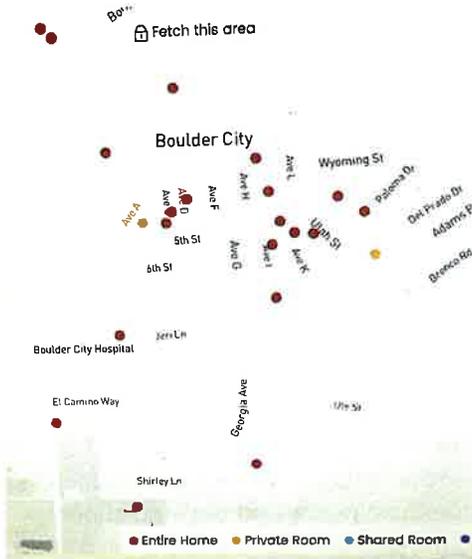


ATTACHMENT 5

MATERIAL SUBMITTED TO THE CITY COUNCIL BY JUDY  
MORAVEC

STR owners state they have property rights, and can operate their home as a STR hotel in a residential neighborhood. Why then can't these same owners use their homes to operate as a gift shop or as a candy shop? It's not allowed. Because our local government is granted the legal authority to regulate land use within their jurisdiction by police powers and/or zoning regulations. In BC hotels are safety inspected, they pay taxes and fees to operate within the business district, not the residential area. STRs do not. Other cities are trying to regulate STRs after the fact and it has proved extremely difficult to put the genie back in the bottle.



If STRs are allowed to operate here in BC, we would have to ensure taxes, fees, rules, and restrictions are in place. You say fine, let's do it. If you read and researched what other cities have done you'd be shocked at how much trouble and cost to the town it will be trying to regulate them. The LVGSTR Association will sue our city if they feel our restrictions are overly restrictive which will then tie us up in court and cost thousands of dollars. They have deep pockets and are backed by Airbnb, a billion-dollar Corporation, and will make us pay for trying to mess with their profit.



STR renters park in front of our houses not the STR



In BC noise, loud music, large UHauls or moving trucks, boats, trailers, P/U's, and cars have been parking all over our quiet neighborhoods. STR guests have left broken glass in the gutters and dog waste in the middle of the sidewalk, all in front of a neighbor's house next to the STR, and left for the neighbor to clean up. At our town hall meeting the code enforcement officer said that he only found three complaints he had discovered involved an STR in BC. One problem that might be noted is that the code enforcement office is not open on Saturday and Sunday when no doubt 95% of the problems will occur.

However, we know of three complaints in one location alone. We attempted to check BCPD records for STR complaints. Unfortunately, or fortunately, depending on your side of the controversy, BCPD does not seem to have a searchable records system and told us they had no complaints or they are filed differently and they would need to know the address and names of the people involved. They did not find the three complaints code enforcement claimed, nor the three complaints my neighborhood had filed. Additionally, a few years ago a resident stated he had called the BCPD on an Airbnb noisy party. He claimed that his neighbor had received a citation and had to cease running his Airbnb. That complaint was not located in BCPD records either. BCPD's statement of no problems with STR's is not supported since their records are not searchable with the terms of STR, or Airbnb, or VRBO, or vacation rentals, etc.

# SHORT-TERM RENTALS IN BOULDER CITY

Please sign our petition:  
<https://chnng.it/Wh8DsyFQKt>



Short-Term Rentals (STRs) called Airbnb's, VRBO's, or Vacation Rentals are not allowed in BC, nevertheless; we have about 20 operating in town now. Just because you can get away with something doesn't make it legal. In 2021 NV State passed Assembly Bill 363 which mandated cities with populations over 25,000 to adopt an ordinance; license & regulate STRs by July 2022. Clark County has 10,000+ STRs but will only issue 2,800 licenses through a lottery system.

BC is exempt from this because our population is under 25,000. We have a controlled growth ordinance, no gambling, and no marijuana dispensaries; BC does not need to copy the LV area; we do not need STRs and the subsequent problems they cause in residential neighborhoods.

The County rules and restrictions have already been challenged by the Greater Las Vegas STR's Association (GLVSTRA), (with the help of Airbnb), and represented by the law firm Hutchison and Steffen. They filed a lawsuit against Clark County, Clark County Commissioners, and the State of NV. As Southern Nevada governing bodies standardize regulations surrounding short-term rentals in compliance with new state law, local officials have been clear — no one is truly happy with the new system.

