

OFFERED BY COUNCILORS ED FLYNN, LYDIA EDWARDS, AND MICHELLE WU
CAMPBELL, CIOMMO, ESSAIBI, GEORGE, GARRISON, JANEY, MCCARTHY, O'MALLEY AND ZAKIM



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

- WHEREAS:** In June of 2018, the Boston City Council passed an ordinance regulating short term rentals on platforms such as Airbnb, HomeAway, and others, and Mayor Walsh soon signed it into law; *and*
- WHEREAS:** Only units that are owner-occupied are eligible to be short term rentals, with the owner-occupants being able to rent out part of the unit, the whole unit that they live in, or a unit within a two or three family building that is part of the same building that the owner lives in; *and*
- WHEREAS:** The ordinance would also require short term rentals operators to register their units, apply for a license annually, and notify the abutters; *and*
- WHEREAS:** The ordinance is designed to regulate a rapidly growing industry that affects the residents' quality of life and the City's housing stock, providing transparency on short term rental listings, and removing corporate operators that contribute to the displacement of residents in our neighborhoods; *and*
- WHEREAS:** The ordinance took effect on January 1st, 2019, while units with executed leases as of June 1st, 2018 had until September 1st, 2019 to comply, and short term rental units were to register with the City by January 1st, 2019; *and*
- WHEREAS:** Airbnb subsequently filed a suit against the City of Boston in federal court in November of 2018, arguing that the ordinance places unfair burdens on the platform to review listings, and the City and Airbnb reached an agreement to not enforce fines and data sharing rules until a judge rules on Airbnb's request for an injunction; *and*
- WHEREAS:** Airbnb and Boston recently settled the suit. Under the agreement, Airbnb will remove listings that are not registered with the city by December 1st, and will share data such as zip code, rental unit type and host ID with the City; *and*
- WHEREAS:** With short term rental units now required to register with the City, there are recent reports that some unregistered and potentially ineligible units are still operating, such as a building in the South End offering units for rent by the night through its website, as well an investor unit in South Boston that is not a primary residence or owner occupied but is now registered and continuing to operate; *and*

WHEREAS: The Inspectional Services Department currently requires two of the following as Primary Residence Evidence: proof of residential exemption, utility bill, voter registration, motor vehicle registration, deed, driver's license or state-issued ID; *and*

WHEREAS: Residents and advocates have expressed concerns that corporations will continue to operate in the same manner by converting their short term rentals into executive suites, which are exempt from the ordinance, as one corporate operator has held a community meeting in South Boston to switch existing short term rentals into executive suites, and such practice runs counter to the goal of freeing up housing stock for our city; *and*

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

WHEREAS: It is critical the city ensure dedicated personnel and sufficient resources are being allocated to the Inspectional Services Department to effectively implement the regulations; *and*

NOW THEREFORE BE IT ORDERED:

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

Filed on: September 11, 2019