



CITY OF SAINT PAUL
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Date: October 12, 2016
To: Neighborhood Planning Committee
From: Kady Dadlez, 651/266-6619
Re: Short Term Rental Study

Attached is the Short Term Rental Study presented to the City Council on July 6, 2016. This was prepared in response to a City Council resolution earlier in the year asking the Department of Safety and Inspections (DSI) and the Department of Planning and Economic Development (PED) to study Airbnb and similar companies. The charge was to see how their operations align with current City ordinances and to evaluate whether current codes ensure that visitors, landlords, Airbnb neighbors, and private property are safe and protected. The resolution also calls for the departments to ensure that the appropriate taxes are being collected from these sorts of properties and uses.

Upon receipt and review of the study, the City Council made the following recommendations:

- Develop a Zoning Code amendment to permit short term rentals as an “incidental transient occupancy” and develop standards related to owner occupied and non-owner occupied units.
- Develop an ordinance amendment to fully regulate non-owner occupied units for life safety concerns through the Fire Certificate of Occupancy program.
- Develop a mechanism to ensure tax collection is occurring, possibly via host platforms.
- Develop an ordinance amendment to license host platforms, with specific requirements relating to reporting and compliance.
- Utilize complaints about short term rentals to inform recommendations for future regulations.
- Educate City staff (police, fire, and inspectors) about the presence of short term rental uses in neighborhoods and the potential for complaints

Planning staff is in the process of developing a zoning code amendment but does not have draft language ready for review. Staff is seeking your thoughts and input.

No action by the Neighborhood Planning Committee is requested at this time.

City of Saint Paul

Short Term Rental Study

Report for the Saint Paul City Council

Department of Planning and Economic Development
Department of Safety and Inspections
6-30-2016

Introduction

One facet of the “sharing economy” is the online, **short term rental** of houses, apartments, and condominiums. Continued growth of the “sharing economy” has led to an increase in websites (host platforms) like Airbnb and VRBO, which efficiently enable individuals (hosts) to offer space and for renters to find space.

The definition of a short term rental varies by municipality since each chooses to regulate differently. Generally speaking, a short term rental is a dwelling unit (or bedroom) being rented for a period of less than 30 consecutive days, with or without the property owner or tenant present. Some jurisdictions use other terms, including vacation rental, timeshare, and tourist rooming house. By comparison, **Lodging Establishment** in the State of Minnesota is generally any structure, or any part thereof, that is offered for less than a week.

Short term rentals are occurring in Saint Paul. While there is no official count, there are approximately 250 online listings for Saint Paul. Under current regulations, short term rentals are not permitted in the Zoning Code and there is no licensing requirement. However, short term rentals are regulated to some extent by the Fire Certificate of Occupancy program.

Recognizing the potential impact of short term rentals, the Saint Paul City Council adopted a resolution asking the Department of Safety and Inspections and the Department of Planning and Economic Development to study Airbnb and similar companies and how their operations align with current city ordinances and to evaluate whether current codes ensure that visitors, landlords, Airbnb neighbors, and private property are safe and protected. The resolution also states that departments shall ensure that the appropriate taxes are being collected from these sorts of properties and uses.

Key Findings

Based on the analysis of short term rentals in Saint Paul and a review of nationwide best practices found in the *City of New Orleans Short Term Rental Study*, the following findings informed staff recommendations:

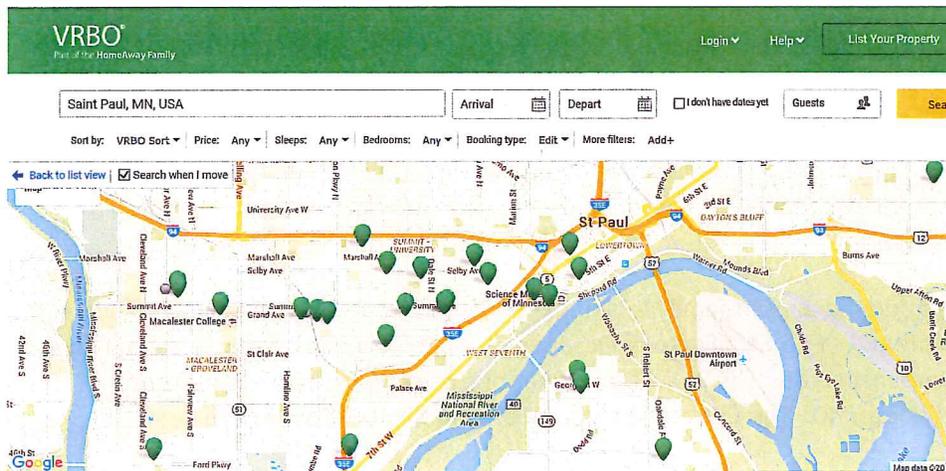
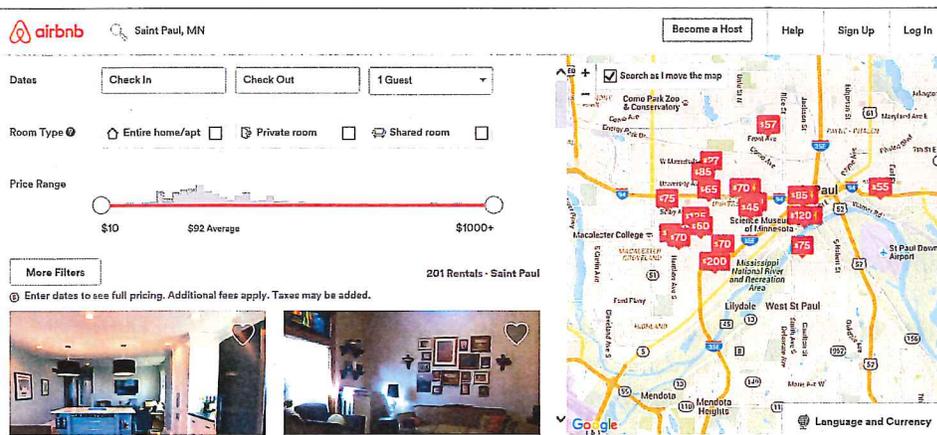
- Saint Paul has approximately 250 short term rentals listed online. These short term rentals may be an entire house, a room, or a couch. They may occur in owner occupied or non-owner occupied units.
- Since there are no regulations specific to short term rentals it can be difficult to locate them and determine the length of stay.
- Short term rentals in Saint Paul do not appear to be generating many complaints related to negative behaviors or unsafe conditions.

1. Existing Conditions in Saint Paul

Number of Short Term Rentals

The actual number of current short term rentals in Saint Paul is difficult to determine since some of the online sites do not provide addresses, units may be listed on more than 1 site, and the units can be very transient. Drawing upon several sources, it is estimated that there are approximately 250 short term rentals listed online in Saint Paul.

Examples of online sites:



Complaints and Safety Issues

Information was gathered on 45 short term rentals in Saint Paul to assess impacts. The review of police calls and Fire Certificate of Occupancy issues revealed limited reports of negative behavior or unsafe conditions. See the Appendix for details of the assessment.

2. Current Regulation

The City of Saint Paul does not have an ordinance specifically regulating short term rentals. Short term rental is not listed as a permitted use in the Zoning Code. Any use not specifically permitted under the Zoning Code is prohibited, Legislative Code §66.101(c). In addition, there are no permitting or licensing regulations specific to the operation of short term rental businesses in the City of Saint Paul. That being said, short term rentals are regulated to some extent through the Saint Paul Legislative Code Chapter 40 – Fire Certificate of Occupancy¹. Generally speaking, where there is a Fire Certificate of Occupancy inspection for individual units, as in apartment buildings, short term rental regulation can occur. However, it is important to point out that there are no current requirements regulating time or length of rental agreement. Where no Fire Certificate of Occupancy inspection of individual units takes place, as in owner-occupied dwellings and condominiums, no short term rental regulation occurs.

Current Short Term Rental Permitting and Licensing

Currently there are no permitting or licensing regulations specific to the operation of short term rental businesses in the City of Saint Paul.

Current Short Term Rental Regulations Relating to Life Safety and Certificate of Occupancy

Owner Occupied 1 and 2 Family Dwellings - Short term rental *is not regulated* by Saint Paul Legislative Code Chapter 40 - Fire Certificate of Occupancy. Owner occupied units are exempt from the certificate inspection by Chapter 40. The City could respond to complaints of over-occupancy, life safety, and habitability.

Non-Owner Occupied 1 and 2 Family Dwellings (could include townhouse units) - Short term rental *is regulated* by Saint Paul Legislative Code Chapter 40 - Fire Certificate of Occupancy. However there are no requirements regulating time or length of the rental agreement.

Multi- Family Dwellings of 3 or More Units - Short term rental *is regulated* by Saint Paul Legislative Code Chapter 40 - Fire Certificate of Occupancy. However there are no requirements regulating time or length of the rental agreement.

Owner Occupied Condominium (in a multi-family building) - Short term rental *is not regulated* by Saint Paul Legislative Code Chapter 40 - Fire Certificate of Occupancy. There is a certificate on the building, and the common spaces are inspected. The individual owner occupied units are exempt from the certificate inspection by Chapter 40. The City could respond to complaints of over-occupancy, life safety, and habitability.

Non-Owner Occupied Condominium Unit (individual unit in a multi-family building) - Short term rental *is regulated* by Saint Paul Legislative Code Chapter 40 - Fire Certificate of Occupancy. There is a certificate on the building, and the common spaces are inspected. The individual, non-owner occupied units are subject to the certificate inspection by Chapter 40. However, the City would have to know that they are being used as non- owner occupied units in order to schedule the inspection. Generally a separate certificate is not required on the non-owner occupied unit.

¹ According to Building, Life Safety Code Regulations; Saint Paul Legislative Code Chapter 40 - Fire Certificate of Occupancy; and Saint Paul Legislative Code Chapter 34 - Property Maintenance.

- a. In residential districts, a conditional use permit is required for bed and breakfast residences with two or more guest rooms, and for any bed and breakfast residence located in a two-family dwelling. In RL—R4 residential districts, a bed and breakfast residence may contain no more than one guest room.
- b. The bed and breakfast residence may be established in a one-family detached dwelling or a two-family dwelling, located within a single main building.
- c. The guest rooms shall be contained within the principal structure.
- d. There shall be no more than one person employed by the bed and breakfast residence who is not a resident of the dwelling.
- e. Dining and other facilities shall not be open to the public, but shall be used exclusively by the residents and registered guests.
- f. No additional exterior entrances shall be added to the structure solely for the purpose of serving guest rooms.
- g. The zoning lot shall meet the minimum lot size for the one-family dwelling or two-family dwelling in the district in which it is located, and shall have a minimum size according to the following combination of dwelling units and guest rooms:

Dwelling Units	Guest Rooms	Minimum Lot Size
1	2	6,000
1	3	7,000
1	4	8,000
2	1	6,000
2	2	7,000
2	3	8,000

- h. One-family dwellings may contain no more than four guest rooms. Two-family dwellings may contain no more than three guest rooms.
- i. No bed and breakfast residence containing two through four guest rooms shall be located closer than 1,000 feet to an existing bed and breakfast residence containing two through four guest rooms, measured in a straight line from the zoning lot of an existing bed and breakfast residence.