A look at Las Vegas STR Application and Rules is shocking. There are so many restrictions, however; LV has the manpower to enforce their regulations and codes. Code enforcement takes police, fire, bookkeepers, or administrative staff. The taxes or fees BC STRs may pay would be eaten up by code enforcement activities. One controversial restriction is the buffer distance rule. In other words a STR cannot operate within a distance area of 600 - 1000 feet of another STR. One neighbor objected. He could not operate his property as STR because his property is next door to one. He feels his property rights are being violated and he may sue for the right to start his own STR



STRs are reshaping communities—pricing out local residents, and bringing chaos with them. They have contributed to the housing crisis. If we legalize STRs in BC we may face more landlords who choose to convert their long-term rentals into Airbnb which will have a detrimental effect on our community like other communities across the country. STRs reduce the number of permanent residents in neighborhoods and will impact available long-term rentals here.

**Airbnb Is Running Riot in Small-Town America.**  
<https://www.wired.com/story/airbnb-rentals-sedona-arizona/>

## **Cleaning crew finds \$5.4 million worth of drugs, guns in Scottsdale short-term rental**

STR safety is essential as the safety of these renters is not only the responsibility of the STR owner but also our city. If we cannot prove how effective we are in policing these STRs and documenting their code enforcement, we could open ourselves to a lawsuit. Remember the shooting and murder on June 1, 2021? Memorial Holiday party drunks got into a fight and shot each other. One died in the street on Fairway Dr. and one was injured. What if they had been at a STR? Since STRs were not legal, would BC be at fault for not shutting down an illegal STR? We do not have many STRs now, but we will have to enforce all the taxes, fees, rules, restrictions, and inspect these businesses, and document code compliance. The one thing all areas agree on is not to place restrictions on STRs if you do not plan to enforce them.

### **ONE AIRBNB GUEST BROUGHT A GUN KILLING FOUR**

Major problems that occur within the Airbnb STRs are transferred to an Airbnb internal safety team. These Airbnb agents have had to hire body-fluid crews to clean blood off carpets, arrange for contractors to cover bullet holes in walls, and deal with hosts who discover dismembered human remains. Rapes, pedophilia, murders, and assaults are handled by this team as well. In addition, hacking of hosts' and guests' information also occurs.

### **FIFTH VICTIM DIES AFTER HALLOWEEN PARTY SHOOTING AT AIRBNB IN ORINDA**

Airbnb Agents are encouraged to get a payout agreement signed as quickly as possible. Every agreement has a nondisclosure clause that bars the recipient from discussing what happened. Airbnb spends an average of about \$50 million annually on payouts to hosts and guests, including on legal settlements and damage to homes. The Agents say the hardest part of the job, was making peace with their role in keeping cases quiet and ensuring that victims & their families didn't blame the company.

### **AIRBNB APARTMENT TURNED "JUNKIE DEN"**

A study finds that violent offenses rose in neighborhoods where homes were converted to short-term rentals. This is a sign, the researchers said, of a fraying social order, anti-social behavior, as well as a reduced sense of community, and the impact on local housing markets through increased prices and reduced supply.

### **Airbnb Is Spending Millions of Dollars to Make Nightmares Go Away**

<https://www.bloomberg.com/news/features/2021-06-15/airbnb-spends-millions-making-nightmares-at-live-anywhere-rentals-go-away#xj4y7vzkg>

The National Fire Protection Association (NFPA) in a June 2022 podcast pointed out that fire and safety protections may not be present in a STR. NFPA states guests in STRs get injured at a higher rate than guests in hotels. They have even come up with a number: every 44 seconds someone is injured in a STR. Injury attorneys specialize in cases of injury that occurred at hotels. NFPA points out that the home is the most dangerous place; stating that more than 50% of accidents happen in the home.

**AIRBNB HOSTS ASK GUESTS TO LIE, SNEAK AROUND IN ORDER TO HIDE THEIR AIRBNB IS ILLEGAL**

## JUST SAY NO 2 BC SHORT TERM RENTALS (STR's)

[justsayno2bcshorttermrentals@gmail.com](mailto:justsayno2bcshorttermrentals@gmail.com)

*Please sign our petition:* <https://chnng.it/Wh8DsyFQKt>

Boulder City Residents Only:

Short-Term Rentals (STRs) called Airbnb's, VRBO's, or Vacation Rentals are not allowed in BC, nevertheless; we have about 20 operating in town now. Just because you can get away with something doesn't make it legal. In 2021 NV State passed Assembly Bill 363 which mandated cities with populations over 25,000 to adopt an ordinance; license and regulate STRs by July 1, 2022. Clark County has over 10,000 STRs but will only issue 2,800 licenses through a lottery system.

