

1. Agenda Housing Committee Meeting October 11, 2018

Documents:

[00 AGENDA HC MEETING 10.11.2018.PDF](#)

2. Draft Minutes Housing Committee Meeting September 26, 2018

Documents:

[01 DRAFT MINUTES HOUSING COMMITTEE 09.26.18.PDF](#)

3. Presentation, Overview And Integrated Report From Permitting And Inspections And Fire Department Re: Short Term And Long Term Safety Inspections, And Program Budgets

Documents:

[02 FIRE DEPARTMENT HOUSING COMMITTEE UPDATE.PDF](#)  
[02.1 OWNER OCCUPIED MEMO 10.5.18.PDF](#)  
[02.02 SHORT TERM RENTALS, WARNING LETTERS AND NOTICE OF VIOLATION LETTERS.PDF](#)

4. Review, Discussion And Possible Recommendation Regarding Proposed Policy Changes To Chapter 6, Article VI, Residential Rental Unit Registration Requirements, As It Applies To Short-Term Rental Units.

Documents:

[03.1 COVER MEMO PROPOSED AMENDMENTS TO STR ORDINANCE.PDF](#)  
[03.2 MATRIX OF PROPOSED AMENDMENTS TO STR ORDINANCE.PDF](#)  
[03.3 STR AMENDMENT MAYOR-COOK 10-3-18.PDF](#)  
[03.4 COOK AMENDMENTS TO STR SEC 6-151 10-3-18.PDF](#)  
[03.5 RAY STR AMENDMENT OVERVIEW 100918 FINAL.PDF](#)  
[03.5.1 BRAY STR AMENDMENTS 100918 FINAL.PDF](#)  
[03.6 STAFF STR AMENDMENTS \(1\).PDF](#)  
[3.7 PUBLIC COMMUNICATION ITEM.PDF](#)

5. Public Comment Received Since Last Meeting

Documents:

[CITY OF PORTLAND MAIL - COMMENT RE\\_ SHORT TERM RENTAL PROPOSALS.PDF](#)  
[CITY OF PORTLAND MAIL - COMMENT SUPPORT FOR AIRBNB REGULATION.PDF](#)  
[CITY OF PORTLAND MAIL - CORRESPONDENCE RE\\_ SHORT TERM RENTAL.PDF](#)  
[CITY OF PORTLAND MAIL - FW\\_ HOUSING COMM 9\\_26 STRS.PDF](#)  
[CITY OF PORTLAND MAIL - FW\\_ HOUSING COMMITTEE PROPOSALS ON SHORT TERM RENTALS.PDF](#)  
[CITY OF PORTLAND MAIL - FW\\_ SHORT TERM RENTAL REVISIONS.PDF](#)  
[CITY OF PORTLAND MAIL - FWD\\_ AIRBNB AND LOCAL ECONOMY.PDF](#)  
[CITY OF PORTLAND MAIL - FWD\\_ CONCERNS OVER THE 9\\_26 HOUSING COMMITTEE DISCUSSION ON STRS.PDF](#)  
[CITY OF PORTLAND MAIL - FWD\\_ MY OPINION OF THE \\_CONCERNS OVER THE 9\\_26 HOUSING COMMITTEE DISCUSSION ON STRS\\_ FROM KAREN](#)

[SNYDER.PDF](#)

6. 2018 Work Plan Discussion

Documents:

[04 2018 HC WORKPLAN 10.11.2018.PDF](#)



## HOUSING COMMITTEE

**DATE:** Thursday October 11, 2018  
**TIME:** 5:30 p.m. – 9:00 p.m.  
**LOCATION:** City Hall, Council Chambers

### AGENDA

1. Review and accept Minutes of previous meeting held on September 26, 2018
2. Presentation, Overview and Integrated Report from Permitting and Inspections and Fire Department re: Short term and Long-term Safety Inspections, and Program Budgets (Public Comment)
3. Review, Discussion and Possible Recommendation regarding Proposed Policy Changes to Chapter 6, Article VI, Residential Rental Unit Registration Requirements, as it applies to Short-term Rental Units. *This is an actionable item and public comment will be taken.*
4. Committee Discussion re: 2018 Work Plan
  - A. 2018 Interim Housing Report key updates

**Councilor Jill C. Duson, Chair**

### Next Meeting Date:

**Wednesday, October 24, 2018 Room 209, City Hall**

## **Housing Committee Minutes of September 26, 2018 Meeting**

**NOTE: The Housing Committee meetings are now live-streamed, which can be viewed at this link: [http://townhallstreams.com/stream.php?location\\_id=42&id=16398](http://townhallstreams.com/stream.php?location_id=42&id=16398) These minutes provide a record of those in attendance, general discussions taking place, and motions made.**

A meeting of the Portland City Council's Housing Committee (HC) was held on Wednesday, September 26, 2018 at 5:30 P.M. in room 209 at Portland's City Hall. Councilors present at the meeting included Committee members Councilor Kimberly Cook, Councilor Pious Ali, and Councilor Jill Duson, Chair of the Committee. City Council members present were Mayor Ethan Strimling. City staff present included Jeff Levine, Planning and Urban Director, Mary Davis Housing and Community Development, Victoria Volent Housing Programs Manager, Michael Russell Permitting and Inspections Director, Jonathan Rioux Inspections Director, Samantha Chapin Principal Administrative Officer, Jessica Hanscombe Licensing and Registration Coordinator, Fire Chief Keith Gautreau, Captain John Brennen of the Fire Department, Anne Torregrossa Corporation Counsel, and Michael Sauschuck Assistant City Manager.

