

- We split the 90 minute session into four parts each focused on one of the 4 major questions raised in the description of the webinar i.e.:
 - Why regulate short-term rentals in the first place?
 - The legal issues local governments need to consider before they decide to regulate short-term rentals in their community?
 - How to write short-term rental regulations that works for each specific community?
 - How to cost-effectively enforce short-term rental ordinances?
- For each part we dedicate the first 10-20 minutes to a panel discussion structured around some pre-determined questions (to make sure that we collectively have good answers to all of them) and then open up the floor to questions from the webinar audience (assuming the audience will be able to ask questions via phone or chat, and the moderator can choose the best questions in real-time and ask them to the panel).

PROPOSED STRUCTURE AND QUESTIONS

- **Welcome and instructions to the audience (1 min) - welcome and detailed instruction on how to ask questions to the panel**
- **Agenda and webinar structure overview (1 min) - people need to know what topics will be discussed when, and when the panel will answer their questions.**
- **Panelist Introductions (4 min)**
- **Part 1 - Why regulate short-term rentals in the first place? (15 min):**
 - Panel Discussion (10 min) - Pre-determined questions:
 - What are the most common reasons why communities have regulated or are considering regulating short-term rentals?
 - *Many communities maintain zoning ordinances that regulate the mode and manner of proposed land uses within certain districts. Well-organized zoning ensures the characteristics of a neighborhood remain unchanged and that residential zones are free from nuisances like pollution, noise, and traffic; nuisances that may be commonplace in commercial or industrial zones.*
 - *If you live in an area zoned for residential use, is it a violation to rent out your apartment or condo short-term on Airbnb? What about space in your private single-family home? Zoning codes draw sharp distinctions between land uses and may or may not accommodate flexibility of use depending on the municipality. The demographics of cities are changing, and a population increase in young, single workers has already had impacts on housing stock with the development of the micro-unit. Coupled with concerns about housing affordability and*

shifts from a 9-to-5 workday to more freelance and projectbased work, this area is ripe for some new thinking.

- Reduce noise, parking and trash-problems
 - Eliminate party houses
 - Reduce STR's impact on neighborhood character
 - Ensure building safety
 - Improve city's responsiveness to neighbor complaints
 - Stem STR's negative impact on affordable housing availability
 - Improve permit and tax compliance to increase tax revenue
 - Ensure a level playing field between law abiding traditional lodging providers and illegal short-term rentals
- *In 2014, New York State Attorney General Eric Schneiderman issued a report asserting that sharing economy mega-companies like Uber and Airbnb are providing individuals the means and the mode to usurp New York City regulations. The report will say nearly three-quarters of all Airbnb rentals in the city are illegal, violating zoning or other laws. Commercial operators, not hard-luck residents, supply more than a third of the units and generate more than a third of the revenue. At least a handful of landlords are running what amount to illegal hostels.*
 - Reduce tension between short-term rental property owners and their neighbors
 - Send a clear message to citizens that the city takes the STR problems seriously
 - Other?
 - What are the typical events leading up to a city feeling it has become necessary to put in place regulation of short-term rentals?
 - *Typically, cities will see their affordable housing stock dwindle as landlords favor STR's over tenant's using Section 8 vouchers and other government housing initiatives. A major criticism of Airbnb has been that the abundance of short-term listings available in densely populated cities limits the amount of affordable housing available for permanent residents.*
 - When is the best time for a city to address the short-term rental issues and put in place regulation?
 - Waiting until it is a crisis is generally not a good idea!
 - Audience Q&A (5 min)
- **Part 2 - What legal issues does a local governments need to consider before they decide to regulate short-term rentals in their community? (20 min):**
 - Panel Discussion (10 min) - Pre-determined questions:
 - Do local governments have the legal right to regulate short-term rentals in the first place?

