

Westwood South of Santa Monica Blvd
Homeowner's Association
Incorporated November 8, 1971
P. O. Box 64213
Los Angeles, CA 90064-0213

December 4, 2018

Planning and Land Use Management (PLUM) Committee
Los Angeles City Council
200 N. Spring St, Ste 340
Los Angeles, CA 90012-3239
Via email c/o: clerk.plumcommittee@lacity.org

Re: Council File Number 14-1635-S2. PLUM Special Agenda 12/4/18

OPPOSE approval of ordinance at current time with unresolved enforcement and reporting issues. Do not approve an ordinance until platforms fully cooperate with City.
Support for strong, enforceable **Short-Short-Term Rental Ordinance**

Dear Honorable Chair Harris-Dawson and PLUM Committee Members:

We are unable to attend today's PLUM hearing on the Accessory Dwelling Unit/Short-term Rental Ordinance. We had understood that the measure was next to be heard in the Housing Committee on Dec. 14th and that that would give us adequate time to review the revised draft ordinance and report from the Planning Dept. that was issued November 28th (with attachment filed on November 30th). However, in visiting the Council File today, it appears that the Housing Committee has decided not to hear the measure and it is PLUM that will be considering it today instead. That does not give community members and neighborhood councils adequate time for review.

On measures of considerable interest and concern to communities, it would behoove the Council to give more than the required 72 hours notice of pending hearings – particularly during the holiday season.

Our community continues to voice concern over the impact that the legalization of short-term rentals will have on our housing supply and particularly on the availability of affordable housing units. While protection of RSO units is very important, a significant quantity of affordable housing is provided in buildings constructed after 1978 and are not protected under rent control. The loss of these units to short-term rentals will further reduce available housing in an already constrained housing market.

Our concerns about maintaining neighborhood safety in the face of "neighbors" coming and going on a daily basis remain. These concerns have not been addressed by the legalization of short-term rentals.

We are extremely troubled to see in a cursory glance at the staff report that Airbnb has NOT agreed to the data sharing that would enable enforcement of the program. Without pressuring Airbnb to share their data in other than anonymous form, enforcement cannot go forward and therefore, neither should the program. As stated in the staff report:

"Airbnb has proposed an alternative framework centering on the use of a "pass- through registration" system whereby platforms forward basic information to the City on new and existing users. The City would therefore have host names and property addresses to aid in enforcement. However, Airbnb has indicated that it may offer to participate in the system only if it applies to a

much wider segment of the market, including non-primary residences and vacation rentals. Airbnb appears to have only rolled out the pass-through registration system in cities that have permitted short-term rentals beyond primary residences.”

If Airbnb is not willing to share information to enable full enforcement, then the City of Los Angeles should enact legislation that will allow it to enforce the existing law that renders all short term rentals less than 30 days as illegal. The Los Angeles market is an important one to Airbnb and they should comply with our City’s need for data. They appear to be playing hardball with us and it is time to return the gesture. It is foolish to legalize the arrangement when we are not obtaining the needed data for business being done in our City. The funds that Airbnb transfers to the City are not adequate to address the impacts of the program or the creation of a program that cannot be properly monitored and evaluated. No ordinance should be approved until negotiations are concluded that provide the City with what is needed.

Costs for establishing a third party mechanism for data extraction have not been provided and are unknown at this time.

Since we have not had time to review the revisions, we can only re-state our earlier concerns voiced in our letter of Oct. 23, 2018 to this Committee:

How can a neighbor take action to challenge an unauthorized rental? What is the burden of proof?

All hosts should be required to notify their adjacent and abutting neighbors that they are engaging in short-term rentals and have registered with the City at the outset of their short-term rental registration. Such notification should include the complaint process. Notification should not be limited to the time of extended rental application. Neighbors should be aware of their rights at the start of the use of a property as a short-term rental – not later when a host seeks to lengthen the period allowed for short-term renting.

Neighbors are given 15 days in which to file an appeal. If the City is using a 21 day appeal period for most land use entitlements, that same period should be considered for this process.

The City has allowed landlords to apply to legalize units in their buildings that were illegally converted to housing units in order to help address the City’s housing shortage. Should there be a provision that specifically prohibits those units from being used as short term rentals under any current or future conditions?

We have seen no evidence to suggest that short term rentals will NOT negatively impact the housing supply in Los Angeles which means that it will be an additional factor that pushes up rental costs for all. You are creating a financial incentive for individuals to offer short-term rentals rather than provide their housing opportunity to an Angeleno in search of permanent housing. This, therefore, becomes a policy in direct conflict with the City’s stated goal to address the affordable housing crisis. In short, it makes NO sense.

While the City is pleased to be receiving TOT payments from Airbnb, the payments are less than a drop in the bucket compared to the cost that would need to be incurred to replace permanent housing lost to short term rentals. The City’s fiscal condition and need to generate funds to offset an expected deficit should not drive the City’s short term rental policy-- that path will only serve to fuel added homelessness and additional need for revenues to address the growing affordable housing and homeless crisis.

In our earlier correspondence we included this mathematical exercise: A simple calculation demonstrates the folly of using TOT payments as a rationale in support of short term rentals. It was estimated (by Airbnb) last year that there were 23,000 short term rental units on Airbnb

platform at that time. Airbnb estimates that those units will generate up to \$ 37 million in TOT funds this year, a portion of which will go to fight homelessness (and a majority of which will go to the City's General Fund).

Dividing \$ 37 million dollars by 23,000 (units) shows that the tax collected yields \$ 16086/ unit. This is a generous calculation because many of those TOT dollars would have been generated by a Los Angeles hotel or motel if the Airbnb accommodation was not available.

