

OFFERED BY COUNCILORS ED FLYNN, KENZIE BOK



**CITY OF BOSTON
IN CITY COUNCIL
ORDER FOR A HEARING TO DISCUSS
UPDATES ON THE STATUS AND ENFORCEMENT OF
THE SHORT TERM RENTALS ORDINANCE**

- WHEREAS:** In June of 2018, the Boston City Council passed an ordinance regulating short term rentals on platforms such as Airbnb, HomeAway, and others, and Mayor Walsh soon signed it into law; *and*
- WHEREAS:** Only units that are owner-occupied are eligible to be short term rentals, with the owner-occupants being able to rent out part of the unit, the whole unit that they live in, or a unit within a two or three family building that is part of the same building that the owner lives in; *and*
- WHEREAS:** The ordinance also requires short term rental operators to register their units, apply for a license annually, and notify their abutters; *and*
- WHEREAS:** The ordinance is designed to regulate a rapidly growing industry that affects the residents' quality of life and the City's housing stock, providing transparency on short term rental listings, and removing large, corporate operators and investor units that contributed to the displacement of residents and negatively impacted the quality of life in our neighborhoods; *and*
- WHEREAS:** The ordinance took effect on January 1st, 2019, while units with executed leases as of June 1st, 2018 had until September 1st, 2019 to comply, and short term rental units were to register with the City by January 1st, 2019; *and*
- WHEREAS:** The Inspectional Services Department currently requires two of the following as Primary Residence Evidence: proof of residential exemption, utility bill, voter registration, motor vehicle registration, deed, driver's license or state-issued ID; *and*
- WHEREAS:** Residents, advocates and civic organizations expressed concerns that corporations will continue to operate in the same manner by converting their short term rentals into executive suites, which are exempt from the ordinance, as this practice runs counter to the goal of freeing up much needed housing stock for our city; *and*
- WHEREAS:** The City Council held a hearing on the implementation of the Short Term Rentals Ordinance in 2019, and discussed potential issues or loopholes that may exist, as well as concerns regarding the eligibility criteria required for enforcement of the ordinance; *and*

WHEREAS: The Zoning Board of Appeals recently approved an application from a corporate operator to convert 26 residential units into executive suites in the city, while this same operator also had similar proposals to convert residential units into executive suites elsewhere Downtown and in the South End; *and*

WHEREAS: The City ordinance regulating short term rentals is an important piece of legislation that aims to prevent commercial operators from using short term rentals to run unregulated, de facto hotels, taking much needed units from our housing stock, driving up the rental market, and negatively impacting the quality of life for our residents, while avoiding taxes and regulations that hotels are subject to; *and*

WHEREAS: It is critical that the city work to close any potential loophole that would invite large corporations to violate the spirit of the short term rentals ordinance, that the eligibility criteria is strengthened to eliminate non-owner occupied investor units, and ensure that sufficient, dedicated personnel and resources are being allocated to the Inspectional Services Department to effectively enforce the regulations; *and*

NOW THEREFORE BE IT ORDERED:

That the appropriate Committee of the Boston City Council holds a hearing to provide updates on the status and enforcement of the Short Term Rentals Ordinance. Representatives from the Inspectional Services Department, Corporation Counsel, the Zoning Board of Appeals, and other relevant and interested parties shall be invited to testify.

Filed on: April 7, 2021