Permitted: R1, R2, R3, R4, T1, T2, T3, T4, B1, BC, B2, B3

Permitted/Conditional: RT1, RT2, RM1, RM2 (P/C - sometimes permitted, sometimes requires a CUP)

Parking: 1 space per dwelling unit and 0.5 spaces per guest room

Hotel, inn, motel

There is no definition in the Zoning Code.

Licensing Code Section 407.02 - Definition

"Hotel" means and includes every building or structure kept, used, maintained, advertised or held out to the public to be a place where sleeping or rooming accommodations are furnished to the general public for a shorter period of time than one week, whether with or without meals and which does not qualify for a bed and breakfast residence license under the provisions of chapter 378. The person or persons in

4. Potential Impacts of Short Term Rentals

The City of New Orleans issued an exhaustive study on short term rentals in January 2016. This study provides excellent background on the benefits associated with and negative impacts of, short term rentals. These are important for Saint Paul to be aware of as it considers whether and how to regulate short term rentals. The [City of New Orleans Short Term Rental Study](#) addresses the issues raised in the Saint Paul City Council's resolution requesting this study. The study discusses at length the benefits and negative effects associated with short term rentals. Below is a summary of the benefits and negative impacts discussed in the study.

The **benefits** associated with short term rentals are:

- Short term rentals are part of the rapidly growing sharing economy
- They provide additional income for hosts and individuals that support short term rentals
- Short term rentals support the tourism economy and provide a significant financial benefit to the region
- There is potential for the City to earn additional income through taxes and fees
- Short term rentals help reduce blight, activate neighborhoods, and support local businesses
- The negative impacts on neighborhood quality of life and affordable housing are over stated as most operators are good managers

The **negative impacts** associated with short term rentals are:

- Short term rentals are a commercial encroachment in residential neighborhoods
- Short term rentals reduce neighborhood quality of life due to late night activity, noise, crime, litter, property damage, fire danger, loitering, and reduced on-street parking
- Short term rentals result in a reduction in long-term residents which changes the character of neighborhoods, especially in neighborhoods with the highest concentration of short term rentals
- Short term rentals reduce the number of affordable housing units in a city
- Short term rentals have an unfair competitive advantage from hotels, bed and breakfasts, and legal short term rentals because they are not licensed, do not pay taxes, are not held to the same safety requirements, and have lower capital and operating costs

into a neighborhood; 2) people come and go at all times of the day and night; 3) since customers are not residents, they have no interest in maintaining the neighborhood; 4) noise; 5) trash; and 5) transient nature of the operation.

The City of Minneapolis does not regulate short term rentals and they report that they have not received many complaints about them. Complaints that have been received have tended to come from condominium buildings where unsold units are rented out and subsequently condominium residents become upset about noise and activity. The City feels that it has a mechanism to deal with these complaints. It is aware that there are short term rentals throughout the City but does not plan to regulate them at this time since they do not seem to be causing a problem.

The Appendix provides information about how short term rentals are regulated in some Minnesota cities as well as Information on short term regulation in cities outside of Minnesota.

The *City of New Orleans Short Term Rental Study* referenced earlier in this report also includes an assessment of regulations adopted by cities around the United States. While New Orleans is a major tourist destination and has far more short term rental units than Saint Paul, the information gathered in its study from other cities around the country has value and relevance to the conversation in Saint Paul about whether and how to regulate short term rentals. Important findings in the report are noted below.

The *City of New Orleans Short Term Rental Study's* assessment of regulations in other cities identified the components of a short term rental ordinance into the following categories and discusses each at length. The main take away is that each city regulates differently depending upon the issue it is trying to address, but many cities tend to include most of these items in their regulations. The study also notes that the success experienced by the cities surveyed varied and that the best regulations were adapted over time as issues arose.

- **Definitions** (most are called short term rentals though some use vacation rental, timeshare, or tourist rooming house)
- **Categories** (full dwelling unit rental, single-room rental, or shared-room rental)
- **Size limitations** (number of rooms that can be rented)
- **Concentration** (limits on number of units within a geographic area)
- **Time limitations** (generally less than 30 days, the number of times a unit can be rented per year)
- **Owner occupancy** (whether owner or tenant occupancy is required and for how many days per year the owner must occupy the unit)
- **Use Standards and Guidelines** (no changes to allow a separate entrance, parking, agent contact information, posting of city ordinances, accessible agent to respond quickly to complaints, limiting number of visitors guests may have)
- **Fees** (generally between \$100 and \$150)
- **Notice** (information posted alerting surrounding properties of the use as a short term rental)
- **Taxes** (collection and payment of taxes either by hosting platform or host)



Introduction to Airbnb

Founded in August of 2008 and based in San Francisco, California, Airbnb is a trusted community marketplace for people to list, discover, and book unique accommodations around the world — online or from a mobile phone or tablet. Whether a spare bedroom, an apartment, a villa or a private island, Airbnb connects travelers to a more diverse and authentic range of experiences in over 34,000 cities and 190 countries.



Leading the Sharing Economy

Airbnb and our community are part of the growing Sharing Economy, a business model powered by new network technologies and social tools that is redefining the ways goods and services are created and exchanged amongst citizens, businesses and governments. The Sharing Economy is about how resources are used, how hospitality is exchanged, how residents are empowered, and how economic opportunities are distributed across diverse communities. These values are at the heart of Airbnb.



A Stay on Airbnb

Everyday people decide to list their homes on Airbnb. Hosts create profiles for themselves and their property, choose their own price and availability and set guidelines for guests.

- Guests search for hosts who are renting extra rooms, entire homes, or unique accommodations (like castles, treehouses or boats!).
- Hosts and guests learn about each other through past reviews, connections on Facebook, and personal communication through Airbnb.
- Guests and hosts use Airbnb to confirm travel dates, expectations, and pay.
- Airbnb holds onto the payment until 24 hours after the reservation begins. Hosts keep 87% of booking fees, and guests pay a 6-12% fee to Airbnb.
- After the stay, both hosts and guests leave reviews for one another, which are public for all future hosts and guests to read.



A Business Built on Community and Trust

Airbnb is committed to fostering trust between our guests, hosts, neighbors, and civic leaders. Together, we work to ensure that our global community has safe and positive experiences while using Airbnb. To do this, we have built best-in-class tools and procedures that empower hosts and guests to make smart and safe decisions about how to transact with one another. Hosts are empowered to welcome thoughtful and respectful guests, and they always have the final say about who they invite to share their home.

The Airbnb Community Compact

Airbnb is a people-to-people platform—of the people, by the people and for the people—that was created during the Great Recession to help people around the world use what is typically their greatest expense, their home, to generate supplemental income.

Airbnb creates economic opportunity. The typical middle-income host in the United States **can earn the equivalent of a 14 percent annual raise** sharing only the home in which they live at a time when economic inequality is a major challenge. Airbnb democratizes travel so anyone can belong anywhere—**35 percent of the people who travel on Airbnb say they would not have traveled or stayed as long but for Airbnb.**

Airbnb is home to good travelers and good neighbors who contribute to their communities. **97 percent of the price of a listing, set by the Airbnb host, stays with the host.** Airbnb hosts and guests have also made clear in conversations, town halls, responses to surveys, and thousands of individual discussions that they want to do right by the cities where they live, work and visit.

On an annual basis, Airbnb will also release Home Sharing Activity Reports in cities where our community has a significant presence. These reports will include:

- The total annual economic activity generated by the Airbnb community.
- The amount of income earned by a typical Airbnb host.
- The geographic distribution of Airbnb listings.
- The number of hosts who avoided eviction or foreclosure by sharing their home on Airbnb.
- The percentage of Airbnb hosts who are sharing their permanent home.
- The number of days a typical listing is rented on Airbnb.
- The total number of Airbnb guests who visited a city.
- The average number of guests per listing by city.
- The average number of days the average guest stayed in a city.
- The safety record of Airbnb listings.

Promote Responsible Home Sharing To Make Cities Stronger

Cities succeed when their citizens are actively empowered to help determine their own destiny. Airbnb will work to educate hosts and guests about the home sharing needs and rules in cities so they are empowered to engage in home sharing practices that are in the best interests of the cities they call home.

In particular, there are some cities that have a significant number of Airbnb listings but do not have a comprehensive policy approach to home sharing. In some of these places, community leaders have identified a shortage of long-term rental housing as a critical issue. In these cities, we will work with our community to prevent short-term rentals from impacting the availability of long-term rental housing by ensuring hosts agree to a policy of



Host Protection Insurance Summary

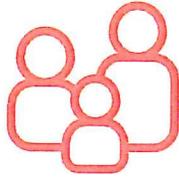
Updated on October 22, 2015

The Host Protection Insurance program provides coverage through a Lloyd's of London participating insurer. There is no additional cost to hosts for coverage under the policy.

The policy is written on general commercial liability forms and the coverage and exclusions are in line with general commercial liability policies.

LEARN MORE 

ELIGIBILITY



Eligible for coverage

1 Accommodation

Accommodation is a residential or other property location that is owned or controlled by the host and listed on Airbnb.

2 Host

Host is a person or entity who lists their accommodation on Airbnb. Host also includes a person providing host related services.

