



SHORT-TERM ACCOMMODATIONS for RESIDENTS & TOURISM

Arlington Short Term Rental (STR) Registration Proposal

1. Why STR Registration?

Effective registration is key to achieving three goals towards developing reasonable regulations and improving disruptive STR operations:

- Build a comprehensive STR dataset that START and City staff can analyze to develop effective yet reasonable, and legally sound regulations.
- Identify broader trends in the City to steer START education and training initiatives
- Identify operations with a documented history of particularly disruptive activity
 1. Immediately impose probation or suspension based on objective criteria
 2. START will reach out to troubled operations and offer information, tailored assistance and training, and guidance on how to minimize disruptive activity in the future

2. Give Neighbors a Stronger Voice

In addition to the STR Hotline the City recently started looking into, we recommend leveraging the capabilities of the existing “Ask Arlington” tool. Adding the following functionality to Ask Arlington will give frustrated neighbors a more effective mechanism to address immediate concerns about STRs:

- Insert a “Short Term Rental Related” button to flag reports as STR related
- Automatically provide complainant STR contact information to enable faster resolution
- Include option to submit an electronically signed affidavit to support code enforcement when city officials are unable to personally witness disruptive activity

These relatively minor changes would give a much stronger voice to concerned neighbors.

3. Registration Process

Leverage Existing Infrastructure

Arlingtonpermits.com is an established, easy-to-use, online tool linked to the AMANDA database that would be well suited for STR registration. Simply add an STR menu option, and build a data entry page to collect key information per the example in **Attachment A**.

Provide Incentives to Maximize Registration

Committing to the following incentives will help ensure maximum compliance with STR registration:

- Keep registration process quick, simple and low/no cost
- Forgive outstanding HOT and associated penalties for properties registered within first 30 days of program enactment
- Credit registration costs toward cost of any subsequent STR licensing or permitting

- Guarantee priority processing for any subsequent STR licensing or permitting requirements.

Additionally, START is committed to promoting the registration program with every communication channel at our disposal. Together we expect these efforts to deliver the most comprehensive, up-to-date dataset of STR operations the City of Arlington has ever had.

6 Month Assessment Period

Following implementation of STR registration START requests a 6 month assessment period before the City takes up additional STR regulations, and a monthly meeting with the Mayor, the Council and staff to present registration results, data analysis, key trends, causal and contributing factors, and the latest START initiatives working with the STR community to reverse any negative trends.

4. Review Process

Key Steps

- City planner will review new STR registrations for completeness
- Run addresses through five key databases (AMANDA, INCODE, CAD, LERMS, Non-consensual towing) for negative reporting
- Merge results to produce a comprehensive history for each STR
- Determine STR Operational Status based on history and objective criteria in **Attachment B**
 1. Active – operators in good standing
 2. Probation – any further infractions will result in suspension
 3. Suspended – operations halted
- START will reach out to operators on probation or suspended status
 1. Offer assistance to help them better self-regulate
 2. Share effective procedures to minimize disturbances and violations in the future

Operator Appeals

To ensure assigned statuses are fair and accurate, operators will have 10 days to appeal any reports that negatively affect their registration status to the program administrator. While an appeal is pending operators will be allowed to continue operations unless in the judgment of the administrator further operation would likely result in continued or additional imminent violations.

5. Repercussions for Not Registering

Finally, stiff penalties for failure to comply with registration requirements within 30 days of starting STR operations will help convince most operators who still doubt whether compliance is in their best interest. We propose the following repercussions for violations of the registration policy:

- Must pay all outstanding HOT plus penalties for late payments
 1. 5% penalty on payments late by 30 days or less
 2. 10% penalty on payments more than 30 days late
- 1 month suspension for every month of unregistered operation
 1. Suspension capped at 12 months
 2. \$100/day fine for operating under suspension
 3. \$2,000 fine for knowingly providing false information
- To resume operations upon completion of unregistered suspension period
 1. Operator must complete full registration process
 2. Registration subject to criteria for determining suspended or probation status

Operator Appeals

Like registration status downgrades, operators cited for failing to register have 10 days to appeal.