### **Item 1: Review and accept Minutes of previous meetings held on September 6, 2018**

Motion by Councilor Ali to accept the minutes. Motion by Councilor Cook to amend the minutes to add the site 1 M.R.S. § 405(E) to item 2 of the September 6, 2018 minutes. Councilor Ali accepted the amendment. Amended motion was seconded by Councilor Cook and minutes approved 3-0.

### **Item 2: Review and Discussion of Permitting and Inspections' response to questions from the July 31 meeting regarding rental housing safety and inspections program, and short and long term rental registration program**

Michael Russell, Director of Permitting and Inspections provided an overview of the documents and materials submitted for the Housing Committee's review. He started with an explanation of the *Housing Safety Division FY 19 Budget, Current Status, and FY 18 Comparison* spreadsheet. Then he discussed the items; Answers for Housing Committee; Housing Safety Talking Points; and Appendices. The Appendices included; Fire Alarm Apartment Safety Tips; Secondary Means of Escape and Rescue Openings; Pre-Inspections Checklist; and a Rental Registration Application. Also in the Appendices were tables and charts regarding short-term rental unit numbers; budget expenditures; housing safety expenditures; and a department flow chart. Going forward additional information will be collected to assist with evaluation reporting. Collecting additional data will also assist with defining the term "unit".

Councilor Duson asked the Committee if they had clarifying questions for Mike Russell regarding the document *Answers for Housing Committee*.

Councilor Cook asked if the type of audit requested in the Q and A section was a program audit rather than a financial audit. Councilor Duson responded she had asked for both a financial and program audit. Councilor Cook's next question were described as "how many" questions (e.g. how many warnings were issued; how many confirmed non-compliances; how many notice of violation letters were issued). Mike Russell indicated he would provide a spreadsheet detailing the number of warning letters and notice of violation letters generated by Host Compliance. A general discussion of how warnings, violations, and fines are processed ensued. Michael Russell noted that fines have not been collected as violations have been cured during the time-period allowed for corrections. Mr. Russell further explained how the correction's time-period works. Council Cook inquired into how many complaints have been filed, how many are repeat complaints, and how do residents know where to submit a complaint. Mr. Russell noted he can obtain the number of complaints for the next meeting, and explained the complaint process. Councilor Ali asked if the Housing Safety Inspectors inspect both long-term and short-term rentals (answer is yes) and if the number of staff members is adequate. Mr. Russell noted that staff count is adequate for now as determined by the number of units inspected in a set period. Councilor Duson asked if any of the short-term rentals were issued disorderly housing notices. Mr. Russell replied no. Michael Sauschuck explained how the nuisance complaint process works. Councilor Cook would like to know how Host Compliance determines the address of a short-term rental. Mr. Russell explained the process. The Committee held a general discussion of the definition of the term "owner-occupied unit", and the wording of the Rental Affidavit. Permitting and Inspections has amended the rental affidavit to incorporate a supplemental form to further identify registered unit listed under an LLC name. The Committee would like to see a copy of the new Rental Unit Registration Application. Councilor Duson requested Permitting and Inspections return with answers to the questions asked.

Councilor Ali would like the landlord tenant information on the city's website to be in additional languages. Mr. Russell noted that Permitting and Inspections will be revisiting and updating their website pages.

Councilor Cook would prefer clarification that the data referenced in the handouts are neither non-owner-occupied units nor owner-occupied units, but rather are units in an owner-occupied building, or units in a nonowner-occupied building. Additionally, based on city-collected data, Councilor Cook would like the handouts amended to reflect distinctions.

**Item 3: Review and Discussion of Proposed Policy Changes to Chapter 6, Article VI, Residential Rental Unit Registration Requirement, as it applies to short-term rental units.**

Councilor Duson introduced the item and expectations for the October 11 meeting of the Housing Committee. To assist with that discussion, Councilor Duson requested a matrix outlining amendments to the Residential Unit Registration Requirement Ordinance. Councilor Cook presented her proposed amendments. Councilor Duson noted the Rental Registration should include a questions asking if short-term rentals are permitted by the condominium association. There was a discussion on whether or not short term rentals are removing long term rentals from the housing market. Mayor Strimling supports an outside study (i.e. by GPCOG) to investigate this question. Councilor Duson would like an analysis of the impact of limits on city-blocks. Mike Sauschuck indicated that a GIS map is currently being prepared. The Committee discussed density and short-term rentals.

