

Resources

“Planning and Regulating for Short Term Residential Rentals”

IMLA Webinar

July 11, 2016

CASES

Brookford, LLC v. Penraat, 2014 NY Slip Op 24399 (Sup. Ct. NY Co. Dec. 19, 2014).

http://www.courts.state.ny.us/Reporter/3dseries/2014/2014_24399.htm

Brown v. Sandy City Board of Adjustment, Court of Appeals of Utah (1998)

<http://tinyurl.com/Brown-v-Sandy-City>

Fruchter v. Zoning Board of Appeals of the Town of Hurley, 133 A.D.3d 1174 (2015). [New York]

http://www.nycourts.gov/reporter/3dseries/2015/2015_08689.htm

Heef Realty and Investments, L.L.P vs. City of Cedarburg Board of Appeals, 361 Wis.2d 185 (2015). [Wisconsin]

<http://tinyurl.com/HeefRealty>

HomeAway, Inc. v. City and County of San Francisco, U.S. Dist. Court, California, Northern District (Jan. 27, 2015).

<http://skift.com/wp-content/uploads/2015/01/HomeAway-dismiss.pdf>

Houston v. Wilson Mesa Ranch, 360 P.3d 255 (Colo. App. 2015)

<http://tinyurl.com/MesaRanch>

Jackson & Co. (USA), Inc. vs. Town of Avon, 166 P.3d 297 (2007). [Colorado]

<http://tinyurl.com/JacksonvAvon>

Village of Tiki Island v. Ronquille, 463 S.W.3d 562 (Tex.App. - Houston [1st dist] 2015).

<http://tinyurl.com/VillageofTikiIsland>

Vilas County vs. Accola, 364 Wis.2d 409 (2015). [Wisconsin]
<http://tinyurl.com/VilasCounty>

Zgabay v. NBRC Property Owners Association, Austin Court of Appeals, Texas (2015)
<http://tinyurl.com/Zgabay>

ARTICLES

“Airbnb, Snapgoods and 12 More Pioneers of the ‘Share Economy,’” Forbes.
<http://www.forbes.com/pictures/eeji45emgkh/airbnb-snapgoods-and-12-more-pioneers-of-the-share-economy/>

Airbnb named Inc.’s Company Of The Year
<http://www.cnbc.com/id/102217146#>

“The Dark Side Of ‘Sharing Economy’ Jobs,” The Washington Post, Jan 26, 2015.
http://www.washingtonpost.com/opinions/catherine-rampell-the-dark-side-of-sharing-economy-jobs/2015/01/26/4e05daec-a59f-11e4-a7c2-03d37af98440_story.html

Draft 11-17-14
<http://www.slideshare.net/gordonsmithasheville/preliminary-report-short-term-rentals-in-asheville>

IMLA, Airbnb: Innovation and Its Externalities (Nov/Dec 2014)
<http://www.imla.org/images/links/IMLA%20ML%20Airbnb%20Article%20Updated3.pdf>

Judge Tosses HomeAway Suit over Airbnb Law, Says Texas Company Lacks Standing
<http://www.bizjournals.com/sanfrancisco/blog/2015/01/judge-homeaway-suit-airbnb-rentals.html?page=all>

Miller, “First Principles for Regulating the Sharing Economy”, Harvard Journal of Legislation (2016).
<http://tinyurl.com/Miller-First-Principles>

Unique Airbnb Rental

<http://www.digitaltrends.com/home/airbnbs-new-a-night-at-contest-is-for-a-cable-car-in-the-french-alps/>

“What's Next for the Sharing Economy?” Entrepreneur.com,
<http://www.entrepreneur.com/article/239233>

GOVERNMENT WEBSITES

Asheville, NC Staff Report, Jan. 16, 2014

http://www.ashevillenc.gov/Portals/0/city-documents/cityclerk/mayor_and_citycouncil/boards_and_commissions/planning_and_zoning/Staff%20Report%20PED_Short%20Term%20Rentals.pdf

Asheville, NC APA, PAS Inquiry Response – Short Term Rentals (2014)

http://www.ashevillenc.gov/Portals/0/city-documents/cityclerk/mayor_and_citycouncil/boards_and_commissions/planning_and_zoning/PAS%20Research%20Response.pdf