3 Rental Period

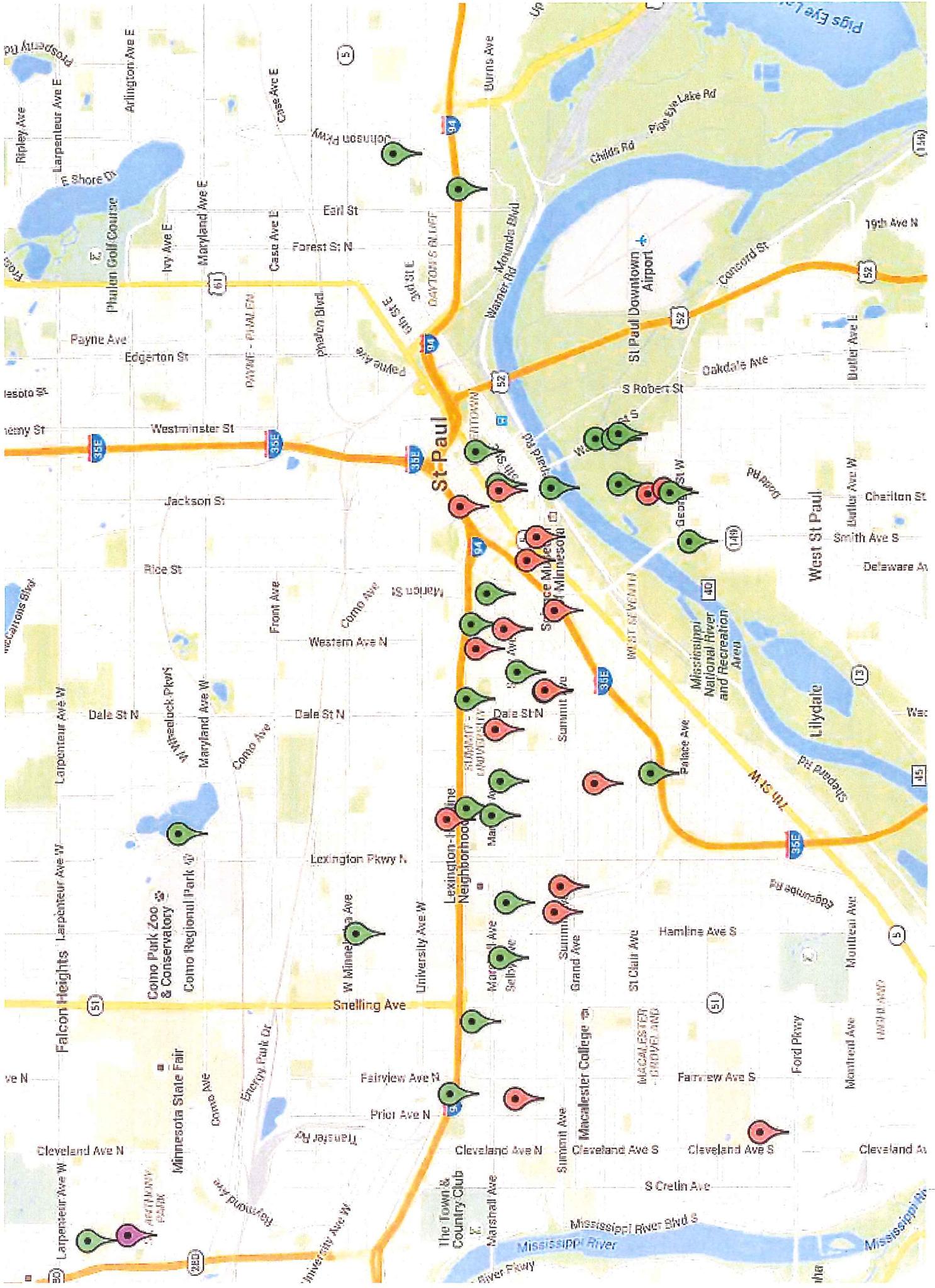
Rental period begins on the check in date and ends on the check out date. There must be an actual stay in order for the coverage to apply.

Summary of Key Exclusions

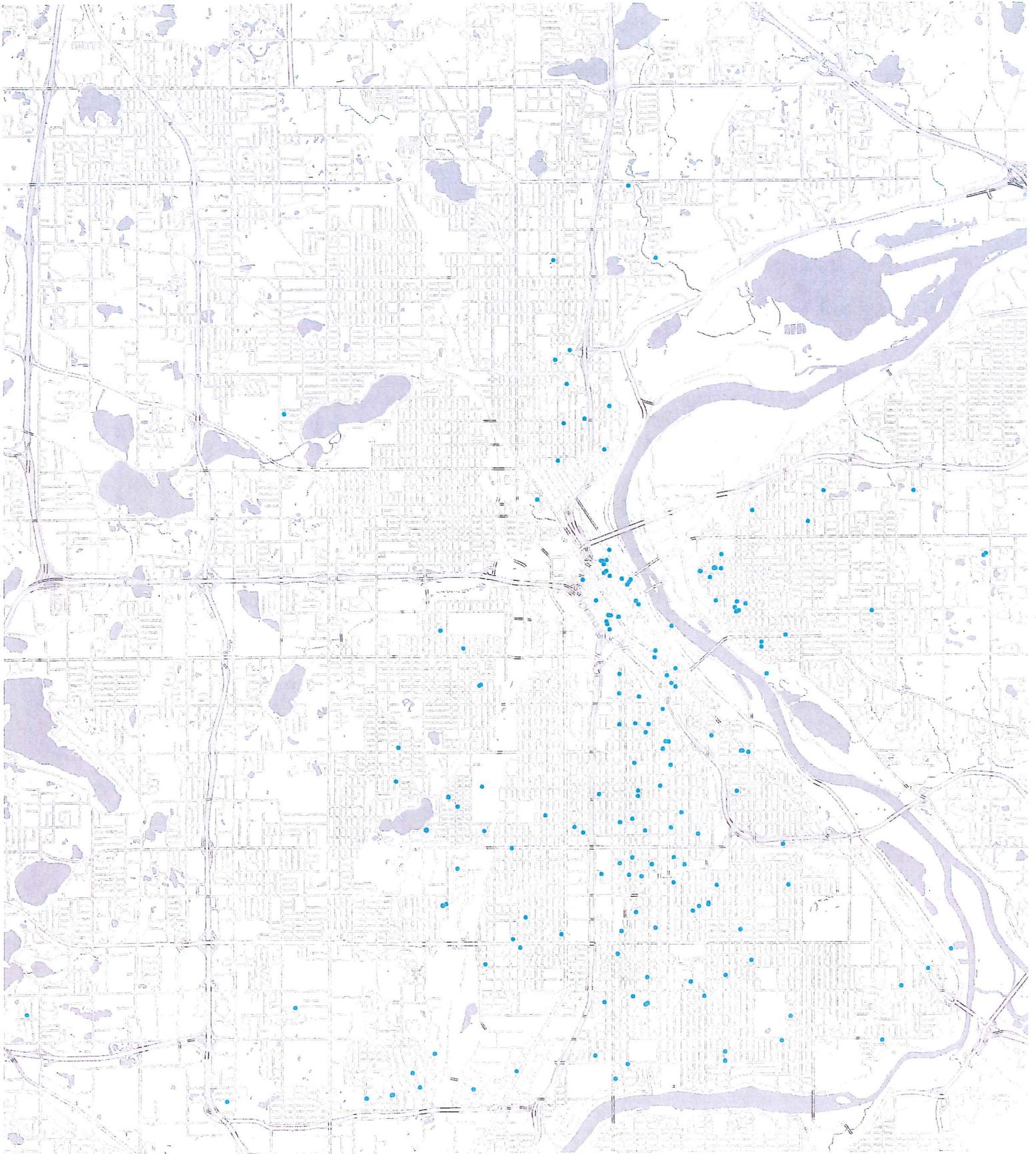
The policy does not apply to liability arising from (1) Intentional Acts including: (i) Assault and Battery or (ii) Sexual Abuse or Molestation - (by the host or any other insured party), (2) Loss of Earnings, (3) Personal and Advertising Injury, (4) Fungi or Bacteria, (5) Chinese Drywall, (6) Communicable Diseases (7) Acts of Terrorism, (8) Product Liability, (9) Pollution and (10) Asbestos, Lead or Silica.

Note

This document is a good faith summary of the General Liability Policy underlying the Host Protection Insurance Program. It is not a legal document.