Mayor Strimling will not be presenting his former proposal to increase the STR fee schedule. However, Councilor Duson is concerned the Housing Committee must present a recommendation to the Council. Anne Torregrossa suggested the easiest method to take care of this is for the Mayor to withdraw his proposal.

The Committee requested staff to book mark the proposed short-term rental amendments in the September 26 agenda (including Councilor Ray's proposals), and post the amended material to the city web page for public distribution.

Councilor Duson requested Anne Torregrossa to prepare a memo (for the October 11 meeting) regarding the proposed amendments.

Councilor Duson opened the meeting to the Public for comment:

George Carhart of LaFayette St- Would like to see a separate column for single unit owner-occupied rooms, and a separate column for renting a room in a condominium. Would support changes in the application, and changes in the fee schedule. Thinks there is a problem with too many whole housing rentals. Limiting STR to a block needs further definition of what is a block. May be incredibly difficult to define and determine. Please do not use utility bills to determine ownership.

Karen Snyder- Waterville Street- Agrees with the statement that residential zones are allowing commercial activity by allowing STR. Feels her concerns are not considered in-line with the concerns of the current non-owner occupied housing owners. Wants to continue registering all STR- even those renting for two weeks or less. Should add a revision date to the form. Would like to know the recourse for complaints. Does not believe non-owner occupied STR are preserving neighborhoods.

Councilor Duson ended the Public Comment period. The Committee will consider discussion of this item at their October 11 meeting.

**Item 4: Communication Item: FY18 HUD Consolidated Annual Performance Report**

The Housing Committee did not have comments or questions.

**Item 4: Committee Discussion re: 2018 Work Plan**

The Committee would like a table of contents presented at the October 11 meeting for the key updates to the 2018 Interim Housing Report. The interim report should include a review of city-owned property previously presented for possible housing development.

On a motion made by Council Duson and seconded by Councilor Cook (approved 3-0) the meeting was adjourned at 9:57 pm.

Respectfully submitted,

Victoria Volent



FIRE DEPARTMENT  
Fire Chief, Keith Gautreau

## MEMORANDUM

**To:** Housing Committee, Chair Councilor Duson  
**From:** Keith Gautreau, Fire Chief  
**Date:** October 4, 2018  
**Re:** Update on Fire Department Inspection Program

The following information and data is a quick snapshot of the Fire Department's Inspection Program for the last three years. We continue to collaborate with the Housing Safety Office working together on proactive inspections, scheduling, on-going training, education, re-inspections and answering complaints. We have been focusing on four major themes; Life Safety, Consistency, Being Reasonable and Communication.

### Recap and History

#### New Inspection Program / Process since May 2015

- March 2015 NFPA (National Fire Protection Assoc.) Training
- Training on our software and how to maximize its potential
- New Enforcement Procedures in place (Summons & Consent Agreements)
- Court appearances / pursuing legal action for extreme cases
- Focus was on Residential Housing
- Focus was on Quality not Quantity (take time and follow through)
- Recurring Department wide training twice in 2016 & 2017
- Started Joint Inspections with HSO November 2018
- Switched over to new Envergov (Tyler) software April 2018

**Fire Prevention Activities:** Includes Residential Apartments (> 3 units), Schools, Fire Permits, Complaints, Hazmat and Public Education

Year	Jan - Mar	April - June	July - Sept	Oct - Dec	Total
2016	519	966	790	788	<b>3063</b>
2017	483	930	802	759	<b>2974</b>
2018	651	181	203	0	<b>1035*</b>

\* In November 2017, we started doing joint inspections with the Housing Safety Office while receiving extensive training with the Energov software. (Tyler)



FIRE DEPARTMENT  
Fire Chief, Keith Gautreau

Percentage of follow up Inspections

Year	Total	Reinspection	%	Public Education
2016	3063	284	9%	138
2017	2974	552	19%	122
2018	1035	205	20%	33

**Note:** 33 Public Education for 2018 (Vacant Captain's position)

**Energov Time Period Joint Inspections**

April 1, 2018 - September 21, 2018

Fire Company	Total
Engine 1	23
Engine 5	25
Engine 6	15
Engine 9	14
Engine 11	16
Ladder 1	38
Ladder 3	46
Ladder 4	15
Ladder 6	20
Rescue 1	2
Peaks Island	
Marine Division	2
<b>Fire Prevention Bureau</b>	
Car 4	2
Car 40	1
Car 41	84
Car 48	30
<b>TOTAL</b>	<b>333</b>



FIRE DEPARTMENT  
Fire Chief, Keith Gautreau

## Fire Prevention Bureau & Community Outreach Branch

### Items Commonly Examined During Inspections

The fire inspector will conduct a thorough inspection to ensure satisfactory life safety conditions on your property. The conditions to be reviewed include, but are not limited to :