- *Yes. State governments grant power to local municipalities to develop a comprehensive plan and enact zoning regulations that further the public health, safety, and welfare. Often referred to as “municipal home rule authority”, this power allows local governments to prescribe the types of uses allowed within its borders. While property rights remain a cornerstone of American democracy, citizens of a particular municipality must abide by the zoning regulations in place. Of course, most zoning ordinances offer a number of remedies for the individual who feels restrained by their current zoning, such as variances and special use permits. Zoning regulations are put in place by municipalities to guarantee citizens certain comforts and enjoyment of their property. Landowners are protected from nuisances that may disrupt the quiet enjoyment of their land or depreciate economic viability of their property.*
 - Are there any legal constraints on how local governments can regulate short-term rentals and the various vacation rental websites operating in their jurisdiction?
 - Do these rights and constraints differ from state to state?
 - If a community adopts ordinances that regulate Airbnb, is the community open to lawsuits based on discriminatory rental practices by users?
 - *This would depend on whether or not the state has conferred the power to create zoning to its respective municipalities. As a private industry, Airbnb has a duty to comply with all relevant state and local tax, building, and zoning codes.*
 - Is specific short-term rental regulation necessary in the first place? Why not just manage the practice by enforcing the city's existing business licensing and hotel tax rules?
 - If new rules are in fact required, what legislative tools do local governments have at their disposal when regulating short-term rentals?
 - Zoning?
 - Permits?
 - Licensing?
 - Registration?
 - Taxation?
 - Audience Q&A (10 min)
- **Part 3 - How to write short-term rental regulation that works? (35 min):**
 - Panel Discussion (20 min) - Pre-determined questions:
 - How does one think about short-term rentals in the context of other uses that are regulated by local governments?

- Should short-term rentals be considered a commercial activity?
 - If so, should it be treated as a home-based occupation similar to a lawyer or accountant working out of his/her home-office, or should it be treated in the same way as traditional lodging providers who are subject to various zoning, permit, safety and tax requirements?
 - As a planner, where does one start, when tasked with writing a short-term rental ordinance draft?
 - What information does one have to collect before even starting the actual drafting process?
 - What is the best way to get that information?
 - What is the best way to structure the process of adopting new short-term rental regulation to ensure that the final ordinance properly incorporates the community's overall land use, housing, public safety, community development and code enforcement goals?
 - How does one ensure that all interests are heard in this matter?
 - What is the best way to engage with the elected officials and public to ensure a civil and productive process?
 - What is the best way to facilitate the public hearing process so it doesn't turn into a drawn-out shouting match between people with extreme viewpoints?
 - What are the best practices for achieving the most common planning objectives as it relates to:
 - Preserving neighborhood character?
 - Preventing the conversion of long-term rental properties into full-time short-term rentals?
 - Minimizing parking, trash and noise problems?
 - Ensuring a level playing field between traditional lodging providers and short-term rentals?
 - Ensuring permit and tax compliance?
 - Ensuring building safety?
 - Audience Q&A (10 min)
- **Part 4 - How to cost-effectively enforce short-term rental ordinances? (15 min):**
 - Panel Discussion (10 min) - Pre-determined questions:
 - What are the costs and benefits associated with the different approaches to enforcing short-term rental regulations (pro-active enforcement vs. on a complaints basis)?
 - What are the most common challenges associated with pro-actively monitoring compliance with, and enforcing, short-term rental regulations?

- How do we find out which properties are listed for short-term rent in my city's jurisdiction?
- Once identified, how do we keep track of the 100s of listings?
- How do we identify the addresses of the properties listed on the various websites?
- How do we bring the non-permitted properties into compliance?
- How do we ensure that the owners of the STR properties pay their fair share of taxes?
- Once we identify violators, how do we defend against claims of selective enforcement?
- What are the best ways to overcome the compliance monitoring and enforcement challenges?
- Are there any tools available to aid code enforcement officer and tax collectors in their work?
- How costly are those tools? Does it make financial sense to use them?

- Audience Q&A (5 min)

Wrap-up and thank yous.