Platform	Comp Description of Space	Rental Unit	Minimum Length of Stay	Average Nightly Cost	Sales Tax Reference	Children	Intermet Access	Wheel Chair Access	Pets Allowed	Property Type	Smoking	Police Calls for Service	C of O	Owner Occupied	STR Comp	Other Comments
484 Wabasha St N, St Paul, MN 55102	VRBO N/A	1 Bedroom 1 Night	1 Night	\$74.00	Not Included	Yes	Yes	Yes	Yes	Studio	No	2	N/A	Duplex	No	Not an AMANDA address - Needs further investigation
96 Virginia St, St Paul, MN 55102	VRBO N/A	2 Bedroom 2 Nights	2 Nights	\$163.00	10.48%	Yes (Over 1)	Yes	N/A	Yes	House	No	1	No	Duplex	No	Added a 3rd Rental unit
404 Dayton Ave, St Paul, MN 55102	VRBO N/A	1 Bedroom 2-5 Nights	2-5 Nights	\$124.00	10.63%	Yes	Yes	No	Yes	Condo	No	0	3-unit apt/condo bldg w/ C of O	N/A	No	
561 Grand Hill, St Paul, MN 55102	VRBO N/A	1 Bedroom 2-9 Nights	2-9 Nights	\$119.00	10.63%	N/A	Yes	No	Ask	Condo	No	0	Yes (Both)	N/A	No	3 or 4 Unit Apartment/Condo w/carriage house
970 Carroll Ave, St Paul, MN 55104	VRBO N/A	Entire Home/ 2 Bedroom 1-2 Nights	1-2 Nights	\$90.00	N/A	N/A	Yes	No	No	House	No	1	No	SFD	No	
59 Irvine Park, St Paul, MN 55102	VRBO N/A	4 Bedroom 2-3 Nights	2-3 Nights	\$650.00	10.63%	Yes	Yes	No	No	House	No	2	No	SFD	No	Truth in housing report, probably for sale
311 Walnut St, St Paul, MN 55102	VRBO N/A	1 Bedroom 2 Nights	2 Nights	\$143.00	10.63%	Yes	Yes	N/A	No	Apt	No	2	No	Duplex	No	
1891 Portland Ave, St Paul, MN 55104	VRBO N/A	Entire Home/ 2 Bedroom 2-6 Nights	2-6 Nights	\$129.00	10.63%	Yes	Yes	No	No	Condo	No	0	2-unit bldg w/ C of O	N/A	No	
2002 W Pinehurst Ave St Paul, MN 55111	VRBO N/A	2 Bedroom 2-4 Nights	2-4 Nights	\$128.00	6.88%	Yes	Yes	No	No	House	No	1	No	SFD	No	
220 W Stevens St, St Paul, MN 55107	VRBO N/A	3 Bedroom 3 Nights	3 Nights	\$138.00	N/A	Yes (Over 1)	Yes	N/A	No	House	No	0	Yes (New-Feb; Prc SFD (201	No	No	
241 George St W, St Paul, MN 55107	VRBO N/A	6 Bedroom 2 Nights	2 Nights	\$731.00	10.63%	Yes	Yes	No	No	House	No	1-Loud Noise Advise	No	SDF	No	
282 Harrison Ave, St Paul, MN 55102	VRBO N/A	2 Bedroom 1 Night	1 Night	\$84.00	N/A	Yes	No	No	Yes	Apt	No	7	4-unit bldg w/ C c N/A	No	No	
128 St Albans St N, St Paul, MN 55104	VRBO N/A	3 Bedroom 2-4 Nights	2-4 Nights	\$197.00	Not Included	Yes	Yes	N/A	No	House	No	0	1-unit bldg w/ C c N/A	No	No	
1188 Lincoln Ave, St Paul, MN 55105	VRBO N/A	2 Bedroom 3 Nights	3 Nights	\$175.00	10.63%	Yes	Yes	No	No	Apt	No	1	No	Duplex	No	
208 Victoria St S, St Paul, MN 55105	VRBO N/A	3 Bedroom 3 Nights	3 Nights	\$175.00	10.63%	Yes	Yes	No	No	House	No	0	No	SFD (201	No	
1279 Lincoln Ave, St Paul, MN 55105	VRBO N/A	3 Bedroom 3-5 Nights	3-5 Nights	\$130.00	N/A	N/A	Yes	N/A	Ask	Condo	No	1	2-unit bldg w/ C of O	N/A	No	
16 W 5th St, St Paul, MN 55102	VRBO N/A	2 Bedroom 2-22 Nights	2-22 Nights	\$240.00	N/A	Yes	Yes	Yes	Yes	Condo	No	School	N/A	N/A	No	Lowry Theater Address, Needs Further Investigating
144 4th St E, St Paul, MN 55101	Airbnb Entire Home/ 1 Bedroom 1 Night	1 Bedroom 1 Night	1 Night	\$150.00	N/A	Yes	Yes	Yes	No	Apt	No	0	233-unit bldg w/ N/A	No	No	
67A Smith Ave S, St Paul, MN 55107	Airbnb Entire Home/ 3 Bedroom 2 Nights	3 Bedroom 2 Nights	2 Nights	\$199.00	N/A	Yes	Yes	No	Yes	House	No	0	No	SFD (201	No	
235 King St W, St Paul, MN 55107	Airbnb Private Room 1 Bedroom 3 Nights	1 Bedroom 3 Nights	3 Nights	\$50.00	N/A	No	Yes	N/A	No	Apt	No	1	3-unit bldg w/ C c N/A	No	No	
42 Isabel St W, St Paul, MN 55107	Airbnb Private Room 1 Bedroom 1 Night	1 Bedroom 1 Night	1 Night	\$200.00	N/A	Yes	Yes	No	Yes	House	No	0	No	SFD	No	Truth in housing report, probably for sale
416 Stryker Ave, St Paul, MN 55107	Airbnb Private Room 1 Bedroom 1 Night	1 Bedroom 1 Night	1 Night	\$75.00	N/A	Yes	Yes	No	Yes	House	No	1	No	SFD	No	Possibly a Rooming house
58 Prospect Blvd, St Paul, MN 55107	Airbnb Private Room 1 Bedroom 1 Night	1 Bedroom 1 Night	1 Night	\$50.00	N/A	No	Yes	No	No	House	No	0	No	SFD	No	
200 Isabel St W, St Paul, MN 55107	Airbnb Private Room 1 Bedroom 1 Night	1 Bedroom 1 Night	1 Night	\$109.00	N/A	Yes	Yes	No	No	House	No	0	No	SFD	No	
The Covington Inn, 100 Harriet Island Road B3, St Paul, MN 55107	Airbnb Private Room 1 Bedroom 1 Night	1 Bedroom 1 Night	1 Night	\$210.00	N/A	No	No	No	No	B & B	No	2	No	B&B	No	
345 Wabasha St N, St Paul, MN 55102	Airbnb Entire Home/ 1 Bedroom 1 Night	1 Bedroom 1 Night	1 Night	\$109.00	N/A	Yes	Yes	No	No	Apt	No	Multiple Apt 113-unit bldg w/ N/A	No	N/A	No	
The New Victorian Mansion Bed & Breakfast, 325 Dayton Ave, St Paul, MN 55102	Airbnb Private Room 1 Bedroom 1 Night	1 Bedroom 1 Night	1 Night	\$225.00	N/A	No	Yes	No	No	B & B	No	19	Yes	School	No	
235 Summit Ave, St Paul, MN 55102	Airbnb Entire Home/ 2 Bedroom 2 Nights	2 Bedroom 2 Nights	2 Nights	\$125.00	N/A	Yes	Yes	No	No	House	No	0	4-unit bldg w/ C c N/A	No	No	
482 Holly Ave, St Paul, MN 55102	Airbnb Shared Room 1 Bedroom 1 Night	1 Bedroom 1 Night	1 Night	\$280.00	N/A	No	Yes	No	No	House	No	0	No	SFD	No	
846 Laurel Ave, St Paul, MN 55104	Airbnb Private Room 1 Bedroom 2 Nights	1 Bedroom 2 Nights	2 Nights	\$60.00	N/A	Yes	Yes	No	No	House	No	0	No	SFD	No	
992 Marshall Ave, St Paul, MN 55104	Airbnb Shared Room 1 Bedroom 2 Nights	1 Bedroom 2 Nights	2 Nights	\$65.00	N/A	No	Yes	No	No	House	No	0	No	SFD	No	
389 Fulton St, St Paul, MN 55102	Airbnb Entire Home/ 0 Bedroom 2 Nights	0 Bedroom 2 Nights	2 Nights	\$70.00	N/A	Yes	No	No	No	House	No	0	No	SFD	No	
1125 Burns Ave, St Paul, MN 55106	Airbnb Private Room 1 Bedroom 2 Nights	1 Bedroom 2 Nights	2 Nights	\$80.00	N/A	Yes	Yes	No	Yes	House	No	1	No	SFD	No	
443 Johnson Pkwy, St Paul, MN 55106	Airbnb Private Room 1 Bedroom 1 Night	1 Bedroom 1 Night	1 Night	\$65.00	N/A	Yes	Yes	No	No	House	No	0	No	SFD	No	
1426 Laurel Ave, St Paul, MN 55104	Airbnb Entire Home/ 2 Bedroom 2 Nights	2 Bedroom 2 Nights	2 Nights	\$66.00	N/A	Yes	Yes	No	No	House	No	2	No	Duplex	No	
1245 Ashland Ave, St Paul, MN 55104	Airbnb Private Room 1 Bedroom 1 Night	1 Bedroom 1 Night	1 Night	\$70.00	N/A	No	Yes	No	No	House	No	0	No	SFD	No	
956 Hague Ave, St Paul, MN 55104	Airbnb Private Room 1 Bedroom 1 Night	1 Bedroom 1 Night	1 Night	\$89.00	N/A	No	Yes	No	No	House	No	1	No	SFD	No	
566 Marshall Ave, St Paul, MN 55102	Airbnb Private Room 1 Bedroom 2 Nights	1 Bedroom 2 Nights	2 Nights	\$70.00	N/A	No	Yes	No	No	House	No	0	No	SFD	No	
Groundswell, 1340 Thomas Ave W, St Paul, MN 55104 (Above Restaurant)	Airbnb Entire Home/ 1 Bedroom 1 Night	1 Bedroom 1 Night	1 Night	\$62.00	N/A	No	No	No	No	Apt	No	2	C of O under 595 Hamline N	N/A	No	3 Unit mixed commercial/residential
Como Lake B&B, 1205 W Como Blvd, St Paul, MN 55104	Airbnb Private Room 1 Bedroom 1 Night	1 Bedroom 1 Night	1 Night	\$260.00	N/A	Yes	Yes	No	No	B & B	No	2	No	N/A	No	3 Unit mixed commercial/residential
1631 W Dayton Ave, St Paul, MN 55104	Airbnb Entire Home/ 0 Bedroom 2 Nights	0 Bedroom 2 Nights	2 Nights	\$60.00	N/A	No	Yes	No	No	House	No	0	No	Duplex (I	No	Owner Occupied B&B
1873 Iglehart Ave, St Paul, MN 55104	Airbnb Private Room 1 Bedroom 2 Nights	1 Bedroom 2 Nights	2 Nights	\$35.00	N/A	Yes	No	No	No	House	No	0	No	Duplex	No	
2370 W Hendon Ave, St Paul, MN 55108	Airbnb Entire Home/ 2 Bedroom 2 Nights	2 Bedroom 2 Nights	2 Nights	\$120.00	N/A	Yes	Yes	No	No	House	No	1	No	SFD	No	
2328 W Chilcombe Ave, St Paul, MN 55107	Airbnb Private Room 1 Bedroom 3 Nights	1 Bedroom 3 Nights	3 Nights	\$125.00	N/A	Yes	N/A	N/A	No	Apt	No	0	2-unit bldg w/ C c N/A	No	No	



Agreement Between the Minnesota Department of Revenue and the City of St. Paul for Collection of a Local Sales and Use Tax and a Lodging Tax

Introduction

This agreement concerns administration of local taxes identified below:

- St. Paul sales tax
- St. Paul use tax
- St. Paul lodging tax

The St. Paul sales and use taxes are authorized by Laws of Minnesota 1993, Chapter 375, Article 9, Section 46. The taxes are imposed by St. Paul Resolution number CF 93-783.

The St. Paul lodging tax is authorized by Laws of Minnesota 1982, Chapter 523, Article XXV Sections 1-3, amended Laws of Minnesota, amended Laws of Minnesota 1986 Chapter 462, Section 28 and 31 and amended Laws of Minnesota 1991, Chapter 291, Article 8, Section 31. The taxes are imposed by St. Paul Ordinance number 17737, amended Ordinance number 17367 and amended Ordinance number 17850.

Administration, collection and enforcement

The Department of Revenue will administer, collect and enforce the St. Paul taxes identified in the introduction, as authorized under Minnesota Statutes, section(s) 297A.99 and any other authorizing statutes as authorized by the above referenced ordinance(s). The administration, collection and enforcement process will follow existing statutes (Minnesota Statutes, Chapters 297A, 289A, and 270C) and rules administered by the Department (including Chapter 8130) and administrative procedures used by the Department to administer, collect and enforce the Minnesota state sales and use tax.

Registration of vendors

The Department of Revenue will handle automatic registration of vendors. Accounts that are currently registered for state sales and use tax who have a zip code in the St. Paul tax jurisdiction will be registered for the St. Paul taxes. We will mail an informational notice to these businesses notifying them that they have been automatically registered for the St. Paul taxes identified in the introduction.

The Department will notify all vendors that are registered for state sales and use tax and the general public about the St. Paul taxes by posting a notice on the Department of Revenue's website (www.revenue.state.mn.us). Other notifications will be made at the time of registration, through newsletters and fact sheets.

St. Paul acknowledges that there is no cost effective way to identify specific vendors located outside the St. Paul taxing jurisdiction who are required to be registered for St. Paul tax. Identification of these vendors will be voluntary by vendor response to general notifications by the Department and through other contacts the vendor has with the Department or the Streamlined Sales Tax Governing Board's (SSTGB) central registration system.

Publicity and education

The Department of Revenue is responsible for educating vendors that are registered for state sales and use tax of their ongoing obligations to collect and remit St. Paul taxes covered by this agreement. The Department is also responsible for informing newly registered businesses of their obligations to collect and remit taxes covered by this agreement.