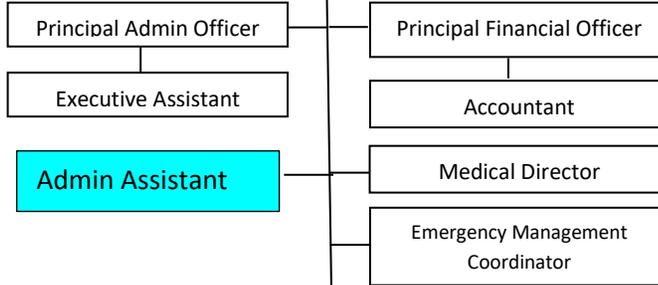
- Condition of exits including stairwells and fire escapes
- Interior finish – type and condition of walls and ceilings
- Condition of basement
- Operation of exit doors
- Rating and operation of fire doors - self closing and latching
- Emergency lighting
- Exit signs
- Smoke alarms and CO alarms
- Components of fire-resistive construction
- Grills on balconies
- Proper addressing of the building
- Proper addressing of the units
- Building exit discharge areas
- Fire alarm inspection sticker
- Smoke detectors/heat detectors
- Records for fire alarm and fire protection systems

**Chain Of Command**

- Chief
- Assistant Chief
- Division Chief
- Deputy Chief
- Captain
- Lieutenant
- Firefighter

