over, and destroy the sense of safety that builds a sense of community, thereby fails to satisfy Policy 4.14 and Objective 4.14.B.

Finding 14. The Short Term Rental amendment clumsily attempts to provide an opportunity for this type of use to be used by property owners to enable them to afford to age in place. Instead it offers a wolf in sheep's clothing for those who allow themselves to be taken in by this use. It has been proven that AirBnB's insurance, provided to vendors of their marketing site, only serves as a backup to a Homeowner's Insurance Policy. It does not cover liability. If the property owner has not updated their Homeowner's Insurance to cover Boarders or Renters then they will be saddled with the entire cost of damage and/or liability. Homeowner Mortgage Agreements typically do not allow use of the property for rentals or Boarders. Making a change in the Mortgage Agreement to allow Short Term Rental use will typically include a higher interest rate but ensure the owner does not breach this contract. The Short Term Rental amendment fails to inform and require homeowners to provide proof that they have both insurance and mortgage agreements updated prior to permit approval. This amendment thereby becomes a liability to its users undermines the potential income they might generate. Therefore this amendment as written does more damage than good and fails to satisfy Objective 4.14.H.

Finding 15. Citizen Involvement, Goal 9. "Improve the method for citizen involvement in the on-going land use decision-making process and provide opportunities for citizen participation in the implementation, review and amendment of the adopted Comprehensive Plan. Policies & Objectives: 9.1 Citizen Involvement. Coordination Encourage citizen involvement in land use planning projects by actively coordinating the planning process with relevant community organizations, through the reasonable availability of planning reports to city residents and businesses, and notice of official public hearings to neighborhood associations, business groups, affected individuals (emphasis added) and the general public." The Short Term Rental amendment proposes to adopt language that allows this Commercial use 'by right' in all zones that are Single Dwelling residential as well on properties that permit duplexes and triplexes. The city has advertised the hearings for this amendment as a legislative action. However; the City has NOT notified the affected individuals of this pending land use action. All property owners and residents in these Residential zones are directly affected by this Commercial use being allowed 'by-right' on abutting and adjacent properties. Such general disregard for citizen participation fails to satisfy Goal 9 and Policies & Objectives 9.1.

Based on the above stated Findings the Short Term Rental amendment, Sections 12, 13, and 14 of RICAP 6, fails to satisfy the requirements of the Portland Comprehensive Plan.

Item IV. The Rose City Park Neighborhood Association further recommends that after the Short Term Rental amendment is removed from RICAP 6 a community-wide discussion on this topic be managed by the City to include the following:

1. Address stability and equity issues. Suggestions include:
 - A. Require a Type II process that includes notification and then approval of use by adjacent neighbors prior to permit issuance; mirroring the existing model established by PBOT for The Village Building Convergence. Excerpt from the PBOT website (<http://www.portlandoregon.gov/transportation/article/450138>) "PBOT requires that each project solicit feedback from neighbors within two blocks of the project. Eighty percent of these neighbors must approve of the project as well as 100% of those on properties adjacent to the project. We recommend the use of a 200 foot radius notification area. Such notification shall include the Health Department and OLCC alerting them to the potential sale of food and

- drinks on site. In addition, notification needs to be sent to all Neighborhood Associations and Neighborhood/Rental/Apartment Watch Captains impacted by the notice area.
- B. Applications requiring:
 - i. Proof of ownership of property and residence;
 - ii. Proof of updated insurance that includes coverage of Renters or Boarders;
 - iii. Proof of updated Mortgage Agreement that permits Renters or Boarders;
 - iv. Applications for the service of food and/or liquor on site, for City review and coordination with the Health Department and/or OLCC. We suggest a permit number that reflects this approved use.
 - C. Require rental bedroom(s) be located in the primary residence of the property owner.
 - D. Require the property owner to reside in this primary residence for the duration of every short term rental period;
 - E. Require a Good Neighbor Agreement that involves the neighborhood association and adjacent neighbors to the Short Term Rental site
 - F. Short Term rental owner to provide annual update flyers to adjacent neighbors regarding complaint contact information and proposed ground rules for use of the rental site (including items such as smoking, parking, etc).
 - G. Require annual fee and neighbor review for all Short Term Rentals. Allow neighbor opposition to the Short Term Rental to stop and/or deny continuance of the use.
 - H. Clearly identify conditions of permit revocation.
 - I. Limit number of Short Term Rental Uses by allowing them to be located at least 200 feet apart from each other.
2. Retain rental housing stock.
 - A. Increase fees and fines issued for Short Term Rentals so that it limits the number of units that transition out of housing rentals for this more lucrative use. Fines should mirror those applied in NYC.
 - B. Require all Short Term Rental owners to post their permit number and neighborhood in all advertisements. This will enable City personnel a quick reference for enforcement.
 3. Maintain stability and livability of R5 zone. The R5 residential zone should exclude Short Term Rental uses. These neighborhoods need to remain as the Residential sanctuary for families and their children. Short Term Rentals would insert a Commercial use with high residential turnover into these residential areas making it impossible to maintain a Neighborhood Watch. There are no background checks required by AirBnB and other Short Term Rental markets that determine whether these Short Term Rental users are Registered Sexual Predators or felons. Allowing these types of uses undermines the fabric of security needed to maintain safety and livability in these areas.
 4. Add definitions for:
 - A. Legal Bedroom;
 - B. Recognized Organization; and
 - C. Primary Residence

Thank you for the opportunity to comment on the BPS RICAP 6 proposal. We have serious concerns with the Short Term Rental language as proposed. We ask you to please remove this item from the Municipal Code amendment package. Instead, separate the Short Term Rental proposal for further review and discussion. Please review the standards and requirements implemented by Austin Texas as a

possible template for further discussion. Let us work together to identify the issues and seek a means for joint resolution.