Inspection of records and audit information

St. Paul may inspect and audit all data records relating to their local tax, the cost of collection of the taxes and the performance by the Department under this agreement.

Reimbursement of costs

The Department will review their direct and indirect costs for administering, collecting and enforcing local taxes once every five years and adjust costs as warranted. If changes are required the Department will notify St. Paul of the estimated cost for administering, collecting and enforcing the local taxes by January 1st of the year prior to the beginning of the State’s fiscal year when the change will be implemented. Total local tax costs are shared by all local jurisdictions based on their share of total revenues and total tax lines reported on Minnesota sales and use tax returns. The Department weights each jurisdiction’s percentage of revenue by 1/3 and their percentage of tax lines by 2/3 to compute their monthly percentage of total administrative costs. Minnesota statute does not provide a cap for direct or indirect costs for administering, collecting and enforcing local taxes. However, the Department does not anticipate retaining more than three and one-half percent (3.5%) of each month’s receipts to cover the direct and indirect costs for administering, collecting and enforcing the St. Paul tax. The historical five-year average of administrative costs for St. Paul has averaged 1.28%.

Example:

Assume monthly totals for all Local Sales Taxes:

Total Tax revenues	\$20,000,000.00
Total Tax lines on returns	90,000
Total Administrative costs	\$200,000.00

If Local Tax A has revenues of \$1,600,000.00 (8% of the total) and 9,000 tax lines (10% of the total) their share of monthly expenses would be 9.34% or \$18,680.00, which represents approximately 1.17% of their monthly revenues. The following is how the 9.34% was calculated:

$$8\% \times 1/3 = 2.67\%$$

$$10\% \times 2/3 = 6.67\%$$

$$9.34\%$$

Final transmission

When a tax ends, the Department may retain 20 percent of gross receipts for the final month, to be used as a fund to make adjustments or refunds. The portion of this fund that is not used for refunds or adjustments will be transmitted to St. Paul at the close of the period of limitations provided in Minnesota Statutes, section 289A.40. If the funds are not sufficient to cover refunds and adjustments, St. Paul must provide the Department with sufficient funding to process all closing adjustments.

Annual Meeting

St. Paul and the Department may meet annually, at a mutually convenient time, to review performance under this agreement and their mutual relationship in the administration of St. Paul taxes identified in the introduction.

Responsibilities

When the boundary limits for St. Paul change, it is the responsibility of St. Paul to provide the Department of Revenue with the updated nine-digit zip code information. The Department of Revenue will only update the St. Paul zip code guide upon receiving this information.

2015 Hotel Motel Lodging Tax Collections

	Less than 50 rooms		More than 50 rooms	
	First 3%		Second 3%	
Jan	\$	2,647	\$	205,432
Feb	\$	3,765	\$	252,236
Mar	\$	1,856	\$	259,345
Apr	\$	2,651	\$	283,141
May	\$	1,977	\$	290,521
Jun	\$	2,622	\$	376,573
Jul	\$	3,555	\$	317,154
Aug	\$	2,287	\$	390,373
Sept	\$	2,900	\$	360,007
Oct	\$	4,577	\$	348,819
Nov	\$	2,520	\$	372,214
Dec	\$	2,068	\$	268,993
	\$	33,425	\$	3,724,808

City of Saint Paul Short Term Rental Study

Table 1 - Regulation of Short Term Rentals in Minnesota Cities

City	How Currently Regulated	Permit	Fire & Safety	Length of Stay	Number of Guests Allowed	Parking Requirements	Penalty
Bloomington	Short term rentals are prohibited						
Burnsville	Short term or vacation rental is prohibited. An amendment to the City Code Business Regulations was adopted February 16, 2016 that specifically restricts short-term home rentals within the city as a business regulation.						
Chanhassen	Short term rentals are not regulated						
Chaska	Short term rentals are not regulated						
Duluth	Interim use permit to operate a vacation rental and a home share permit to rent out part of a home. Regulations revised May 2016	Permit and inspections are required.	Inspections required	2 to 29 days	Depends upon the number of bedrooms	Determined by the number of bedrooms	
Eagan	The city prohibits stays of less than 30 days unless guests reside within the owner/tenant occupied unit. STR is allowed for 30 days or more in an accessory dwelling unit that is within or attached to a primary residence and either of the units is registered as an accessory dwelling unit and cannot be larger than one third the size of the primary residence. Accessory dwelling units must be registered with the city.		Smoke detectors are required in all sleeping rooms and Carbon Monoxide detectors are required within 10 feet of sleeping rooms in accessory dwelling units.		Occupancy of the accessory dwelling unit is limited to two people.	Two parking spaces for the primary residence and two spaces for the accessory dwelling unit are required.	
Minneapolis	Short term rentals are not regulated						
Prior Lake https://156.93.83.130/webLinkExternal/10/Doc/437387/pane1.aspx	Short term rentals are allowed by an ordinance adopted in 2015	Permit and inspection are required. Ordinance adopted mid-2015. Owners/tenants are not usually present.		Hosts are limited to five rentals per month	Varies depending upon the size of the lot and the size of the unit (children under three are not included in the total number of guests)	Off street parking spaces equal in number to the number of bedrooms in the dwelling unit	Revocation of permit; gross misdemeanor

City	How Currently Regulated	Permit	Fire & Safety	Length of Stay	Number of Guests Allowed	Parking Requirements	Penalty
Rochester	City does not regulate short term rentals but has specific regulations to allow for medical stay dwelling units for patients and their families that were enabled by state legislation in 2015 which regulates them as lodging establishments. These units must have a license, pass an inspection, and be properly zoned.						
Savage	Bans rentals of homes in residential zones for any period shorter than 15 days. Ban adopted December 7, 2015. Ban adopted due to residents' complaints, along with the apparent commercial use of properties in residential areas. (Info is from an online article)						
Stillwater	Short term rentals are not permitted in residential neighborhoods.	Stays of less than 30 days are permitted in central business district and commercial districts with a CUP. No specific conditions or standards apply, though building and fire inspections are required.					
St. Louis Park	Short term rentals are not regulated						

Table 2 - Regulation of Short Term Rentals Outside of Minnesota

City	Prohibited	License	Zoning	Taxes	Length of stay	Fire & Safety	Registration	Ordinance	Owner occupancy	Maintenance records	Insurance	Housing Code compliance	Number of occupants allowed	Floor Area Requirement	Parking Requirements	Other
San Francisco, CA 2014 Regulations				X	Renting a portion or your entire unit while you are also present for an unlimited number of nights per year and renting a portion or your entire unit while you are not present for a maximum of 90 nights per year. If you are a tenant, you may not make more than your monthly rent from your short-term rental fees charged to guests.	Clearly posted sign at front door with locations of all Fire extinguishers in unit and building, gas shut-off valves, fire exits, pull fire alarms	This must be posted on the platform's listing. You may only register one residential unit. Fee of \$50. Registration is good for 2 years.	X	Permanent resident (owner or tenant - 275 nights in a calendar year)	Records for two years. Residential unit must not have any outstanding Planning, Building, Health, Fire, or other applicable City code violations.	Liability insurance in the amount of no less than \$500,000 or provide proof that liability coverage in an equal or higher amount is being provided by any and all hosting platforms through which you will rent your unit.	X				Residential units that are subject to the Inclusionary Affordable Housing Program and residential units designated as below market rate (BMR) or income-restricted under City, state, or federal law are not eligible to register.
Chicago, IL 2011 ordinance		Vacation rental license is required. A dwelling unit with up to six sleeping rooms that is available for rent or for hire, for transient occupancy by guests which are not owner-occupied.		X	90 days or less per year, otherwise a bed and breakfast license is required			An inspection is required, zoning board review and \$500 fee every two years			Proof of insurance					*The City is proposing a \$1500-\$3000 fine or 6 months in jail as a penalty for violations
Madison, WI	X		Tourist rooming house	X	If operator occupies at time of rental there is no limit. If the operator does not occupy at time of rental the limit is 30 days per licensing year.	Smoke detectors Carbon monoxide detectors		X	Owner or renter can operate if explicitly allowed in the lease	An on-site registry for inspection identifying all guests, dates of stay, whether operator is present or absent during stay, and length of stay. Registry is for the current year and the year immediately prior.			Low density areas allow one family roomer or no more than two unrelated individuals. In higher density area, one family plus four roomers or up to five unrelated individuals.			

City	Prohibited	License	Zoning	Taxes	Length of stay	Fire & Safety	Registration	Ordinance	Owner occupancy	Maintenance records	Insurance	Housing Code compliance	Number of occupants allowed	Floor Area Requirement	Parking Requirements	Other
Isle of Palms, SC			X		3 months or less								6 nighttime 40 daytime	X	X	
Monterey County, CA			X		Between 7 and 30 days											
San Bernardino County, CA			X		Less than 30 days	X								Determines number of beds allowed	X	
Miami Beach, FL	Prohibited in all single family homes and some multi-family buildings															



City of Duluth
Planning Division

411 West First Street • Room 208 • Duluth, Minnesota 55802-1197
218-730-5580 • Fax: 218-730-5904 • www.duluthmn.gov

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December 27, 2012

RE: Revised vacation rental regulations

Dear vacation rental operator,

This letter is to provide you with recently adopted regulations concerning the operation of vacation rentals in the city of Duluth and to inform you of the need for your property to comply with the new rules by April 30, 2013.

On December 17, 2012 the City Council adopted Ordinance #12-070(a) instituting, among other things, revised regulations for vacation rentals, referred to as "vacation dwelling units" and "accessory vacation dwelling units." The Council ordinance established these as "Interim Uses" and provided standards these uses will need to meet. The attached document lists the standards in more detail.

To comply with these regulations you must obtain an Interim Use Permit by following the procedure outlined in the attached checklist. The first step in this process is to contact the Planning Division at 218-730-5580 to schedule a pre-application meeting. It is our desire that all interested vacation rentals be considered for Interim Use Permits before the summer tourism season begins. Therefore, any vacation rental found after April 30, 2013 to be operating in violation of the ordinance will be subject to sanctions found in Sec. 50-39 of the UDC.

Please let me know if you have questions by calling 218-730-5329 or email at kdeming@duluthmn.gov.

Respectfully,

Kyle Deming
Planner II, Zoning Coordinator



City of Duluth
Planning Division

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Vacation Rentals Regulations

Vacation rental units are defined in the City of Duluth Legislative Code Chapter 50 (Unified Development Chapter) as Vacation Dwelling Units and Accessory Vacation Dwelling Units and are subject to the regulations described here.

Vacation Dwelling Unit – a habitable unit in a dwelling providing sleeping, cooking, eating, living and sanitation facilities that are physically separated from other habitable units that may or may not be located in the same building for periods of occupancy from 3 to 21 days. This use does not include hotels, motels, or bed and breakfasts.

Accessory Vacation Dwelling Unit – an accessory dwelling unit as defined by this chapter that is used for periods of occupancy from 3 to 21 days.