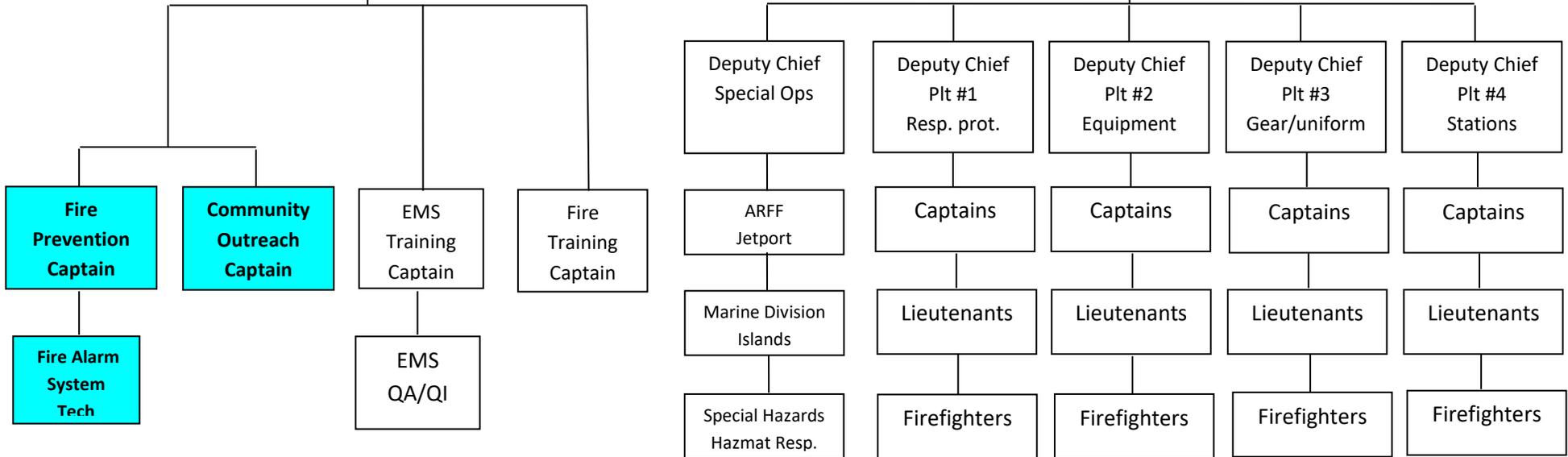


**Fire Chief**

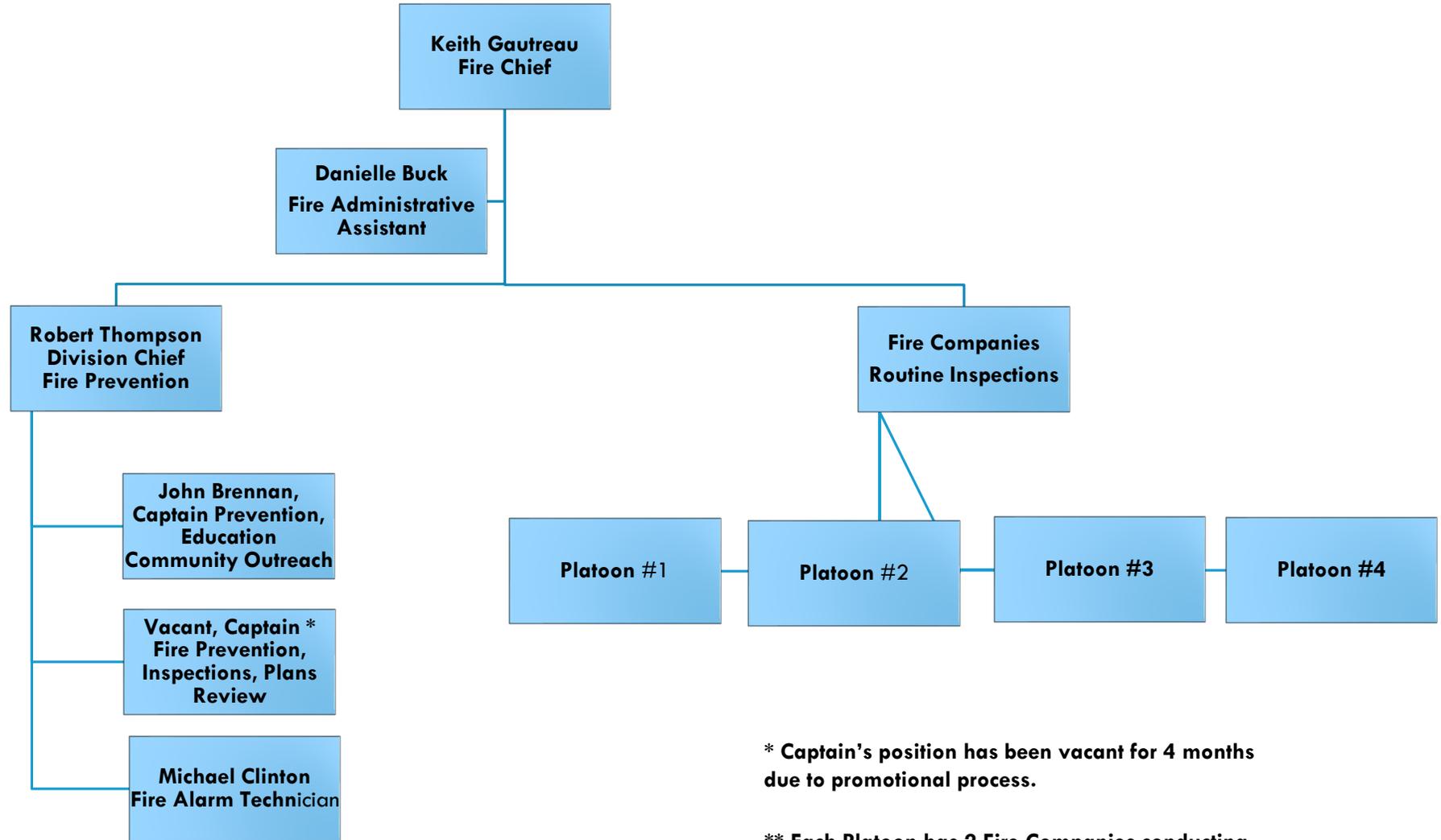


**Division Chief**

**Assistant Chief Operations**



# FIRE PREVENTION ORGANIZATION CHART



\* Captain's position has been vacant for 4 months due to promotional process.

\*\* Each Platoon has 2 Fire Companies conducting inspections per day. (M-F)



Permitting and Inspections Department  
 Michael A. Russell, MS, Director

TO: Jill Duson, Chair  
 Members of the Portland Housing Committee

FROM: Jessica Hanscombe, Licensing and Registration Coordinator

SUBJECT: Short Term Rental Owner Occupied Units

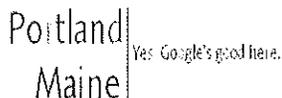
DATE: October 5, 2018

The Committee requested clarification about the number of Owner Occupied Short Term Rentals that were truly occupied by the owner, rather than simply having the owner live in the building. In reviewing those applications, I was able to determine which category for most of the units registered. Those that I was unable to determine from the registration, I sent an email requesting that information. There are still some that have not replied to my request for clarification, which I list in the Unknown category. Also, I did have a few changes of ownership or individuals that were not renewing. Those registrations have been revoked and are not included in these numbers.

<b>Number of Owner Occupied Primary Units</b>	<b>Number of Non Owner Occupied Units</b>	<b>Unknown</b>	<b>Total Number of Units</b>
282	125	30	437

Currently, the City has 165 Non Owner Occupied Mainland Units registered for 2018. This is 135 units below the cap of 300. If we add the Non Owner Occupied Units in an Owner Occupied Building (125) and the Unknown (30) to the current cap total, then the updated total is 320 with 20 units being over the cap.

CC: Michael Russell, Director of Permitting and Inspections  
 Anne Torregrossa, Associate Corporation Counsel  
 Michael Sauschuck, Assistant City Manager



Victoria Volent &lt;vvolent@portlandmaine.gov&gt;

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**HC Answers**

1 message

**Michael Russell** <mar@portlandmaine.gov>

Fri, Oct 5, 2018 at 2:18 PM

To: Mary Davis &lt;mpd@portlandmaine.gov&gt;, Victoria Volent &lt;vvolent@portlandmaine.gov&gt;

Cc: Jeff Levine &lt;jlevine@portlandmaine.gov&gt;, Michael Sauschuck &lt;mjs@portlandmaine.gov&gt;, Jonathan Rioux &lt;jrioux@portlandmaine.gov&gt;, Samantha Chapin &lt;slchapin@portlandmaine.gov&gt;

In looking at my notes, I had two questions for f/u, one from Cook and Ali.