The County rules and restrictions have already been challenged by the Greater Las Vegas STR's Association (GLVSTRA), (with the help of Airbnb), and represented by the LV law firm Hutchison and Steffen, the law firm founded by ex Lt. Gov. Mark Hutchison. They filed a lawsuit against Clark County, Clark County Commissioners, and the State of NV. As Southern Nevada governing bodies standardize regulations surrounding STR's in compliance with new state law, local officials have been clear — no one is truly happy with the new system.

BC is exempt from this because our population is under 25,000. We have a controlled growth ordinance, no gambling, and no marijuana dispensaries; BC does not need to copy the LV area; we do not need STRs and the subsequent problems they cause in residential neighborhoods.

STR owners state they have property rights, so they can operate their home as a STR hotel in a residential neighborhood. Why then can't these same owners use their homes to operate as a gift shop or as a candy shop? Because our local government is granted the legal authority to regulate land use within their jurisdiction by police powers and/or zoning regulations. In BC hotels are safety inspected, they pay taxes and fees to operate within the business district, not the residential area. STRs do not. Other cities are trying to regulate STRs after the fact and it has proved extremely difficult to put the genie back in the bottle.

If STRs are allowed to operate here in BC, we would have to ensure taxes, fees, rules, and restrictions are in place. You say fine, let's do it. If you read and research what other cities have done you'd be shocked at how much trouble and cost to the town it will be trying to regulate them.

The LVGSTR Association will sue our city if they feel our restrictions are overly restrictive which will then tie us up in court and cost thousands of dollars. They have deep pockets and are backed by Airbnb, a billion-dollar Corporation, and will make us pay for trying to mess with their profit.

A look at Las Vegas STR Application and Rules is shocking. There are so many restrictions, however; LV has the manpower to enforce their regulations and codes. Code enforcement takes police, fire, bookkeepers, or administrative staff. The taxes or fees BC STRs may pay would be eaten up by code enforcement activities. One controversial restriction is the buffer distance rule. In other words a STR cannot operate within a distance area of 600 - 1000 feet of another STR. One neighbor objected. He could not operate his property as STR because his property is next door to one. He feels his property rights are being violated and he may sue for the right to start his own STR business even though his would be right next to another STR.

STR safety is essential as the safety of these renters is not only the responsibility of the STR owner but also our city. If we cannot prove how effective we are in policing these STRs and documenting their code enforcement, we could open ourselves to a lawsuit. Remember the shooting and murder on June 1, 2021? Memorial Holiday party drunks got into a fight and shot each other. One died in the street on Fairway Dr. and one was injured. What if they had been at a STR? Since STRs were not legal, would BC be at fault for not shutting down an illegal STR? We do not have many STRs now, but we will have to enforce all the taxes, fees, rules, restrictions, and inspect these businesses, and document code compliance. The one thing all areas agree on is not to place restrictions on STRs if you do not plan to enforce them.

Major problems that occur within the Airbnb STRs are transferred to an Airbnb internal safety team. These Airbnb agents have had to hire body-fluid crews to clean blood off carpets, arrange for contractors to cover bullet holes in walls, and deal with hosts who discover dismembered human remains. Rapes, pedophilia, murders, and assaults are handled by this team as well. In addition, hacking of hosts' and guests' information also occurs.

Airbnb Agents are encouraged to get a payout agreement signed as quickly as possible. Every agreement has a nondisclosure clause that bars the recipient from discussing what happened. Airbnb spends an average of about \$50 million annually on payouts to hosts and guests, including on legal settlements and damage to homes. The Agents say the hardest part of the job, was making peace with their role in keeping cases quiet and ensuring that victims & their families didn't blame the company.

A study finds that violent offenses rose in neighborhoods where homes were converted to short-term rentals. This is a sign, the researchers said, of a fraying social order, anti-social behavior, as well as a reduced sense of community, and the impact on local housing markets through increased prices and reduced supply.

The National Fire Protection Association (NFPA) in a June 2022 podcast pointed out that fire and safety protections may not be present in a STR. NFPA states guests in STRs get injured at a higher rate than guests in hotels. They have even come up with a number: every 44 seconds someone is injured in a STR. Injury attorneys specialize in cases of injury that occurred at hotels. NFPA points out that the home is the most dangerous place; stating that more than 50% of accidents happen in the home.

In BC noise, loud music, large UHauls or moving trucks, boats, trailers, P/U's, and cars have been parking all over our quiet neighborhoods. STR guests have left broken glass in the gutters and dog waste in the middle of the sidewalk, all in front of a neighbor's house next to the STR, and left for the neighbor to clean up. At our town hall meeting the code enforcement officer said that he only found three complaints he had discovered involved an STR in BC. One problem that might be noted is that the code enforcement office is not open on Saturday and Sunday when no doubt 95% of the problems will occur.