Vacation Dwelling Units and Accessory Vacation Dwelling Units are allowed as an Interim Use in RR-1, RR-2, R-1, R-2, R-P, MU-N, and F-5 districts. All vacation rentals must obtain an Interim Use Permit.

Vacation Dwelling Unit and Accessory Vacation Dwelling Unit Interim Use Permit Standards:

1. The minimum rental period shall not be less than 5 nights during the period from June 15 to September 15. The minimum rental period shall not be less than 2 nights during the rest of the year.
2. The total number of persons that may occupy the vacation dwelling unit is one person plus the number of bedrooms multiplied by two.
3. Off-street parking shall be provided at the following rate:
 - a. 1-2 bedroom unit, 1 space
 - b. 3-4 bedroom unit, 2 spaces
 - c. 5+ bedroom unit, 3 spaces
4. Only one motorhome (or pickup-mounted camper) and/or one trailer either for inhabiting or for transporting recreational vehicles (ATVs, boat, personal watercraft, snowmobiles, etc.) may be parked at the site, on or off the street.
5. The property owner must obtain all licenses and permits from the City of Duluth and State of Minnesota required for guest occupancy on the property for 3 to 21 days.
6. The property owner must provide required documents and adhere to additional requirements listed in the City of Duluth's UDC Application Manual related to the keeping of a guest record, designating and disclosing a local contact, property use rules, taxation, and interim use permit violations procedures.
7. The interim use permit shall expire upon change in ownership of the property or in six years, whichever occurs first.

In addition to the UDC Interim Use Permit requirements listed above, Vacation Dwelling Units and Accessory Vacation Dwelling Units must adhere to the following regulations:

1. Permit holder must keep a guest record including the name, address, phone number, and vehicle (and trailer) license plate information for all guests and must provide a report to the City upon 48

- hours' notice.
2. Permit holder must designate a managing agent or local contact who resides within 25 miles of the City and who has authority to act for the owner in responding 24-hours-a-day to any complaints from neighbors or the City. The permit holder must notify the Land Use Supervisor within 10 days of a change in the managing agent or local contact's contact information.
 3. Permit holder must provide the name, address, and phone number for the managing agent or local contact to all property owners within 100' of the property boundary. The permit holder must notify neighboring properties within 10 days of a change in the managing agent or local contact's contact information.
 4. Permit holder must disclose in writing to their guests the following rules and regulations:
 - a. The managing agent or local contact's name, address, and phone number;
 - b. The maximum number of guests allowed at the property;
 - c. The maximum number of vehicles, recreational vehicles, and trailers allowed at the property and where they are to be parked;
 - d. Property rules related to use of exterior features of the property, such as decks, patios, grills, recreational fires, pools, hot tubs, saunas and other outdoor recreational facilities;
 - e. Applicable sections of City ordinances governing noise, parks, parking and pets;
 5. If a permit holder is cited for any nuisance event as described in Chapter 40, Article III of the Duluth Legislative Code, the Land Use Supervisor may suspend the Interim Use Permit for 90 days. If the permit holder is cited for any nuisance event a second time, the Interim Use Permit shall be revoked.
 6. Permit holder must post their permit number on all print, poster or web advertisements;
 7. Permit holder must apply for and be granted State and local sales tax numbers, including Hotel and Motel Use Sales Tax.

Interim Use Permit

Starting the Application Process

- You must discuss proposed special use and interim use permits with Planning Staff prior to submitting an application. Call 218-730-5580 to schedule a pre-application meeting.
 - Make sure to get a Pre-App Verification at this meeting; you will need to submit this with your application.
- Submit your application materials to the One Stop Shop, Room 210 City Hall, by the Planning Commission Deadline. Your application must include the following:
 - Application Cover Sheet (see Appendix)
 - Special Use or Interim Use Permit Checklist
 - Pre-App Verification
 - Required fee
 - Site plan
 - Other materials needed to confirm compliance with applicable standards, to be determined at the pre-application meeting:

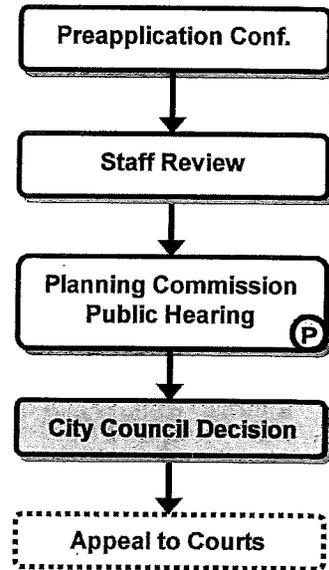
- Development agreement

Public Notice

A mailed notice will be sent to property owners within 350 feet.

- You are required to post a sign notice on the property at least two weeks before the date of the public hearing. See UDC Section 50-37.1.H for information on size, placement, and content of each sign; you may want to contact a sign company or printing company to have the sign made. You must provide evidence that the signs were in place; submit photo(s) of the signs to the Planning Division at least two weeks before the date of the public hearing.

Interim Use Permit



(P) Indicates Public Hearing Required

Staff Review

Planning staff will evaluate your application and prepare a staff report. When considering a recommendation for a special use or interim use, Planning Staff generally review the Comprehensive Plan (including the Future Land Use Map, Governing Principles, and Policies), surrounding land uses and zoning, individual factors that are unique or special to the proposal, compliance with any approved district plan for the area, any additional UDC criteria, and other related factors.

Planning Commission Hearing

You will be notified when a Planning Commission hearing is scheduled for your application. Planning Commission meetings are scheduled at 5:00 pm on the second Tuesday of each month. The Planning Commission will hold a public hearing and make a recommendation.

City Council Decision

The Planning Commission decision will be forwarded to City Council in the form of a resolution. City Council will make a decision whether to approve the permit, approve it with modifications, or deny it.

The City Clerk's office will send notice of the Council action to the applicant.

Note that other city codes may apply to your project. Please be aware of any applicable Building code (Construction Services Division), Fire code (Life Safety Division), and stormwater/engineering (Engineering Division) regulations. The zoning approval may be only the first step in a several step process.

AH&LA URGES LEVEL PLAYING FIELD AT FTC ‘SHARING ECONOMY’ WORKSHOP

Panel includes representatives from Airbnb, NYC Taxi and Limousine Commission, Uber and National League of Cities

Washington, June 9, 2015— The American Hotel & Lodging Association (AH&LA) participated in today’s Federal Trade Commission (FTC) “Sharing Economy” Workshop aimed at exploring the relationship between competition, consumer safety, economic growth and regulation. Senior Vice President and head of Governmental Affairs, Vanessa Sinders, joined a panel discussion with representatives from Airbnb, NYC Taxi and Limousine Commission, Uber and National League of Cities.

AH&LA’s Sinders focused on the importance of leveling the playing field to ensure consumer safety and uphold competition, saying that all market players in the lodging business should abide by commonsense laws and regulations that protect the health, safety and well-being of their guests.

Sinders said, in part: “Our industry remains successful because our members embrace a highly competitive business model where everyone plays by the same rules. And that is what we are here today to discuss. Right now there is an un-level playing field that is compromising consumer safety, endangering the character and security of residential neighborhoods around the country, and changing the housing market in some negative ways.”

Please read the full text of Ms. Sinders’ opening remarks below:

Good afternoon. I’m Vanessa Sinders with the American Hotel & Lodging Association. We represent the entire hotel industry across the United States.

From traditional bed and breakfasts, small properties, and independent hotels, to the big brand companies and major ownership groups.

Competition is a hallmark of the lodging industry. We welcome it. It makes us better and stronger. Competition drives growth, more jobs, innovation, new technologies, and new models on how to better serve our guests. And as one of the most competitive industries out there, we see this every day.

And it’s a great time to be in the hotel business. We are experiencing dynamic growth and opportunity.

Our industry is responsible for 1.8 million jobs in communities across America and has been one of the few bright spots of job creation during the recent economic recovery.

We have also contributed billions of dollars to local, state and federal coffers. Last year alone, we generated \$134 billion in federal, state, and local tax revenue.

Our industry remains successful because our members embrace a highly competitive business model where everyone plays by the same rules. And that is what we are here today to discuss. Right now there is an un-level playing field that is compromising consumer safety, endangering the character and security

of residential neighborhoods around the country, and changing the housing market in some negative ways.

The hotel industry is all about the guest experience and providing our customers with extraordinary service and a safe and secure environment, from start to finish.

Indeed, we, in the hotel business, are guided by certain overarching principles: Ensuring the safety and security of our guests; providing quality guest service; being good partners in the communities in which we operate, grow and develop them; and providing jobs and a pathway to upward mobility for our employees.

Yet, increasingly we hear concerns about new market players that undermine these principles and raise questions about consumer safety, and the changing face of communities and neighborhoods.

Market players handling transactions, especially ones like Airbnb which is an estimated \$20 billion enterprise, have certain obligations to uphold such as:

Ensuring that the fair share of taxes are paid, not picking and choosing what taxes to pay.

Ensuring that commonsense safety, security, health, and fire standards are followed, not picking and choosing what standards are important.

Hoteliers follow a strict set of rules and regulations to ensure the safety and security of guests and communities, and we take these responsibilities very seriously.

But there are a lot of questions about whether the same can be said for these new companies, such as Airbnb. Even further, their mere existence may violate the law in some places.

New York is a prime example. The state's Attorney General found that 72% of short-term online rentals listed on Airbnb in New York City are illegal.

And his report also showed that this is not about the mom or pop or grandmother occasionally renting out their apartments to make some extra money on the side.

The report revealed that 6% of hosts on Airbnb dominated the site, generating nearly 40% of total revenue. This is a clear indication that Airbnb is making a substantial amount of its revenue off of illegal hotels.

These are not mom and pops, these are individuals or companies operating multiple properties as a business. These are not students making ends meet, they are rogue commercial interests. They are simply illegal hotels. And they should have to meet the regulatory obligations of the jurisdictions in which they operate, as hotels do, to protect the health, safety and well-being of their guests as well as the safety and character of the neighborhoods in which they operate.

Simply put, we believe that if you look like a hotel and if you act like a hotel, then you should be treated

like a hotel.

Today's discussion here at the FTC, a body whose job it is to protect consumers, is an important one. It will set a path on how best to ensure that as new platforms come to market, engaged in commercial transactions, they respect the rules of the road and protect the safety and security of guests and surrounding neighborhoods.

Consumers, homeowners, and communities are counting on us to get it right.

Thank you.

PRINCIPLES FOR STRONG HOME SHARING

Airbnb's mission is to democratize travel by allowing anyone to belong anywhere. We make this happen through our people-to-people platform -- we are of the people, by the people, and for the people -- that connects hosts and guests in more than 190 countries.