1) The number of warning letters to date = 387. The number of notices of violation to date = 142.

This means 63% have registered with just the warning letter as a prompt. The remainder needed the NOV. None had to progress further.

2) The NFPA offers the greatest number of translated fire safety materials in Spanish. They also offer a few in other languages (Somali, German, French, Hmong and Haitian Creole). We're getting translation estimates.

<https://www.nfpa.org/Public-Education/Resources/Safety-tip-sheets/Safety-tip-sheets-in-other-languages>

Mike

Michael A. Russell, MS  
Director  
Permitting and Inspections Department  
389 Congress St.  
Portland, ME 04101  
(207) 756-8008 Phone  
(207) 874-8716 Fax



Mary Davis

Division Director, Housing & Community Development Division

**TO:** Councilor Duson, Chair  
Members of the Housing and Community Development Committee

**FROM:** City Staff

**DATE:** October 5, 2018

**SUBJECT:** Proposed Policy Changes to Chapter 6, Article VI, Residential Rental Registration Requirements, as it applies to Short Term Rental Units

The attached documents are presented for the Committee's review, discussion and possible recommendation regarding *Proposed Policy Changes to Chapter 6, Article VI, Residential Rental Unit Registration Requirements, as it applies to Short-term Rental Units*.

- (1) Matrix of Proposed Amendments to STR Ordinance
- (2) Proposed Amendments presented by Mayor Strimling and Councilor Cook
- (3) Proposed Amendments presented by Councilor Cook
- (4) Proposed Amendments presented by Council Ray
- (5) Proposed Amendments presented by City Staff

PROPOSED AMENDMENTS TO SHORT TERM RENTAL ORDINANCE

Chapter 6. Article VI. Residential Rental Unit Registration Requirements

SECTION	MAYOR/COOK AMENDMENT	REASON	COOK AMENDMENT	REASON	RAY AMENDMENT	REASON	STAFF AMENDMENT	REASON
<b>6-150 Purpose</b>	Adds language to the purpose section regarding removal of long-term units; short-term rental units being lodging, and causing disruptions; ensuring that housing units remain available; and ensuring that residential areas are not unduly disrupted.						Adds language to the purpose section consistent with the Mayor/Cook Amendment, with the exception of the characterization of short term rentals as lodging.	The Mayor/Cook Amendment captures City concerns with respect to the housing marking and disruption of neighborhoods. The characterization of short term rentals as lodging is inconsistent with Ch. 14.
<b>6-150.1 Definitions</b>	Clarifies that definition of Owner-Occupied does not include accessory apartments.						Retains intent of Mayor/Cook Amendment with respect to accessory apartments, with minor changes for clarity.	Accessory apartments are currently understood to be separate dwelling units, but additional clarification is appropriate.
<b>6-150.1 Definitions</b>					Adds definition for "Short Term Property Manager"	To limit the number of properties that can be managed by one individual/entity in Section 6-153.(d) below		
<b>6-151(a)(3) Registration of Ownership</b>			Add language clarifying that new owners and tenants are considered new applicants.					
<b>6-151(c)(2)(a) 6-151(c)(2)(b) Registration of Ownership</b>			Adds requirement that owner or tenant produce two forms of documentation to verify primary residence in order to register owner-occupied or tenant-occupied unit.				Adds requirements for primary residence verification similar to Cook Amendment, but requires only one form of verification and allows staff to use discretion in accepting alternative documentation.	One form of verification is sufficient to accomplish the goals of verification. Allowing alternative forms of verification is important, particularly for individuals who may not have the specific documentation required.
<b>6-151(c)(4) [NEW] Registration of Ownership</b>			Requires that an applicant in a residence with a condo or homeowner's association produce an affidavit attesting that the short term use is allowed.					

6-151(c)(5)(a) [NEW] Registration of Ownership			Requires applicants renewing their applications disclose the number of nights that the unit was rented on a STR basis in the previous year.					
6-151(c)(5)(b) [NEW] Registration of Ownership			Requires applicants renewing their applications show proof that State of Maine lodging taxes were paid.					
6-151(f) [NEW] Registration of Ownership			Require that short term rental information be made available online					
6-152(c) Registration Fees	Deletes language around how to calculate fees for those who register both owner-occupied and non-owner occupied.				Clarifies language around how to calculate fees for those who register both owner-occupied and non-owner occupied.		Adds clarifying language consistent with the Ray amendment regarding calculating fees.	Adds simplicity and clarity.
							Adds language that owners and tenants may rent multiple units (bedrooms, separate spaces, etc.) in their primary residence.	Allows owners and tenants to rent out multiple spaces in their primary residence.
	Eliminates language around single family homes and owner occupied multi-family buildings. Removes distinction for Island rentals, such that all non-owner occupied units are subject to the same fees.				Eliminates language around single family homes/owner-occupied multi-family buildings	To simplify language and allow for a simplification of the fee structure	Deletes staggered fee structure for owner-occupied units and Island units. Clarifies that fees for fourth and fifth non-owner occupied units are available only for grandfathered units.	Simplifies the fee structure for owner-occupied, tenant-occupied and island units. Reflects staff suggestion that no individual be allowed to register more than 3 units, unless otherwise grandfathered.