Please contact us if you have any questions or we can be of further assistance in this matter.

Respectfully,



Tamara DeRidder, AICP
Co-Chair, LU & TC
Board, RCPNA
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Portland, OR 97213
503-706-5804



Nate Carter, AIA
Co-Chair, LU & TC
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Michael Roth
Board Chairman, RCPNA
5126 NE Wistaria Drive
Portland, OR 97213
503-493-8316

Moore-Love, Karla

From: janeysue06@comcast.net
Sent: Monday, April 07, 2014 10:31 AM
To: Hales, Mayor
Cc: Moore-Love, Karla
Subject: RICAP 6

Dear Mayor Hales,

It is with great confusion that I try to understand if different city bureaus and the mayors office are working together, as is our city motto, or not. I am referring to RICAP 6 being worked on by the Bureau of Planning and Sustainability and the seemingly cozy relationship your office has with AirBnB. (By cozy I'm referring to the picture of you and two young smiling staffers from AirBnB and the announcement that AirBnB would be setting up their headquarters here.). Several newspaper articles have reported that you are welcoming AirBnB into our city and even saying that Portland is AirBnB's first "shared city". On the other hand, the BPS has been working for a year or so to draft a plan, gathering citizen input, holding public meetings, and put forth two future hearings about the plan to be presented to the city commissioners for approval or denial. This sounds like the public might have a voice in the decision about RICAP 6. Your actions make it seem like it's a done deal and no further citizen input would be effective.

I have lived in Portland for 38 years and pay tremendous property taxes. I vote on a regular basis. I read local and national newspapers and use social media. I consider myself a well-informed citizen and yet cannot understand your behavior nor that of the BPS.

Short-term rentals have no place in single-family residential neighborhoods. One of the City of Portland's missions is to maintain livable neighborhoods. Short-term rentals in no way contribute to the livability of my neighborhood. When I purchased my home in 1988, I did not want to live next to businesses and short-term rentals are nothing more than mini-hotels. Short-term rentals in single-family neighborhoods all but negate Neighborhood Watch programs. Would you like several short-term rentals on your block? Never knowing who belongs, having strangers who have no vested interest in the neighborhood nor the city coming and going at all hours of the day and night? Feed an already terribly low vacancy rate especially on my side of town so that people getting a job in Portland will have no place to live? You'd rather have greedy home-owners rent to transients than encourage more people to live and work in Portland on a long-term basis?

Yes, I am angry about how my city is not working and the seemingly blasé approach to citizen involvement, neighborhood association involvement and your listening to the loud musings of the greedy lobbying hard and fast for short-term rentals. Are you going to listen to several neighborhood associations that have sent you letters, voicing their opposition to RICAP 6 and asking for further public involvement? Now is your time to step up and think about how you want this city to look in the next five, ten and twenty years. Do you really want to change the very fabric of close-knit neighbors into a free for all? Lose the very historic character of many of our close in neighborhoods that many new people strive to move in to for the good schools and safe streets?

I have no issue with short-term rentals being allowed in zoned commercial areas but can see absolutely no good reason to allow them in single-family residential neighborhoods. And neither should you. I demand that you make this clear in your dealings with sites such as AirBnB and let the public know your intentions. And let single-family neighborhoods flourish in Portland.

Sincerely,

Mary Jane Slunaker
3926 NE Davis Street
Portland, OR 97232
JaneySue06@comcast.net
503-236-9726

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Moore-Love, Karla

From: meyer4842@comcast.net
Sent: Thursday, April 03, 2014 1:17 PM
To: Tracy, Morgan (Planning)
Cc: Anderson, Susan; Planning and Sustainability Commission; Moore-Love, Karla
Subject: Opposition to Short Term Rentals, RICAP 6 Sections 12, 13, & 14

City of Portland
Bureau of Planning & Sustainability
Attn: Morgan Tracy, RICAP 6 Coordinator morgan.tracy@portlandoregon.gov
1900 SW 4th
Avenue
Suite 7100
Portland, OR 97201

CC: Susan Anderson Susan.Anderson@PortlandOregon.gov,
Planning and Sustainability Commission psc@portlandoregon.gov,
Portland City Council < Karla.Moore-Love@portlandoregon.gov >

Subject: Opposition to Short Term Rentals, RICAP 6 Sections 12, 13, & 14

We have already phoned to protest the short term rental proposal with arguments similar to those voiced by Rose City Neighborhood Assn.in their opposition statement. We live two blocks from Mt. Tabor Park on a street that only allows one lane of traffic and that has very limited parking spaces for residents. It is totally unsuitable for short term rentals to park and drive these streets. We purchased three properties in the Mt. Tabor neighborhood as family residences for our family members and certainly did not expect the area to degrade into rental and tourist living centers. This is not what city planning is designed to do: that is to inject uncertainty and distrust into property contracts and neighborhood living designs. This issue is not a short term black check decision and requires more thorough investigation and limitations.