Attachment A: Entries for Arlington STR Registration Form

- **Owner/Operator Information**
 - Owner managed or Management company managed
 - Full Name
 - DBA or Company name (if applicable)
 - Email address
 - Phone Number

- **STR property**
 - Address of short term rental
 - Total home square footage
 - Total number of bedrooms
 - Total number of bathrooms
 - Approximate off street parking spots available (for avg 6'x15' vehicle)
 - Approximate on street parking spots available adjacent to and within the extended property lines of the property (for avg 6'x15' vehicle)

- **For each listing**
 - Maximum guests allowed
 - Number of bedrooms
 - Number of bathrooms
 - Maximum number of off street parking spots allotted for guests
 - Maximum number of on street parking spots allotted for guests within extended property lines
 - Total days listing was rented for less than 30 consecutive days in last 365 days

- **Misc**
 - Hotel and Occupancy Tax (HOT) account number
 - Date of first short term (<30 day) rental by owner/operator at this property

Attachment B: STR Operational Status

- **Active Status**
 - Criteria
 - no felony activity in past 12 months
 - Less than 2 misdemeanors or infractions in past 12 months
 - Conditions
 - May continue operations in accordance with city ordinances
 - Subsequent felonies, misdemeanors or infractions may result in a change in status to Probation or Suspended

- **Probation Status**
 - Criteria
 - Any single felony activity in past 12 months or
 - 2 misdemeanor or infraction citations in past 12 months
 - Repercussions
 - May continue to operate normally
 - Any additional felony, misdemeanor or infraction during the probation period will result in immediate suspension until 12 months after the last citation
 - Duration
 - May operate in probation status until 6 months after most recent citation after which Probation Status automatically reverts to Active Status
 - Note: subsequent permitting or licensing regulations after the 6 month assessment period may include additional requirements for restoration to Active Status

- **Suspended Status**
 - Criteria
 - 2 or more felony events in past 12 months or
 - 3 or more misdemeanor or infraction citations in past 12 months
 - Repercussions
 - Operations suspended until no earlier than 12 months after last citation that triggered suspension
 - \$100 fine for every day of operation under suspension
 - Additional requirements as implemented by subsequent STR ordinances
 - Duration
 - 12 months after last citation that triggered suspension status will be restored to Active
 - Note: subsequent permitting or licensing regulations after the 6 month assessment period may include additional requirements for restoration to Active Status

NOTE: STR status should be solely based on actual past problems as documented in city databases. STR attributes conveyed on the registration form are more useful as independent variables that START can then analyze together with reports on noise, trash and other disruptions to neighbors to assess the degree of correlation and causation between certain STR practices and neighbor disruptions, and develop effective and well-founded regulations.

Appendix C: Stakeholder Benefits from STR Registration Plan

- **City of Arlington**
 - Build detailed, data based foundation to establish subsequent effective regulations
 - Create tool to immediately shape behavior of STR operations
 - Boost Hotel and Occupancy Tax (HOT) compliance and revenues
 - Prevent STRs from going underground
 - Reduce enforcement problems
- **Concerned Neighbors**
 - Provide accessible tools for neighbors to file legitimate complaints against specific identifiable STRs for disruptive operations
 - Enable additional scrutiny by specifically identifying STR operations
 - Provide remedy for current disruptive operations
 - Ensure reports of STR non-compliance no longer get “lost” among other general residential reports
- **STR Owners/Operators**
 - Reduce uncertainty
 - Relieve burden of HOT and penalties left unpaid due to fears of a ban and general uncertainty
 - Enable priority processing for any subsequent licensing or permitting requirements
 - Bring peace of mind to operators who now know they are operating lawfully and in accordance with current requirements
- **START Movement**
 - Lay foundation for START Movement’s goal of a thriving community of neighbor friendly, responsible STR operations
 - Identify negative trends for focused problem solving
 - Enable preemptive action to correct negative trends before City is compelled to take enforcement action
 - Identify education/training opportunities with the most potential to yield positive results