6-153 (b) Limitations					Keeps the cap at 300	To ensure that the number of non-owner occupied STRs in the City remains below 1% of our overall number of housing units, thereby reducing their impact on the housing market		
					Adds language specifying that non-owner occupied units in owner-occupied buildings shall be regulated as non-owner occupied units	To ensure that we are meeting the original intent of the 300 unit cap, as expressed above.	Adds language consistent with Ray amendment to clarify treatment of non-owner occupied units in an owner-occupied building.	Brings non-owner occupied units in owner-occupied buildings within 300 cap.
6-153(c) Limitations	As of 12/1/18 individuals may only register one Island STR. As of 12/1/18 individuals may only register owner-occupied or tenant-occupied units. "Grandfathers" registered island and non-owner occupied units if they renew and continue to comply with requirements.							
							Reduces the number of units an individual may register from five to three. Grandfathers registrants who have four or five registrations as of 12/1/18 with respect to those units.	Staff recommends this as a way to reduce the number of units that an individual can register.
6-153 (d) [NEW - RAY] Limitations					Adds language limiting the number of STRs that may be managed by a single individual or entity.	To discourage large property management companies from moving into the STR management business and marketing their services to owners who may not otherwise consider converting from LTR to STR		

<p><b>6-153(e)</b> [MAYOR/COOK] <b>6-153(f)</b> [RAY] <b>Limitations</b></p>					<p>Adds “mainland”</p>	<p>To ensure Island rentals are not affected by the chart change</p>	<p>Consistent with Ray amendment.</p>	<p>The islands have historical use of STRs, and staff does not recommend further restrictions.</p>
	<p>Eliminates owner-occupied column in chart limiting number of STRs per building.</p>				<p>Eliminates tiered approach to number of units allowed in multi-unit buildings, bringing number allowed in owner-occupied units in alignment with number allowed in non-owner occupied units</p>	<p>To ensure that the number of STR units in a building remains proportional to the number of LTR units in the building, and to ensure that no building can ever be completely composed of STR units</p>	<p>Eliminates owner-occupied column consistent with Mayor/Cook and Ray amendments, BUT title change applies limits only to non-owner occupied units. ALSO reduces the number of STR units in a 6+ unit building to reflect reduction in number of units an individual can register.</p>	<p>This changes the limitations so that they only apply to non-owner occupied units. This allows a tenant or owner to STR multiple spaces in their primary residence, subject to the three-unit overall cap.</p>
	<p>Removes exception for owner-occupied and tenant-occupied units in counter per-building limit.</p>				<p>Also adds language clarifying that tenant occupied and owner occupied STR units DO count toward the number of STR units in a building</p>	<p>Again, to make sure that no multi-unit can ever be comprised of solely STR units and that the number of STRs remain proportional to the number of LTRs in a multi-unit.</p>	<p>Removes language consistent with Mayor/Cook amendment.</p>	<p>While staff recommends removing this language, the title change in the chart makes it so that the limits only apply to non-owner occupied units.</p>
<p><b>6-153 (f)</b> [NEW] [MAYOR/COOK] <b>Limitations</b></p>	<p>Requires that Building Authority hold hearing before renewing where more than two complaints or disturbances are filed in one year.</p>							

<b>6-154 Allocations of Short Term Rentals</b>					Eliminates language about lottery	To ensure that if/when space becomes available under the cap, the waitlist is used to allow the "next person in line" the opportunity to take that space	Clarifies that lottery is only to be used with respect to the waitlist.	Gives the City Manager discretion in how to allocate registrations off the waitlist.
					Added auto-renewal language	To allow for auto-renewal of units.	Consistent with Ray amendment.	
	Allocates 300 cap first to renewal applications, and then to new applications if cap is not reached.				Added language to clarify what will happen if counting non-owner occupied STRS in owner-occupied buildings toward the cap causes us to exceed the cap	To respect STR operators who legitimately registered their units in 2017 while also keeping our cap at 300, even if we have to get back to it through attrition	Consistent with Ray amendment.  **Staff will request that this deadline be postponed until February 1, 2019 to allow for this year's registrations.	
	ALTERNATIVE: Delete language regarding cap if only allowing owner-occupied and tenant-occupied.							
<b>6-155(e) Violations</b>	Specifies that failure to acquire or display registration number is a violation.						Consistent with Mayor/Cook Amendment.	
<b>6-156(c) Enforcement</b>	Increases period of disqualification for a disorderly house from 12 months to 36 months.							
<b>6-156(e) Enforcement</b>	Provides that violations of Article are grounds to deny an application.						Consistent with Mayor/Cook Amendment.	