Dr. Paulette Meyer
Dr. Richard Meyer

Moore-Love, Karla

From: Tamara DeRidder, AICP <SustainableDesign@tdridder.users.panix.com>
Sent: Wednesday, April 02, 2014 9:46 AM
To: Tracy, Morgan (Planning)
Cc: Anderson, Susan; Moore-Love, Karla; Planning and Sustainability Commission; Ocken, Julie; Anne Lindsay; Ann and Bob Dueltgen; Michael Roth; Nate Carter; Sandra Lefrancois; Stoll, Alison
Subject: RCPNA's Opposition to Short Term Rental amendment, RICAP 6 Sections 12, 13, & 14
Attachments: RCPNAOppositiontoShortTermRentals, RICAP12,13,14-TDR04022014-final.pdf
Importance: High

Dear Morgan,

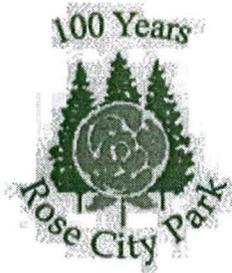
Please accept the attached letter of opposition to the Short Term Rental agreement approved unanimously by the RCPNA Board on April 1st, 2014.

My initial read of this amendment had led me to believe that only home owner primary dwellings could be used for short term rentals - which I found to be false. In addition, allowing this use 'by-right' fails to allow residents in the Single Dwelling Zone the opportunity to comment on these proposed commercial uses prior to approval.

We request that this Short Term Rental amendment be removed from RICAP 6 as it is a Major Amendment to the municipal code. We look forward to a broader community-wide discussion on this topic as a singular amendment in the near future.

Respectfully,

Tamara DeRidder, AICP
Co-chair, LU&TC
Board, RCPNA
503-706-5804



Rose City Park Neighborhood Association

April 2, 2014 (transmitted this day via e-mail to the following)

City of Portland
 Bureau of Planning & Sustainability
 Attn: Morgan Tracy, RICAP 6 Coordinator morgan.tracy@portlandoregon.gov
 1900 SW 4th Avenue
 Suite 7100
 Portland, OR 97201

CC: Susan Anderson Susan.Anderson@PortlandOregon.gov,
 Planning and Sustainability Commission psc@portlandoregon.gov,
 Portland City Council <Karla.Moore-Love@portlandoregon.gov>

Subject: RCPNA Opposition to Short Term Rentals, RICAP 6 Sections 12, 13, & 14

Dear Morgan Tracy,

On April 1, 2014, the Rose City Park Neighborhood Association Board received the recommendation of its Land Use and Transportation Committee that was generated on March 27, 2014. The Board voted unanimously to support the LU&TC recommendations to **oppose** the Short Term Rental amendment as RICAP # 12, 13, and 14 based on the following:

Item I. First and foremost the Short Term Rental amendment language is **NOT** a minor amendment and should be excluded from RICAP 6.

Finding 1. The Bureau of Planning and Sustainability (BPS) website <http://www.portlandoregon.gov/bps/62880> states: "The Regulatory Improvement Code Amendment Projects (RICAP, pronounced "ree-cap") continually update and improve City building and land use regulations that hinder desirable development. Suggestions for improving the City's development codes are entered into the Regulatory Improvement Requests (RIR) database. Issues that require major policy changes are **not** addressed through RICAP but are evaluated through separate legislative projects. RICAP addresses technical matters and clarifications or refinement of existing adopted policy in typically a one-year revolving work plan." The qualifying terms for items that can be permitted for RICAP review include "technical matters", "(technical) clarifications", or "refinement" of existing adopted policy. The Short Term Rental amendment is contained in sections 12, 13, and 14 of RICAP 6 constitute NEW policies. It establishes a Commercial use that is similar to Bed & Breakfast use but would be allowed 'by right' in the Single Dwelling Zone and without the needed Type II review procedure. Therefore, Sections 12, 13, and 14, and their references, should be excluded from RICAP 6 review.

Item II. Second, Short Term Rentals should be excluded from the R5 zone as this is the neighborhood sanctuary where safety and stability need to be maintained for the health and welfare of these residents.

The City of Portland Municipal Code Title 33 Planning and Zoning¹ states:

“33.110 Single Dwelling Zones -

The single-dwelling zones are intended to preserve land for housing and to provide housing opportunities for individual households. The zones implement the comprehensive plan policies and designations for single-dwelling housing.

- A. **Use regulations.** The use regulations are intended to create, maintain and promote single-dwelling neighborhoods. They allow for some nonhousehold living uses but not to such an extent as to sacrifice the overall image and character of the single-dwelling neighborhood.”

Finding 1. The language in Title 33.110 Single Dwelling Zones intends “to preserve land for housing”. Subsection A “state use regulations are intended to create, maintain and promote single-dwelling neighborhoods”. The proposed Short Term Rental amendment proposes to allow this commercial use ‘by right’ in this residential sanctuary. According to proposed Section 33.207.040 A. 2 “The operator of an accessory short-term rental on a site with an accessory dwelling unit may reside in the house” therefore allowing the “operator” to reside in a separate dwelling than the rental. The language also provides for other combinations where the operator and rooms for rent may reside in manufactured home, attached accessory dwellings, and where the renters reside in the house while the operator resides in the accessory dwelling unit. The proposed Short Term Rental amendment creates a commercial motel atmosphere where any and all residential properties are available for this commercial use. This type of use undermines the very foundation for preserving property values for residential use rather than commercial use. Therefore, the Short Term Rental amendment fails to satisfy Portland Municipal Code Title 33 Planning and Zoning Section 33.110 (part) and Subsection 33.110.A(part).