Cities around the world are embracing home sharing and enabling middle class residents to earn extra money by welcoming guests into all—or part—of their home on platforms like Airbnb. While some cities already have laws in place, others have found a need to update or clarify outdated laws and establish simple guidelines that hosts can easily follow to share their homes with others. We want to enhance our relationships with cities. To achieve that goal, we have released the [Airbnb Community Compact](#), which outlines a series of commitments we are making to be good partners with cities.

Homesharing is an economic boon to cities and to residents who enthusiastically embrace it. Economic inequality is on the rise and home sharing expands the pie for our overwhelmingly middle-income hosts who earn the equivalent of a 14% annual raise on average. Hosts keep 97 cents of every dollar they charge guests on Airbnb - money that stays in the local economy and is often used to pay rent or a mortgage.

Our community is also a powerful source of new tax revenue, particularly where Airbnb can partner with governments to streamline and simplify the process. Since 2014, Airbnb has partnered with dozens of governments around the world and remitted nearly \$42.6 million in hotel, occupancy and tourism tax revenue. In just the fifty largest cities in the United States, Airbnb could have remitted \$200 million in 2015 through these types of partnerships, and we look forward to expanding this program.

Nothing is more important than ensuring the safety of our hosts and guests. Though accidents and property damage are extremely rare, Airbnb's [Host Guarantee](#) enables reimbursement for up to \$1 million in the event of damage to a host's personal property. Additionally, our [Host Protection Insurance](#) provides \$1 million of primary coverage for Airbnb hosts and landlords, as additional insurance, in over 15 countries including the United States. Both of these programs are offered free of charge to hosts.

And our trust and safety tools allow guests and hosts to verify their IDs by connecting to popular social networks and scanning their official ID. All users can learn about one another through detailed profiles and confirmed reviews, and by sending messages through the platform before booking. Airbnb [asks](#) hosts to ensure they have working smoke and CO2 detectors and provides an online tool for hosts to create emergency exit maps.

We are committed to working with governments on smart, sensible rules that address key concerns, generate new revenue, and help middle-income families stay in their homes. We understand that every city is different and as we move forward, we will partner with individual cities to address their unique policy needs. Attached, please find examples of best practice regulations from several cities as well as key issues for consideration.

Key Issues and Best Practices

Every city is unique and there is no one-size fits all regulatory approach to short term rentals. Because each city different, we developed the following principles to help guide policy makers develop thoughtful home sharing regulations:

- **Clear Rules for Home Sharing:** All residents should be able to share their permanent home without the need for complicated permits or licenses. We encourage such regulations to require streamlined and online registration/permitting processes only. Renting all or a portion of a primary resident's home to visitors should not trigger complex permit rules or alter the character of a property from residential to commercial. Stronger regulation may be occasionally appropriate for residents who rent non-primary homes to visitors for more than half of the year.
- **Common Sense Safety Rules:** Airbnb's trust and safety tools are intended to educate users about important safety rules and provide information about the individual features of each listing. Some cities adopt simple, and complementary, rules requiring all hosts to carry to maintain working smoke and carbon monoxide detectors in their homes. Others have simply added other features in the legislation, such as requiring hosts to have fire extinguishers or emergency-exit maps in their home.
- **Community Trust:** Cities have nuisance laws in place that address neighborhood character (e.g. occupancy, parking, noise, and garbage) through their own enforcement and penalty procedures. These apply to all similar properties, whether or not the property is rented on a short-, or long-, term basis. Airbnb's robust reciprocal review system and trust and safety tools further protect hosts, guests, and communities. We encourage hosts to think carefully about their responsibilities and understand that hosting comes with a commitment to neighbors and to the community.
- **Streamlining Transient and Accommodation Tax Collection:** One of the great benefits of homesharing is that it provides a new source of revenue for cities. At Airbnb we are committed to ensuring our community pays its fair share of taxes. However, most of the taxes our hosts are required to pay are based on laws that were written with hotels in mind, and hosts often struggle with complicated processes that were never intended for short term rentals. Cities should streamline these rules and work with platforms like Airbnb that voluntarily agree to assume the hosts' collection obligation to increase compliance and convenience.
- **Understanding Home Sharing in Your Community:** Airbnb will provide cities with the information they need to make informed decisions about home sharing policies. While protecting host and guest privacy, Airbnb will provide anonymized information regarding hosts and guests in our community to city officials to help inform the development of their home sharing policies.
- **Home Sharing That Benefits All:** Home sharing rules should not discriminate between neighborhoods or building types, instead allowing all residents to share their home with visitors. Home sharing should be authorized in any zoning district where residential activity is allowed, and all residents - whether renters or homeowners - should be able to participate.

- **Respecting Rules of Local Communities:** Rules for home sharing or vacation rentals should not override otherwise lawful private contractual agreements such as leases or homeowners' association covenants.

Attached are a number of examples of cities that have passed sensible home sharing rules.

HIGHLIGHTS OF MODEL LEGISLATIVE APPROACHES

Philadelphia, PA: In preparation for the Democratic National Convention and Pope Francis' first US Visit, the City of Philadelphia needed a solution to support the influx of thousands of guests to the city. So, in June 2015, Philadelphia passed strong Short Term Rental legislation (*the largest US city to do so*) that easily allows residents to share their homes, enabling more guests, more local spending, and more taxes to flow into Philadelphia.

Ordinance Highlights:

- Hosts in Philadelphia can rent a primary home for up to 180 days.
- Anyone in Philly can rent their home up to 90 days per year regardless of whether they are an owner or renter, regardless of how many listings they have. After 90 days rented in a given year, they must get a permit from the city.
- Short Term Rental properties must remain a residence with guest lodging a secondary use
- Owner must maintain records for one year and make available to city
- Owner must provide contact info to lodgers for the purpose of responding to complaint.

Statistics:

- Active Listings: 8,000
- Average Host Income: \$4,700
- Total Number of Guests 2015: 102,000
- Average Length of Stay: 2.9 nights

Amsterdam, Netherlands: In early 2014, the Amsterdam City Council approved a policy that made it easier for local residents to share their primary residence. Airbnb and the City of Amsterdam subsequently entered into an MOU agreement to promote responsible home sharing, simplify the payment of tourist tax and clamp down on illegal hotels. The new adopted policy is an excellent example of how policymakers can create innovative policies that embrace the sharing economy and make cities better places to live and visit.

Ordinance Highlights Include:

- A new category of accommodation was created, called "Private Rental", which allows local residents to rent their residence for up to 60 days a year.
- Short Term Rentals are allowed only by those registered by the City as a primary resident in that particular dwelling.
- Ensure the Short Term Rental meets all fire and safety rules.
- Airbnb collects all applicable bed and tourist taxes (an additional 5%), the first European country to enter into our Voluntary Collection Agreement.

Statistics:

- Active Listings: 13,000
- Entire Home | Private Room: 81% | 18%
- Average Host Income: \$4,100
- Total Number of Guests 2015: 575,000
- Average Length of Stay: 3.3 nights

Paris, France: In March 2015, the President of France signed into law "Bill ALUR" - the new national housing legislation allowing anyone living in France to legally (and easily) rent out their primary

residence. In the year since, thousands of Parisians share their homes making Paris the top destination in the world for home sharing on Airbnb. Paris is a great example of what can happen when governments embrace innovation and provide clear legal frameworks for home sharing.

Ordinance Highlights Include:

- Short Term Rentals are allowed in all primary residences (defined in France as somewhere the host lives for at least eight months per year)
- Hosting in secondary residences is subject to a “change of use” permission from the city.

Statistics:

- Active Listings: 52,000
- Entire Home | Private Room: 88% | 11%
- Average Host Income: \$3,200
- Total Number of Guests 2015: 1,453,000
- Average Length of Stay: 4.3 nights

London, United Kingdom: In May 2015, new national legislation was passed to reform 1970s-era legislation about Short Term Rentals in the capital. Now, Londoners are able to share their homes with guests from all over the world – just like residents in the rest of the UK. These reforms help locals meet the cost of living in one of the most expensive cities in the world.

Ordinance Overview:

- Hosts are free to share their homes for up to 90 days a year without the need for “change of use” permission. Beyond 90 days, local areas of London may require formal permission.
- Hosts are able to earn up to £7,500 per year from renting part of their primary residence without having to pay income tax on it.
- Simple, proportionate fire safety measures apply.

Statistics:

- Active Listings: 36,000
- Entire Home | Private Room: 52% | 46%
- Average Host Income: \$5,300
- Total Number of Guests 2015: 1,060,000
- Average Length of Stay: 4.4 nights

Santa Clara, CA: During the summer of 2015, Airbnb and the City of Santa Clara began discussing how to work together to ensure the upcoming Super Bowl 50 could be a success for residents and the city (see: [Super Bowl report](#)). With the event fast approaching, Airbnb and the city entered into a streamlined agreement legalizing short term rentals coupled with a simple and fair tax collection component. Santa Clara is a perfect example of agreements done correctly: residents earn additional income while ensuring spending is distributed to local businesses and neighborhoods throughout the city.

Ordinance Overview:

- Upon review, the city determined their existing laws did not need to be adjusted and short term rentals were permissible. The City opted not to amend any land use regulations.
- In Santa Clara, the city is committed to allocating Airbnb’s incoming transient occupancy tax revenue for an affordable housing trust fund.

Statistics:

- Active Listings: 432
- Entire Home | Private Room: 54% | 40%
- Average Host Income: \$8,800
- Total Number of Guests 2015: 6,000
- Average Length of Stay: 6.4 nights

Malibu, CA: Every day around the world, we are having conversations with policymakers about fair policies that make it easier for people to share their homes. Tax rules, for example, can be complicated and are often unclear how existing rules apply. In April 2015, Airbnb worked with Malibu on a policy to allow people to rent their homes as short term rentals, without limitation, if hosts register with the city and pay the transient occupancy tax. As we continue to engage with officials in cities around the world around complicated tax rules—different in nearly every jurisdiction—we look to Malibu as a shining light of what can be possible when we work together to ensure that rules enabling home sharing are simple, fair, easy to follow and easy to implement.

Ordinance Overview:

- Hosts must abide by contracts or rules that bind them, such as leases, condo board or co-op rules, HOA rules, or rules established by tenant organizations.
- Malibu requires hosts of some rooms offered for overnight stay to obtain a business license from the Los Angeles County Treasurer and Tax Collector.
- Airbnb collects the Transient Occupancy Tax on behalf of our hosts and remits it back to the city.

Statistics:

- Active Listings: 350
- Entire Home | Private Room: 81% | 18%
- Average Host Income: \$17,000
- Total Number of Guests 2015: 14,000
- Average Length of Stay: 2.9 nights

South Lake Tahoe, CA: South Lake Tahoe has seen some explosive growth over the past decade. Initially, the city adopted their short term rental program in 2003 in response to community concerns. Over the course of the following twelve years, the number of vacation homes has steadily grown to approximately 1,800 short term rental properties. Amendments to the short term rental ordinance was adopted throughout several City Council meetings with the new laws having taken effect in late 2015. South Lake Tahoe is a great example of creative laws being employed in booming vacation rental markets.