What can \$ 16086 buy on today's housing market? In most LA neighborhoods, that isn't enough to pay for 6 month's rent on a two bedroom apartment. If the City reimburses homeless shelter operators \$ 75/night per resident, that \$ 16086 will buy about 214 nights—leaving that person (or family) homeless for the balance of the year – another 151 nights (and days).

The lack of enforcement against short-term rentals has helped to fuel the current situation where the City finds itself standing at the door of an empty barn—the horses having long ago run out of the barn. Now, as you try to corral in these roaming beasts, you must be firm and you must be resolute to craft an ordinance that requires adequate disclosure to assure that those listing are not using multiple platforms, that those renting are doing so in full compliance with the law, that those who fail to respect their neighbors and who create nuisance situations will not be permitted to offer short term rentals in the future.

The degradation of residential communities is a high price to pay for a somewhat meager financial contribution to the City 's General Fund that contributes to homelessness while raising funds to addressing the problem to which it contributed. In the long run, the impact of compromised communities will be reflected in decreased property values and reduced property taxes generated to the City. Genuine home sharing is very different from what we have seen across Los Angeles with multiple locations being operated by those who have engaged in a private hotel business in our residentially zoned communities.

Instead of adopting a short term rental policy that makes it easy for Angelenos to offer their spare bedroom or granny unit to tourists, perhaps it is time for the Council to look at ways to encourage Angelenos to open up their homes to longer term tenants - without having to incur many of the barriers that frighten away folks from renting out a room in their home. For example, a family with a child away at college may wish to rent out that child's bedroom to a renter for the 8 month school year. Yet, once they do so a "tenant" would have established rights of tenancy and the family might have trouble removing the tenant for the child's return home. What can be done to provide the 8 months of housing to a tenant with the understanding that it is medium term housing.... not less than 30 days but not unlimited with all the rights vested in tenancy. (And how can this be done only in a home sharing situation so as not to endanger tenant rights in permanent full unit housing)?

We work hard to develop a sense of community in our corner of Los Angeles. That sense of community is so very important in a City the size of Los Angeles and is key to having successful neighborhood watch programs, to having people become engaged and committed to being a part of their community. We need a strong ordinance to support our ongoing efforts to build community and to make LA a great place to live. The City will not be successful in urging people to walk in their neighborhoods if they don't feel safe in their community. Having a constant stream of strangers coming and going on a block is a sure fire way to undermine neighborhood security and a sense of community.

Please don't sell us out for the cheap/easy money gained from short-term rentals. Find ways to encourage Angelenos to rent out their spare bedroom for someone who works in LA and wants to be a part of our City. Keep this ordinance strong! Do not give in to the voices of those who would profit at others' expense in their quest to run unregulated or under-regulated boarding houses, hotels and party houses in single-family and multi-family residential neighborhoods. Do not let them rob our City of much-needed permanent housing!

Thank you for your consideration.

Sincerely,

Barbara Broide
President

cc: CD 5

Google Groups

Input on PLUM committee meeting 12/4/18

The SEO Doctors <theseodoctors@gmail.com>

Dec 4, 2018 3:27 AM

Posted in group: **Clerk-PLUM-Committee**

Hello !

Below is my input on the following items on the PLUM meeting agenda:

Item 2 - File# 18-0951

Victorian house in Palms as Historic Cultural Monument. Yes ! I like this. I love these old Victorian homes. They keep blowing down all the homes that people spent alot of time on to replace them with cheaply made legos. The intricacy ! Let's encourage the architecture of these old homes.

Item 5 - File# 14-1635-S2

Home-Sharing/Airbnb limitations and restrictions. As I do agree, I would like to deter selfish greed, I also don't think we should be penalizing the people renting out their homes for some income. I think people should check in with their neighbors and clue them in whenever theres a new set of people in the neighborhood. It's all about communication.

If the neighbors complain, the host loses their privilege to home share until they can come to a compromise or agreement that satisfies the complaining neighbors. There should be a reasonable solution that satisfies both parties yet doesn't intrude on either.

Again, communication, and permits. Just don't rape the people trying to get money. The margins aren't extremely good.



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Google Groups

Further Input on PLUM meeting 12/4/18

The SEO Doctors <theseodoctors@gmail.com>

Dec 4, 2018 10:50 PM

Posted in group: **Clerk-PLUM-Committee**

Man, PLUM took forever tonight.

Here's my further input on what we discussed:

-Korie Schmidt

Item 5 - File# 14-1635-S2

I am against banning Rent Stabilized from homesharing

Intentions should be to

Try to keep horrendous offenders at bay

Shouldnt be trying to stop people trying to make some short term income

Prevent companies from purchasing homes

Dont ban the people who live in their homes sharing their space or temporarily making themselves homeless to lift themselves out of poverty

Responsible hosting

Have to keep it under wraps, stop bothering the neighbors

Proposed startup costs for enforcement too high to be profitable for owner occupied doing the right thing. Only reasonable for companies looking to rape the land/neighborhood

General Comment

2:45pm and plum still not even at quorum, let alone even commenced

Lol

3:13pm Pee Wee Herman is over there talking shit and playing metal

Still not at quorum

Boutta put you guys on pledge time

“In another committee meeting, important stuff, have to wait until theyre done”

File# 17-0769-S3

This is the exact reason why I said the Health, Education, NC committee meeting time should not be changed to overlap with PLUM meeting.

Didn't start until about 3:30pm

Mentioned in the crowd:

“

Comments are heard in general public comment after issues are heard

Or in multiple agenda item comments

Both are after council has voted on it

Nobody has stood up to this

There is no discussion

Council basically disregards public comment unless heard prior somehow

No way to know for sure that information is heard or properly communicated or even considered

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