Finding 2. The language in Title 33.110.A Use Regulations directs, “They allow for some non-household living uses but not to such an extent as to sacrifice the overall image and character of the single-dwelling neighborhood.” The character of the neighborhood would quickly change by allowing Short Term Rentals, as written. The current long-term rental properties would likely change over to this more lucrative short-term rental use, forcing out many families and workers who cannot afford to own a home, and replacing them with highly transitional renters. With this change Neighborhood Watches could no longer serve to provide safety as monitoring due to rapid-changing residents making their effort futile. The Neighborhood Watch efforts across the city serve as the foundation for safety and livability for our Portland neighborhoods. The proposed Short Term Rental amendment sacrifices long-term rentals in the Single Dwelling Zone, replacing them with a commercial motel-type use, and forces the Neighborhood Watch program to become futile in providing safety for our neighborhoods. Therefore, the Short Term Rental amendment fails to satisfy Portland Municipal Code Title 33 Planning and Zoning Subsection 33.110.A(part).

¹ <http://www.portlandonline.com/Auditor/index.cfm?c=28197&a=64609>

Item III. The Short Term Rental amendment fails to satisfy the Portland Comprehensive Plan, as follows:

Finding 1. “Urban Objective 2.9 Residential Neighborhoods. Allow for a range of housing types to accommodate increased population growth while improving and protecting the city's residential neighborhoods.” These proposed amendments fail to improve or protect the City's residential neighborhoods. Instead this Short Term Rental amendment injects this Commercial use into Residential neighborhoods and undermine the fabric of safety provided by long-term residents in knowing your neighbor. The amendment fails to require the property owner to reside in the dwelling used for renting rooms. It fails to require this dwelling serve as the owner's primary residence. It also fails to require the owner to be present when the room are rented, thereby allowing the entire residence to serve as a short term rental. Therefore, the Short Term Rental amendment fails to satisfy Objective 2.9.

Finding 2. “Urban Objective 2.15. Living Closer to Work Locate greater residential densities near major employment centers, including Metro-designated regional and town centers, to reduce vehicle miles traveled per capita and maintain air quality. Locate affordable housing close to employment centers. Encourage home-based work where the nature of the work is not disruptive to the neighborhood.” Current long-term affordable rental housing in the areas proposed for Short Term Housing will be lost to this more lucrative use. This will further tighten the already tight long-term rental housing market “that has dropped from 7.5% to 2% in the past five years”². The effect will force additional displacement of the elderly, low income, and working poor to move into East County, away from jobs and needed services. This amendment proposes to only exacerbate the “Locked-Out”³ policies that have been reported by the Oregonian and disregards the need for equity outlined in the Fair Housing Act. Therefore, the Short Term Rental amendment fails to satisfy Objective 2.15.

Finding 3. “Urban Objective 2.21 Existing Housing Stock. Provide for full utilization of larger single-family homes with conditions that preserve the character of the neighborhood and prevent speculation.” The legitimizing of short term rentals of bedrooms, accessory dwelling units, single family dwellings, or mobile homes in neighborhoods zoned for single family use opens up all these properties to increased speculation. It promotes active turnover of users, makes neighborhood watches ineffective, and degrades the stability of children's outdoor activities, negating essential rights of these single family residents. Therefore, the Short Term Rental amendment fails to satisfy Objective 2.21.

Finding 4. Neighborhoods Policy and Objectives “3.2 Social Conditions. Provide and coordinate programs to promote neighborhood interest, concern and security and to minimize the social impact of land use decisions” and “3.3 Neighborhood Diversity. Promote neighborhood diversity and security by encouraging a diversity in age, income, race and ethnic background within the City's neighborhoods.” The fact that BPS is inserting a Major Change such as Short Term Rentals as a ‘by right’ use into our single family neighborhoods defies Policy and Objectives 3.2 and 3.3 by failing to fully disclose impacts of this use and thereby negating neighborhood interest, concern and security. This Short Term Rental language expels the idea of Neighborhood Diversity by making rental properties only for mainly the well-to-do Caucasian ambulatory tourists and visitors. Unlike the motel industry that provide for ADA access and maintain strict enforcement of equal access to all people, with no discrimination based on ethnicity, race, color, and sexual orientation, Short Term Rentals run by AirBNB and other Short Term Rental website are not meeting these standards. The displaced residents in the areas taken over by Short Term Rentals will include the working poor, which is disproportionately high with our ethnic

² http://www.pressherald.com/news/rental-demand-in-portland-is-through-the-roof_2013-04-29.html?pagenum=full

³ <http://projects.oregonlive.com/housing/>

populations, our elderly, and those with special needs. Therefore, the Short Term Rental amendment fails to satisfy Policy and Objectives 3.2 and 3.3.

Finding 5. Housing Policy “4.2 Maintain Housing Potential. Retain housing potential by requiring no net loss of land reserved for, or committed to, residential, or mixed-use.” The proposal of Short Term Housing as a ‘by-right’ use in all Single Dwelling residential zones effectively permits commercial uses in direct conflict with Housing Policy 4.2. This commercial use degrades and will irrevocably change the housing potential for residents staying more than 30 days in the Single Dwelling residential zones. The amendment establishes uses inconsistent with the Low Density Residential, R5, zone; the majority of property owners in R5 have purchased their property specifically because of the characteristics of the current zoning. Therefore, the Short Term Rental amendment fails to satisfy Policy 4.2.