However, we know of three complaints in one location alone. We attempted to check BCPD records for STR complaints. Unfortunately, or fortunately, depending on your side of the controversy, BCPD does not seem to have a searchable records system and told us they had no complaints or they are filed differently and they would need to know the address and names of the people involved. They did not find the three complaints code enforcement claimed, nor the three complaints my neighborhood had filed. Additionally, a few years ago a resident stated he had called the BCPD on an Airbnb noisy party. He claimed that his neighbor had received a citation and had to cease running an Airbnb. That complaint also was not located in BCPD records either. BCPD's statement of no problems at STR's is not supported since their records are not searchable with the terms of STR, or Airbnb, or VRBO, or vacation rentals, etc.

STRs are reshaping communities—pricing out local residents, and bringing chaos with them. They have contributed to the housing crisis. If we legalize STRs in BC we may face more landlords who choose to convert their long-term rentals into Airbnb which will have a detrimental effect on our community like other communities across the country. STRs reduce the number of permanent residents in neighborhoods and will impact available long-term rentals here.

## **Las Vegas Airbnb birthday party ends with bullets flying, hitting homes and cars**

<https://www.fox5vegas.com/2023/08/17/airbnb-birthday-party-ends-with-dozens-bullets-flying-hitting-homes-cars/>

## **Airbnb Is Running Riot in Small-Town America.**

<https://www.wired.com/story/airbnb-rentals-sedona-arizona/>

## **Airbnb Is Spending Millions of Dollars to Make Nightmares Go Away**

<https://www.bloomberg.com/news/features/2021-06-15/airbnb-spends-millions-making-nightmares-at-live-anywhere-rentals-go-away>

**Please sign our petition:** <https://chng.it/Wh8DsyFQKt>

**JUST SAY NO 2 BC SHORT-TERM RENTALS**

# Why Are Short-term Rentals (Like Airbnb) Bad for Communities?

Airbnb allows property owners to rent their homes or apartments to people who are looking for a place to stay. Hosts often use short-term rentals as supplemental income, but for many people, this is their primary job. Because Airbnbs can be lucrative, more and more people are buying properties that they plan to use solely as short-term rentals. This is Many cities have restrictions that limit short-term rental properties, but a lack of enforcement means that this problem isn't going away.

## Reduced Local Tax Revenue

Homes and apartments that are listed on Airbnb are subject to property taxes; however, hosts often avoid paying taxes on their rental income. This means that local communities miss out on tax revenue that they would have received if those guests had stayed at hotels instead. This reduces a city's ability to invest in schools, critical infrastructure, first responders, and other services.

## Disruptive Visitors

Most Airbnb listings are located in residential areas. Because tourists go on vacation to have a good time and party, they may affect the quality of life for permanent residents. Complaints regarding litter, illegal parking, and noise disturbances are often higher in communities with Airbnb-style rentals.

## Artificially Inflated Property Values

In neighborhoods that are close to tourist destinations, residents who do not own their homes often face inflated rental prices that force them to move because landlords are choosing to convert their long-term rentals into Airbnbs. This can also make it more difficult for people to buy a home in these areas. There have been protests in San Francisco, New York, and major cities across the world as residents try to keep their neighborhoods from being overrun with tourists.

## Unfair Competition for the Hotel Industry

Many Airbnb operators don't have any employees. They simply clean up the property themselves after a guest checks out. Along with paying fewer taxes, this means that they avoid many of the overhead costs that hotels face. As they make less money, hotels will have to lay off employees to cut costs, which makes it much harder for people who work in the service industry to find jobs.

As of 2019, there were over 700,000 Airbnb listings in the United States. Though the potential profits make buying a short-term rental property tempting, there are many factors to consider, especially the negative effects on local communities. As a real estate firm that's owned by Nashville natives with decades of experience, you can trust HND Realty LLC when you're buying or selling residential and commercial properties in the area. We're dedicated to keeping the neighborhoods that make Nashville unique intact. If you're interested in working with our agents, contact us online today.

The short term rental will never even come close to covering the added costs incurred by the community because of these unregulated businesses. In the long run short term rentals Will not only be devastating to the community, but have a drastic negative affect on all other businesses in the community.

Ventnor going to a 3 night rental minimum is not sufficient. It should be changed to a 7 night minimum, all year long, not just during summer.

It will attract more STR businesses and the least desirable short-term renters

Of course the one problem that I see is that the code enforcement office is not open on Saturday and Sunday when no doubt 95% of the problems will occur.