Ordinance Overview:

- South Lake Tahoe has short term rentals in both residential and commercial / tourist areas where transient occupancy (hotels/motels) are allowed. The City's Ordinance divides rules and regulations by where the rentals are located.
- All short term rentals in both residential and commercial districts will require a permit with the city.
- Short term rentals already permitted in residential areas will be required to have an inspection by a city inspector at the time of their permit renewal.

Statistics:

- Active Listings: 1,000
- Entire Home | Private Room: 93% | 7%
- Average Host Income: \$11,300
- Total Number of Guests 2015: 70,000
- Average Length of Stay: 2.7 nights

San Jose, CA: In December 2014, San Jose adopted comprehensive home sharing regulations allowing primary residents in all residential and mixed-use zoning districts to host in short term rentals for up to 180 days if they are not physically present during the rental ('unhosted') or without limitation if they share a portion of their residence while they are physically present ('hosted'). The Council focused on developing rules which were simple for residents to follow, that provide recourse for residents and community members in case of nuisances, and that did not require the City to establish a new enforcement bureaucracy due to minimal evidence of actual community concerns or complaints. San Jose remains one of the most effective pieces of home sharing legislation passed in the United States and should serve as a guide for other cities considering entering into short term rental agreements.

Ordinance Highlights Include:

- Authorized 'incidental transient occupancy' as an allowed use in one-family, two-family or multiple family dwellings, mobile homes, live/work units, secondary dwellings and guest houses.
- Allows short term rentals as an incidental use of the property and does not impose any registration requirements.
- Numerical caps on annual number of nights (180 days per calendar year - no host present. 365 days per calendar year with host present)
- Parking requirements by dwelling type
- Transient Occupancy Tax collection/remittance
- Recordkeeping requirements for hosts/operators

Statistics:

- Active Listings:
- Entire Home | Private Room:
- Average Host Income:
- Total Number of Guests 2015:
- Average Length of Stay:

Jersey City, NJ: In October 2015, the Jersey City Council passed a clear and highly effective ordinance to permit short term rentals (STRs), e.g. a unit rented out for less than 30 consecutive days. City officials lauded the proposed ordinance as a partnership with us, which we then, in turn, publicly endorsed the change in the city's zoning ordinance, highlighting our agreement to collect and remit taxes on behalf of the hosts/guests. According to city leaders, by legalizing STRs and partnering with us, Jersey City would earn an additional \$600,000 - \$1 million annually on the (then) more than 300 Airbnb listings in the city, in addition to the roughly \$6 million it already received from its tax on traditional hotel rooms. Our host community has since grown to over 1,000 and our engagement in Jersey City remains one of the most mutually beneficial in the United States.

Ordinance Highlights:

- A host offering an ADU for STR use must be the owner/lessee of the residence in which the STR activity occurs.
- No person offering an ADU for STR use shall be required to obtain any license unless they offer more than 5 separate listings in the city.
- If a host offers 5 or more listings:
 - They must obtain a license for each ADU and;
 - Ensure that the STR use is clearly incidental to the principal residential property
- Host ensures no sign identifying the STR and no identification of an STR on any mailbox.
- Host agrees the STR will be conducted in a manner that does not disrupt the residential character of the neighborhood.

Statistics:

- Active Listings: 1,000
- Entire Home | Private Room: 55% | 40%
- Average Host Income: \$4,200
- Total Number of Guests 2015: 26,000
- Average Length of Stay: 5.8 nights

Short Term Rental (STR) Impact on the Housing Market

STRs as Supplemental Income

- Does it allow people to afford to stay in their home or avoid foreclosure?
 - STRs can help homeowners share housing costs, and there are several websites that advocate for STRs based on the claim of gained financial stability to homeowners. However, this argument loses validity if the homeowner is not sharing their home for rental. More research is needed since there are conflicting answers to this question.

STR Impact on Affordable Housing Market

- Does it help affordable renters? Or ace them out of spaces?
 - STRs can both help affordable renters and potentially displace them. STRs can create financial stability, especially to those that rent or “share” a portion of their home. An “Airbnb roommate” will often account for well over half the rent. For example, in “Miami, San Diego, Chicago and Philadelphia, [an occupant] would pay over 90% [of the rent]” (smartasset.com).
 - At the same time, on average, 62% of Airbnb rentals in 14 major U.S. cities are advertised whole unit rentals (insideairbnb.com). Whole unit rentals can be advertised by vacationing or seasonal residents. However, whole unit rentals can also signify large scale unofficial “hotels.” There are several examples of tenants being wrongfully evicted, so the landlord can make units available on STR platforms and make more money.
 - Whole unit rentals also have higher maintenance costs than regular rentals. Units need to be cleaned after each turnover, the space needs to be furnished, and other amenities must be provided. Even with extra costs, one user claims their STR made \$600 extra a month compared to a traditional rental (affordanything.com).
- Does it conflict with affordable housing financing regulations?
 - STRs conflict with numerous affordable housing regulations. Individuals and families need to income qualify to receive subsidized rents. Not only would they be making additional, undocumented income, but the short-term tenants may not even qualify for subsidy. Additionally, instances were found of people in housing co-ops advertising their units as STRs, which violates by-laws.
- Do developers prefer to develop market rate to allow for STRs?
 - No evidence has been found (yet) supporting the claim that developers prefer market rate specifically to allow for STRs. In general, many developers prefer market rate rentals because of the high ROI, so this claim may not be unfounded.
- Is anyone developing specifically for this market?
 - An article from February 2015 highlighted a new construction high rise with fully furnished units in downtown L.A. The development is called “LEVEL Furnished Living” and is specifically marketed as “luxurious furnished apartments; perfect for short-term stays, long-term stays, and corporate housing” (stayinglevel.com). More research is needed to determine the prevalence of this type of development.

Solutions related to maintaining housing affordability

- Transient Occupancy Tax (TOT) is charged in most states to travelers when renting accommodations unless the stay is for a period of 30 days or more.
 - Some municipalities have used this income to fund affordable housing programs (Several CA cities; Nashville, TN).

Potential Research Area

A potential way to measure the impact locally is to determine number of “whole unit rentals” vs. “home-shares.” Another method is to determine how many users have multiple listings. STR platforms have strict regulations for user data privacy, so it’s difficult to get a clear picture of STR markets unless the websites are individually analyzed. If this information would be beneficial, the data could be gathered by June.



Airbnb Helps Host Big Events

Big events are big business for destinations around the world. Sporting events, major conventions, meetings, and festivals can drive economic development, engage local residents and inspire civic pride. However, many require substantial investments in infrastructure that destinations may not need after the event is over.

For host cities seeking to ensure better economic, social and environmental returns on those investments, home sharing can be an innovative solution. By leveraging existing local resources, Airbnb can lessen the top-down investments required while ensuring that more residents benefit from the event.

Benefits for Destinations

Economic

Airbnb leverages existing infrastructure—homes—to accommodate peak demand, allowing cities to focus on the infrastructure investments that are most needed. As a result, local households earn additional income, and spending is distributed to more businesses and neighborhoods throughout the city.

Social

Big events bring people from different places and backgrounds together. Airbnb connects curious visitors with hospitable locals in meaningful exchanges that build local pride, foster cultural exchange, strengthen understanding, and create one-of-a-kind personal experiences.

Environmental

By helping residents share their homes, Airbnb promotes the efficient use of existing resources and a more environmentally sustainable mode of travel. Home sharing results in a significant reduction in energy use, water use and waste generation, and encourages greater sustainability awareness amongst residents and visitors alike.

Benefits for Planners

Flexible Capacity

Airbnb can mobilize its community to open their homes and increase the number of available beds in a city or neighborhood, whether at the last minute with overflow housing, or well in advance through room blocks. Because Airbnb's accommodations are located in neighborhoods throughout the city, we can offer accommodations close to venues that may not have existing hotel infrastructure.

Greater Efficiency

Not all destinations have the capacity to host all the events they'd like. Airbnb can help accommodate more events and more attendees without increasing room blocks or building more hotels.

Meeting New Demands

Today, event and meeting attendees seek authentic, local experiences and additional amenities. Airbnb can make everyone feel at home wherever they want to stay in the city. Our hosts often provide them with access to amenities such as kitchens, multiple bedrooms, outdoor living areas...and of course local experiences they can't get anywhere else.



How Brazil Absorbed a Million Visitors Without Enough Hotel Rooms

BY GREG SCRUGGS | JULY 11, 2014



Case Study: 2014 Brazil World Cup

In 2014, millions traveled to Brazil to attend and celebrate the World Cup. Airbnb worked collaboratively with the Brazilian government to accommodate excess demand. In the host city of Cuiabá, Airbnb added 4,000 beds in just two weeks without building a single new structure.



THE AIRBNB BROOKLYN HALF MARATHON

Looking for the official half marathon information? You can find all of that here on the official Airbnb Brooklyn Half website.



READY, SET, HOST

Learn about hosting on Airbnb. You can earn spare cash by sharing your extra space with travelers around the world. It's easy to get started.

Case Study: Brooklyn Half Marathon

Millions of runners descended on this outer New York City borough for the marathon in 2015 and Airbnb's Brooklyn hosts were there, not only to open their homes but to provide unique hospitality. Together with our partners, the New York Roadrunners, Airbnb helped highlight the borough's unique runner-friendly destinations and activities.

Visit Philadelphia wants Airbnb hosts to be tourism 'ambassadors'

Aug 27, 2015, 1:27pm EDT

INDUSTRY & TRADE Tech, Startup, Logistics & Transportation, Travel & Hospitality, Leisure



Chris Kenney



Kenneth Maritz
Regional Director of Economic Activity

Airbnb and Visit Philadelphia are planning to team up in hopes of turning local hosts of the rental service into city ambassadors and expand its footprint in Philadelphia.

"We are working really closely with a lot of the key tourism folks throughout the city," said Alex Ward, general manager for U.S. New Markets at Airbnb. "How can we really make sure that hosts have all the things they need to provide an incredible ... experience in Philadelphia?"

HOME OF THE DOG



San Francisco, Calif. based

Case Study: Philadelphia Papal Visit

In 2015, the Pope visited Philadelphia. Families from around the world visited the city to celebrate the momentous occasion with local Airbnb hosts in their homes. Together with the Mayor's Office, the Convention and Visitors' Bureau, and the Transit Authority, we educated hosts about what to expect, how to be the city's ambassadors, and how to prepare for logistical challenges the visit presented.

Get in touch

Airbnb looks forward to furthering our collaboration with event and meeting organizers and destination managers around the world. If you're interested in learning more about partnership opportunities, please contact us at bigevents@airbnb.com.