Finding 6A. Housing Safety & Quality – Policy “4.4 Housing Safety. Ensure a safe and healthy built environment and assist in the preservation of sound existing housing and the improvement of neighborhoods. Objective A. Ensure safe housing for Portland’s citizens of all income levels.” The proposed Short Term Rental amendment fails to assist in the improvement of neighborhoods by establishing commercial uses as a ‘by-right’ in all Single Dwelling residential zones. The residents that neighbor these Short Term Use applicants are not allowed the opportunity to comment on or defend their residential rights. Short Term Rental uses in the Single Dwelling residential zones conflicts directly with the safety and security promoted by Neighborhood Watch activities as promoted by the Office of Neighborhood Involvement (ONI). ONI’s Crime Prevention Program Coordinators encourage residents to know your neighbors and “recognize and report suspicious activity.”⁴ Short Term Rentals will have such rapid turnover in renters that this will pose ‘stranger danger’ regularly into Portland’s Single Dwelling residential sanctuary and destabilizes the effectiveness of Neighborhood Watch programs, a key foundation for residential safety in our community. Therefore, the Short Term Rental amendment fails to satisfy Policy 4.4 and Objective 4.4.A.

Finding 6B. Housing Safety & Quality – Policy “4.4 Housing Safety. The proposed Short Term Rental amendment fails to require applicants to provide proof of property ownership, that the rental rooms are to be located at the owner’s primary dwelling unit, proof of site inspections to ensure bedrooms meet fire and safety standards, that property insurance has been secured for rental use, and that the Mortgage Carrier has allowed the use as part of its signed contract with the owner. If left unmonitored each one of these issues could cause an illegal activity to be sanctioned by the city code as a Short Term Rental use. This could leave property owners who choose to embrace Short Term Rentals at their home with the potential of facing liability suits from renters as well as loss of their mortgage contract. The amendment creates issues that lower the quality of life and equity for residents of R5 zone, by introducing a motel type establishment to the interior of neighborhoods; proposed zoning equates to pollution of current property owner quality of life analogous to “second hand smoke”. Appropriate areas already exist with the correct zoning for this type of use. The proposal is a dilution and mediocritization of a historically accepted and cherished residential zoning. The Short Term Rental amendment as proposed fails to protect property owners who use Short Term Rentals as well as the neighbors impacted by them. Instead this amendment opens Short Term Rental owners to cover liability and damages generated by the renter, even off site, and to potential illegal activity that may forfeit their homes. Therefore, the Short Term Rental amendment fails to satisfy Policy 4.4 and Objective 4.4.A.

Finding 7. Housing Opportunities – Policies 4.7 “Balanced Communities. Strive for livable mixed-income neighborhoods throughout Portland that collectively reflect the diversity of housing types,

⁴ <http://www.portlandoregon.gov/oni/article/26674>

ensures (rental and ownership) and income levels of the region.” Objective “B. Maintain income diversity within neighborhoods by 1) allowing a mix of housing types and tenures, including houses, houses on smaller lots, small houses, duplexes, attached housing, accessory dwelling units, multi-dwelling housing, and mixed-use developments; and 2) ensure that income diversity is maintained over the long-term(emphasis added).” Short term housing provided ‘by right’ in the Single Dwelling residential zone will eviscerate the number of long-term rentals in these areas in direct conflict with these policies and objectives. Long term rentals in the single family residential zones allow residents with a range of incomes and diversity to reside in stable neighborhoods alongside home-owners. Residents in these inner neighborhoods benefit from access to good schools, services, and transit. Short term rentals with little to no regulation on access or number in these neighborhoods sacrifice room for this long-term diversity. Therefore, this amendment fails to satisfy Policy 4.7 and Objective 4.7.B.

Finding 8. Regional Housing Opportunities, Policy 4.8. “Ensure opportunities for economic and racial integration throughout the region by advocating for the development of a range of housing options affordable to all income levels throughout the region.” Objectives: “A. Advocate for the development of a regional “fair share” strategy for meeting the housing needs of low, moderate, and higher-income households and people in protected classes in cities and counties throughout the region. B. Support regulations and incentives that encourage the production and preservation of housing that is affordable at all income levels throughout the region.” As stated in finding 2(G), above, racial and economic diversity will be greatly impacted by the loss of long-term rental housing to the more lucrative short-term housing. The current short term rental amendment allows ‘by-right’ the rental of rooms, accessory units, houses, and manufactured homes in the Single Dwelling zone. Although new housing opportunities may be created to accommodate these Short Term Rentals, the path of least resistance is for property owners to rent out units they already own. Recent testimony in the Oregonian by a rental property owner in the Laurelhurst Neighborhood who faced fines for conducting short term rentals shared that she went back to renting her rooms to long-term rentals. Short Term Rentals destabilize the long-term rental housing base along with the families who rely on living in these units. The result of losing long-term rental housing in the inner Single Dwelling neighborhoods will force these elderly, protected classes, and working poor into areas such as East County, away from services, transit, and walkable neighborhoods. Therefore, this amendment fails to satisfy Policy 4.8 and Objectives 4.8.A and B.