Obviously more people need to attend Commissioner meeting and also email the commissioners and tell them that we need a weekend number that we can call so that a disturbing issue, especially with overcrowding, can be investigated by the City when the issue actually is taking place.

That weekend contact number will be a major help. The police department will not get involved with any other issue then a noise or illegal activity issue.

\*\*\*\*\*If we want to see these problem properties not be allowed to continue we all need to get involved in our community. Complaining and doing nothing is not a solution.

## STRICTER REGULATIONS

Some areas have strict rules for short-term rentals. Escondido and other cities in San Diego County require a transient occupancy tax for short-term rentals, occupancy limits, and other requirements.

Considering it is a tourism and wedding hub, Newport RI had a relatively low number of registered properties, just 203, but there is an explanation. The local government passed a somewhat restrictive set of regulations requiring that, among other things, owners of properties within residential zones must live in the properties they rent. That law is currently being challenged, but for the time being it has most likely tamped down the number of short-term rentals in the City by the Sea.

“They cannot control who rents the homes, and they can’t control what goes on in them,” she says. “It’s growth at all costs, and we’ll clean up the mess that comes with that.” In June, Dallas City Council approved a ban on short-term rentals in single-family homes

a fire at an illegal Airbnb in Montreal killed seven people.

These negative externalities include increased noise and anti-social behaviour,<sup>[footnote 15]</sup> as well as a reduced sense of community,<sup>[footnote 16]</sup> and the impact on local housing markets through increased prices and reduced supply.<sup>[footnote 17]</sup>

It's part of a larger pushback against how short-term rental economies are reshaping communities—pricing out local residents, and bringing chaos with them.

**Safety** Since May 2019 there have been over 250 reported shootings at Airbnbs in the US, many more have likely gone unreported (*Airbnb spends \$50M annually to keep bad news out of the press*). Airbnb states in regulatory filings they cannot confirm the identity or background of guests. “We had a crime incident at an Airbnb we were staying. When we wrote in the review, not only did Airbnb remove the review from the listing but said that any time law enforcement is involved at the place of your stay, Airbnb does not get involved.

Talk to your neighbors. Gather stories, pictures, video and data to present to police, code enforcement, elected officials and news organizations. Consider forming a local coalition that will increase and sustain pressure on lawmakers to protect neighborhoods. Join the TX Neighborhood Coalition and learn what's worked for others

and how to combat the misinformation from STR supporters.

<https://www.forbes.com/sites/laurabegleybloom/2021/10/11/is-airbnb-safe-new-report-exposes-scams-bug-infestations-and-more/?sh=682b3fb3493b>

teams analyzed a large dataset of 127,183 Tweets posted between January 1, 2015 and September 20, 2020 that contained guest complaints about problems they had encountered with an Airbnb stay. Contact us to be connected to a local neighborhood coalition.

we found thousands of cases of account hacking with vacation dollars being stolen via fraudulent bookings as well as many other scams,” says Fergusson.

there were police interventions, bodily harm, threats, bug infestations, invasions of privacy via hidden cameras, long-term negative health impacts after the customer checked out of the Airbnb and so much more. Even in 2021, the amount of illegal, unsafe or fake listings on the platform is staggering—more than any of us probably realize.”

“Countless Airbnb guest complaints we reviewed on Twitter suggested that the company is very good at circumventing responsibility,

Fergusson points out that hotels are highly regulated whereas short-term rentals have little oversight in most cities around the world. “For example, reputable hotel chains are not likely to be scamming people en masse or routinely canceling a reservation a few hours before the guest arrives,” says Fergusson. “It would be hard to find a hotel without a smoke detector or a carbon monoxide detector.” But at an Airbnb, Fergusson points out that listings can have missing amenities. “Tragically, just last week, a Californian couple and their baby were [found dead in an Airbnb](#) likely because of a gas leak,” he says.

Airbnb is dropping the ball when it comes to customer service

Airbnb is relying heavily on bots and AI technology, obfuscating important information and outsourcing to call centers. many flaws and loopholes on the Airbnb platform.”

- Serious safety concerns (1,274 or 1.00% of all guest complaints)
- Obnoxious host and/or environment (1,160 or 0.91% of all guest complaints)
- Unsafe or broken amenities (581 or 0.46% of all guest complaints)
- Hidden cameras (251 or 0.20% of all guest complaints)

- Theft (149 or 0.12% of all guest complaints)

**Discrimination (4,851 or 3.81% of all guest complaints)**

EXTRA

<https://www.summitdaily.com/news/summit-county-commissioners-approve-package-of-short-term-rental-regulations-despite-complaints-ending-a-monthslong-initiative/>