Austin, Texas STR

<http://www.austintexas.gov/str>

New York Attorney General, Airbnb in the City (Oct. 2014)

<http://www.ag.ny.gov/pdfs/Airbnb%20report.pdf>

**Talbot County [Maryland] Planning and Permits Department
Short Term Rental Application (STR)**

<http://www.talbotcountymd.gov/uploads/File/PlanningPermits/PZ/Applications/Short%20Term%20Rental%20Application.pdf>

NAR RESOURCES

NAR, “Short-Term Rental Housing Restrictions,” Robinson & Cole LLP
(2011)

http://arlingtontx.granicus.com/MetaViewer.php?view_id=2&clip_id=1188&meta_id=140526

NAR, “Field Guide to Short-Term Rental Restrictions”

<http://www.realtor.org/field-guides/field-guide-to-short-term-rental-restrictions>

From NAR Field Guide [go to the site for point and click links to these resources]:

According to the [2013 NAR Investment and Vacation Home Buyers Survey](#), 80% of respondents purchased a vacation property for personal use, but 23% purchased with the intent of renting to others. Renting out a vacation home can offset the costs of this investment until retirement. But what happens when a community acts to restrict short-term rentals? Read on... and you'll find out. (S. Hogan, Information and Web Content Specialist

The Short-Term Rental Debate

Why restrict?

- Increased noise and traffic.
- Reduced housing stock available to those who live and work in a community.
- Unfair competition with licensed establishments.

Impact of restrictions:

- Diminishes value of investment property.
- Reduces the pool of buyers able to purchase in high-demand vacation areas.
- Infringes upon property rights.

Benefits of short-term rentals:

- Promotes tourism.
- Generates revenue for community.
- Defrays costs of a vacation/second home.

Articles, Surveys & More from NAR

Investment and Vacation Home Buyers Survey 2014 (*National Association of REALTORS®*, Apr. 2013).

<http://www.realtor.org/sites/default/files/reports/2014/2014-investment-and-vacation-home-buyers-survey-2014-05-08.pdf>

[Economic Impact of Transient Vacation Rentals \(TVRs\) on Maui County](#) (*Prepared for the REALTORS® Association of Maui*, Jan. 8, 2008).

Win, Lose, Compromise

[Portland tries to make peace with Airbnb as 'sharing economy' moves into the mainstream](#), (*OregonLive*, Jan. 31, 2014).

[Airbnb's New York Problem](#), (*The New Yorker*, Oct. 8, 2013).

[Civic Forum Debates Beach Rental Issue](#) (*Fort Myers Beach Observer*, May 1, 2013).

[Austin Broadens Short-Term Rental Rules](#) (*Statesman.com*, Feb. 28, 2013)

Short-Term Rental Conundrum

[Airbnb Gentrification: How the Sharing Economy Drives Up Housing Prices](#), (*Slate*, Feb. 13, 2014).

[The Basics of Legal Short-Term Rentals](#) (*Curbed Chicago*, Apr. 5, 2013).

<https://mbasic.facebook.com/notes/real-estate-sales-maui/personal-financial-investment-returns-make-short-term-rentals-ever-more-popular/338679879511088/>

[Risks and Rewards of Short-Term Rentals: A Starter Guide for Property Owners](#) (*Property Management Software Guide*, Dec. 20, 2011).

[Home Sweet Home? The Efficacy of Rental Restrictions to Promote Neighborhood Stability](#) (*Scholarly Works*, 2009).

Websites & Other Resources

Learn about the Short-Term Rental Industry

[Short Term Rental Advocacy Center](#) - The Short Term Rental Advocacy Center (STRAC) was created by Airbnb, HomeAway, TripAdvisor, and FlipKey to engage with policymakers on behalf of community members. STRAC has several local chapters across the U.S., and educates communities on short term rental best practices and ways to get involved.

[Protect Vacation Rentals](#) - A collection of articles posted by "professionals against the legislation banning short-term rentals in New York City"(Source: Protect Vacation Rentals).See this site for articles, legislation, and more with a New York focus.

Community from HomeAway - HomeAway(www.homeaway.com) connects travelers with short-term rental properties, and Community from HomeAway is a member-driven site with topic forums, resources, groups, and blogs for both travelers and property managers.