Finding 9. Fair Housing, Policy 4.9. “Ensure freedom of choice in housing type, tenure, and neighborhood for all, regardless of race, color, age, gender, familial status, sexual orientation, religion, national-origin, source of income or disability. Objectives: A. Support programs that increase opportunities for minorities, low-income people, and people in protected classes to gain access to housing throughout the region. B. Prohibit discrimination in selling, renting, leasing, or subleasing residential real estate on the basis of an individual’s race, color, age if over 18,gender, marital status, familial status, sexual orientation, religion, national origin, source of income, or disability.” Not only will Short Term Rentals, as proposed, displace long term rental residents they then become an unregulated market for discriminatory rental practices. There are no proposed regulations by the city or practices by businesses such as AirBnB that even imply standards that prohibit discrimination as required by the Fair Housing Act. Motels and long-term rental properties must maintain strict adherence to non-discriminatory practices as enforced by various state and federal agencies. AirBnB boasts its ability in ‘flying under the radar’ (meaning ‘unregulated’) in most communities. Here the city is encouraging such flagrant disregard for anti-discrimination laws by opening the Residential property’s ‘barn door’ for these Short Term Rental businesses and not imposing regulations. Therefore, Short Term Rental amendment as written fails to satisfy Policy 4.9 and Objectives 4.9.A and B.

Finding 10A. Housing Diversity, Policy 4.10. “Promote creation of a range of housing types, prices, and rents to 1) create culturally and economically diverse neighborhoods; and 2) allow those whose housing needs change to find housing that meets their needs within their existing community. Objectives: A. Keep Portland inviting to households with children by ensuring through public and private action the availability of housing that meets their needs throughout the city.” “E. Support opportunities for renter households by providing a range of housing types, sizes, and rent levels throughout the city. F. Increase the public school population in Portland, preventing widespread school closures, and the consequent underutilization of public facilities.” Long-term housing types have become more creatively implemented in the past five years as the recent Great Recession forced residents into economizing our use of space. Long-term rentals can now be found as individual rooms, split housing arrangements, detached bedrooms, accessory dwelling units, and manufactured homes. Short Term Rentals will displace any or all of these long-term rental housing types in the Single Dwelling Zone. Therefore, the Short Term Rental amendment fails to satisfy Objective 4.10.E.

Finding 10B. Housing Diversity, Policy 4.10. The 2010 Census identifies an average of 18% of Portland’s children live in households at or below the poverty level and a spike of 39.5% at David Douglas School in East County as of 20125. Of the total number of school-age children living in poverty 85% of them are non-white. Many of these families depend upon available long-term rental space. The city is required to support opportunities for (long-term) renter households and increase the public school population. The Short Term Rental amendment will accelerate the displacement of long-term rental households including those with children. Encouraging this displacement taking could easily force them out of the Portland area schools in violation of this Objectives 4.10.A and F.

Finding 12. Housing Affordability, Policy 4.11. “Promote the development and preservation of quality housing that is affordable across the full spectrum of household incomes. Objectives: A. Include strategies and actions that encourage the provision of housing affordable to all income levels in neighborhood, and community plans, and other area plans that pertain to housing. B. Ensure the availability of housing that meets the needs of all Portland households.” As stated in Objective 2.15, above, the rental vacancy rate has jumped from 7.5% to 2% over the past five years. Short Term Rentals as stated in the RICAP 6 amendment proposes to allow this use ‘by-right’ in all Single Dwelling residential zones and permits owners to raise rents astronomically, such as from \$500/mo. to \$500/week. This amendment disregards the needs of long-term rental market in the Single Dwelling zone by encouraging the reduction of their availability and taking more residential area out of potential use. Therefore, the Short Term Rental amendment fails to satisfy Policy 4.11, Objectives 4.11.A and B.

Finding 13. Neighborhood Stability, Policy 4.14. “Stabilize neighborhoods by promoting: 1) a variety of homeownership and rental housing options; 2) security of housing tenure; and 3) opportunities for community interaction. Objectives: A. Promote and maintain homeownership options within neighborhoods. B. Promote housing opportunities that build a sense of community, civic involvement and neighborhood pride. H. Enable people who are elderly to remain in their own neighborhoods as their needs change by supporting shared housing, accessory dwellings, smaller homes, adult foster homes, and other assisted residential living arrangements.” The Short Term Rental amendment places no restriction on number and location of these uses in the Single Family Zone. As written, all the homes in the block could contain a Short Term Rental use. As written the Short Term Rental amendment proposes to destabilize and replace long-term rentals, make Neighborhood Watch programs ineffectual

⁵ http://www.portlandpulse.org/child_poverty

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with the constant turn-over, and destroy the sense of safety that builds a sense of community, thereby fails to satisfy Policy 4.14 and Objective 4.14.B.

Finding 14. The Short Term Rental amendment clumsily attempts to provide an opportunity for this type of use to be used by property owners to enable them to afford to age in place. Instead it offers a wolf in sheep's clothing for those who allow themselves to be taken in by this use. It has been proven that AirBnB's insurance, provided to vendors of their marketing site, only serves as a backup to a Homeowner's Insurance Policy. It does not cover liability. If the property owner has not updated their Homeowner's Insurance to cover Boarders or Renters then they will be saddled with the entire cost of damage and/or liability. Homeowner Mortgage Agreements typically do not allow use of the property for rentals or Boarders. Making a change in the Mortgage Agreement to allow Short Term Rental use will typically include a higher interest rate but ensure the owner does not breach this contract. The Short Term Rental amendment fails to inform and require homeowners to provide proof that they have both insurance and mortgage agreements updated prior to permit approval. This amendment thereby becomes a liability to its users undermines the potential income they might generate. Therefore this amendment as written does more damage than good and fails to satisfy Objective 4.14.H.

Finding 15. Citizen Involvement, Goal 9. "Improve the method for citizen involvement in the on-going land use decision-making process and provide opportunities for citizen participation in the implementation, review and amendment of the adopted Comprehensive Plan. Policies & Objectives: 9.1 Citizen Involvement. Coordination Encourage citizen involvement in land use planning projects by actively coordinating the planning process with relevant community organizations, through the reasonable availability of planning reports to city residents and businesses, and notice of official public hearings to neighborhood associations, business groups, affected individuals (emphasis added) and the general public." The Short Term Rental amendment proposes to adopt language that allows this Commercial use 'by right' in all zones that are Single Dwelling residential as well on properties that permit duplexes and triplexes. The city has advertised the hearings for this amendment as a legislative action. However; the City has NOT notified the affected individuals of this pending land use action. All property owners and residents in these Residential zones are directly affected by this Commercial use being allowed 'by-right' on abutting and adjacent properties. Such general disregard for citizen participation fails to satisfy Goal 9 and Policies & Objectives 9.1.

Based on the above stated Findings the Short Term Rental amendment, Sections 12, 13, and 14 of RICAP 6, fails to satisfy the requirements of the Portland Comprehensive Plan.

Item IV. The Rose City Park Neighborhood Association further recommends that after the Short Term Rental amendment is removed from RICAP 6 a community-wide discussion on this topic be managed by the City to include the following:

1. Address stability and equity issues. Suggestions include:
 - A. Require a Type II process that includes notification and then approval of use by adjacent neighbors prior to permit issuance; mirroring the existing model established by PBOT for The Village Building Convergence. Excerpt from the PBOT website (<http://www.portlandoregon.gov/transportation/article/450138>) "PBOT requires that each project solicit feedback from neighbors within two blocks of the project. Eighty percent of these neighbors must approve of the project as well as 100% of those on properties adjacent to the project. We recommend the use of a 200 foot radius notification area. Such notification shall include the Health Department and OLCC alerting them to the potential sale of food and

drinks on site. In addition, notification needs to be sent to all Neighborhood Associations and Neighborhood/Rental/Apartment Watch Captains impacted by the notice area.

- B. Applications requiring:
 - i. Proof of ownership of property and residence;
 - ii. Proof of updated insurance that includes coverage of Renters or Boarders;
 - iii. Proof of updated Mortgage Agreement that permits Renters or Boarders;
 - iv. Applications for the service of food and/or liquor on site, for City review and coordination with the Health Department and/or OLCC. We suggest a permit number that reflects this approved use.
 - C. Require rental bedroom(s) be located in the primary residence of the property owner.
 - D. Require the property owner to reside in this primary residence for the duration of every short term rental period;
 - E. Require a Good Neighbor Agreement that involves the neighborhood association and adjacent neighbors to the Short Term Rental site
 - F. Short Term rental owner to provide annual update flyers to adjacent neighbors regarding complaint contact information and proposed ground rules for use of the rental site (including items such as smoking, parking, etc).
 - G. Require annual fee and neighbor review for all Short Term Rentals. Allow neighbor opposition to the Short Term Rental to stop and/or deny continuance of the use.
 - H. Clearly identify conditions of permit revocation.
 - I. Limit number of Short Term Rental Uses by allowing them to be located at least 200 feet apart from each other.
2. Retain rental housing stock.
 - A. Increase fees and fines issued for Short Term Rentals so that it limits the number of units that transition out of housing rentals for this more lucrative use. Fines should mirror those applied in NYC.
 - B. Require all Short Term Rental owners to post their permit number and neighborhood in all advertisements. This will enable City personnel a quick reference for enforcement.
 3. Maintain stability and livability of R5 zone. The R5 residential zone should exclude Short Term Rental uses. These neighborhoods need to remain as the Residential sanctuary for families and their children. Short Term Rentals would insert a Commercial use with high residential turnover into these residential areas making it impossible to maintain a Neighborhood Watch. There are no background checks required by AirBnB and other Short Term Rental markets that determine whether these Short Term Rental users are Registered Sexual Predators or felons. Allowing these types of uses undermines the fabric of security needed to maintain safety and livability in these areas.
 4. Add definitions for:
 - A. Legal Bedroom;
 - B. Recognized Organization; and
 - C. Primary Residence

Thank you for the opportunity to comment on the BPS RICAP 6 proposal. We have serious concerns with the Short Term Rental language as proposed. We ask you to please remove this item from the Municipal Code amendment package. Instead, separate the Short Term Rental proposal for further review and discussion. Please review the standards and requirements implemented by Austin Texas as a

possible template for further discussion. Let us work together to identify the issues and seek a means for joint resolution.

Please contact us if you have any questions or we can be of further assistance in this matter.

Respectfully,



Tamara DeRidder, AICP
Co-Chair, LU & TC
Board, RCPNA
503-706-5804



Nate Carter, AIA
Co-Chair, LU & TC
Board, RCPNA
971-344-1919



Michael Roth
Board Chairman, RCPNA
503-493-8316

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Moore-Love, Karla

From: Tamara DeRidder, AICP [SustainableDesign@tdridder.users.panix.com]
Sent: Tuesday, February 11, 2014 1:47 PM
To: Tracy, Morgan (Planning); Gisler, Julia; Anderson, Susan; Planning and Sustainability Commission; Moore-Love, Karla; Zehnder, Joe
Cc: mswistaria2010@gmail.com; Nate Carter; Sandra Lefrancois
Subject: RCPNA Opposition to Short Term Rentals, Sections 12, 13, and 14 of RICAP 6
Importance: High
Attachments: OppositiontoShortTermRentals,RICAP12,13,14-NDCTDR02112014-final.pdf

Dear Tracy Morgan,
Manager Joe Zehnder,
Director Susan Anderson,
Planning and Sustainability Commission, &
Honorable Mayor and Portland City Council:

On February 4, 2014 the Board for Rose City Park Neighborhood Association agreed with their Land Use & Transportation Committee's recommendation to **Oppose Short Term Rentals, as proposed in Sections 12, 13, & 14 of RICAP 6.**

Attached is RCPNA's formal testimony on this subject. Please admit this document as our comment on RICAP 6.

Please let me know if you have any questions or I can be of further assistance.

My best,

Tamara DeRidder, AICP
Co-Chair, LU&TC
Board, RCPNA
503-706-5804

2/11/2014



Rose City Park Neighborhood Association

February 11, 2014

City of Portland
 Bureau of Planning & Sustainability
 Attn: Tracy Morgan, RICAP 6 Coordinator
 1900 SW 4th Avenue
 Suite 7100
 Portland, OR 97201

(Sent this day via e-mail To: "Tracy Morgan" <morgan.tracy@portlandoregon.gov>, Susan Anderson Susan.Anderson@PortlandOregon.gov, Planning and Sustainability Commission psc@portlandoregon.gov, Portland City Council <Karla.Moore-Love@portlandoregon.gov>, CC: Michael Roth msrwistaria2010@gmail.com, Nate Carter nate.carter@11-ed.com, Sandra Lefrancois sandral@cnncoalition.org

Subject: RCPNA Opposition to Short Term Rentals, RICAP 6 # 12, 13, & 14

Dear Tracy Morgan,

On Tuesday February 4, 2014 the Board for Rose City Park Neighborhood Association met and **approved the LU&TC following statement of opposition** and further public discussion on Sections 12, 13, & 14 – Short Term Rentals in RICAP 6 as follows:

“On January 30th, 2014, the Rose City Park Neighborhood Association’s Land Use and Transportation Committee met and voted unanimously to **oppose** the Short Term Rental language proposed as RICAP # 12, 13, and 14 based on the following, “The use as proposed:

1. Establishes uses inconsistent with the Low Density Residential, R5, zone; the majority of property owners in R5 have purchased their property specifically because of the characteristics of the current zoning. Exceptions must be “by permission” and not “by right”.
2. Creates issues that lower the quality of life and equity for residents of R5 zone, by introducing a motel type establishment to the interior of neighborhoods; proposed zoning equates to pollution of current property owner quality of life analogous to “second hand smoke”. Appropriate areas already exist with the correct zoning for this type of use. The proposal is a dilution and mediocritization of a historically accepted and cherished residential zoning.
3. Threatens property values, stability, and long-term rental uses in the R5 zone, further diminishing the number of available long term housing units for rent in the city.
4. Further, it is recommended that the Short Term Rental amendment language, RICAP # 12, 13, and 14, be withdrawn from the RICAP package so that it can receive a broader discussion in the community. Additional studies and reviews are needed including:
 - a. Address stability and equity issues. Suggestions include:
 - i. Requiring approval of use by adjacent neighbors prior to permit issuance; mirroring the existing model established by PBOT for The Village Building Convergence. Excerpt

from the PBOT website (<http://www.portlandoregon.gov/transportation/article/450138>)
 “PBOT requires that each project solicit feedback from neighbors within two blocks of the project. Eighty percent of these neighbors must approve of the project as well as 100% of those on properties adjacent to the project.”

- ii. Require onsite residential caretaker for the duration of every short term rental period;
 - iii. Short Term rental owner to provide annual update flyers to adjacent neighbors regarding complaint contact information and proposed ground rules for use of the rental site (including items such as smoking, parking, etc).
 - iv. Require annual fee and neighbor review for all Short Term Rentals. Allow neighbor opposition to the Short Term Rental to stop and/or deny continuance of the use.
- b. Retain rental housing stock. Increased fee and fines issued for Short Term Rentals so that it limits the number of units that transition out of housing rentals for this more lucrative use. Fines should mirror those applied in NYC.
 - c. Maintain stability and livability of R5 zone. Require a Good Neighbor Agreement that involves the neighborhood association and adjacent neighbors to the Short Term Rental site.”

Thank you for the opportunity to comment on the BPS RICAP 6 proposal. We have serious concerns with the Short Term Rental language as proposed. We ask you to please remove this item from the Municipal Code amendment package. Instead, separate the Short Term Rental proposal for further review and discussion. There are likely good reasons that other cities such as Ashland and New York City oppose this use. Let us work together to identify the issues and seek a means for joint resolution.”

Please contact us if you have any questions or we can be of further assistance in this matter.

Respectfully,



Tamara DeRidder, AICP
 Co-Chair, LU & TC
 Board, RCPNA
 503-706-5804



Nate Carter
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