PROPOSED AMENDMENTS SPONSORED BY  
MAYOR STRIMLING AND COUNCILOR COOK

ARTICLE VI. RESIDENTIAL RENTAL UNIT REGISTRATION REQUIREMENTS

Sec. 6-150. Purpose.

The proliferation of real estate proprietorships, partnerships, and trusts having undisclosed, anonymous or otherwise unidentifiable principals, owning large numbers of residential long term rental properties, sometimes managed through unresponsive property management companies, has impeded the proper enforcement of this chapter, chapter 12 and other ordinances of the city. Non-owner occupied short term rental units remove housing units from the long term rental market and may contribute to the increase in the cost of rental housing in the City. Short term rental units offer lodging, rather than residential use, and as such have caused disruptions in certain circumstances.

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This article is intended to require the disclosure of the ownership of such property, to regulate the renting of property within the City, ~~and~~ to make owners and persons responsible for the maintenance of property more accessible and accountable with respect to the premises, to ensure that housing units remain available for rent to those who reside or seek to reside within the City, to ensure that residential areas are not unduly impacted by the operation of short term rentals, and to ensure that owners and tenants comply with chapters 6 and 10 of the City Code.

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(Ord. No. 443-89, 6-7-89; Ord. No. 53-89, 7-17-89; Ord. 298-14/15, 7-6-2015; Ord. 179-16/17, 3-27-2017)

Sec. 6-150.1. Definitions.

The definitions in 6-106 apply to this Article. The following words and phrases, when used in this article, shall have the meanings respectively ascribed to them:

*Island Short Term Rental* shall mean a short term rental located on one of the following islands in the City of Portland: Peaks Island, Great Diamond Island, Cushing Island, Little Diamond Island, House Island, and/or Cliff Island.

*Long Term Rental* shall mean the letting of a rental unit in whole or in part for thirty (30) days or more.

*Mainland Short Term Rental* shall mean a short term rental located within the limits of the City of Portland, but not on Peaks Island, Long Island, Great Diamond Island, Cushing Island, Little Diamond Island, House Island and/or Cliff Island.

*Multi-Unit* shall mean a single, detached building in common ownership interest containing more than one (1) residential or commercial unit, as determined by the Director of the Permitting and Inspections Department.

*Owner-Occupied* shall mean a rental unit owned and occupied by the registrant as his or her primary residence. Accessory dwelling units are not considered owner-occupied units for purposes of short term rental registration and regulation as defined in Chapter 14.

*Owner* shall mean each individual person or entity including, without limitation, all partners, officers, or trustees of any real estate trust; all members or managers of a limited liability company; and all officers and directors of a corporation; that is the record owner of a building or property.

*Primary Residence* shall mean the dwelling in which a person resides as his or her legal residence for more than one half of a year and registers as his or her address for tax and government identification purposes.

*Registrant* shall mean the owner of a rental unit, or a tenant, with permission from the owner, seeking to register a rental unit.

*Rental unit* is a portion of any residential structure that is rented or available for rent to any individual or individuals for any length of time. Any portion of a Single-Family Home, Condominium, or Apartment that is rented or available to be rented to an individual or individuals who are not the owner or owners shall be considered a *rental unit*. *Dwelling units* and *rooming units* as defined in §6-106 are, without limitation, *rental units*. A Single-Family Home, Condominium, or Apartment that is occupied by the owner or owners, and of which no portion is rented or available for rent, is not a *rental unit*.

*Short Term Rental* is the letting of a rental unit, in whole or in part, for less than thirty (30) days.

*Single Family Home* shall mean a detached residential dwelling or a single condominium unit containing one dwelling unit.

*Tenant-Occupied* shall mean a rental unit in which the registrant is not the record owner of the rental unit, but lawfully occupies the rental unit as his or her primary residence.  
(Ord. 179-16/17, 3-27-2017)

**Sec. 6-151. Registration required.**

*(a) Registration of Ownership.*

1. Rental units must be registered in accordance with this article by January 1st of each year. Registration must be renewed annually, on or before January 1st, including updating all changes in previously submitted registration information.
2. If a rental unit is rented as both a short term and long term rental, it must be separately registered for each type of rentals.
3. Each owner, manager, or person/entity otherwise responsible for the rental unit, such as a property manager, shall be obligated under this article. Any new owner, manager, or responsible person/entity must register within thirty (30) days of purchase of the rental unit or transfer of management or responsibility.
4. A rental unit shall not be considered registered until all information and fees are provided to the satisfaction of the City's Permitting and Inspections Department or its designee.
5. As a condition of registration, all owners must allow onsite inspections of their property including, without limitation, all rental units.

*(b) Information/Documentation Required.* Registration must be completed on forms supplied by the City's Permitting and Inspections Department or their designee and must provide, at a minimum, the following information:

1. The street address of the building;
2. The unit number of the rental unit;
3. The tax assessor's chart, block and lot of the property on which the building is located;
4. The owner of the property, including the owners' name, address, telephone number, and email address. If the owner is anything other than a natural person, the following information must also be included:

- a. Each individual person that has an ownership interest in any entity that is the record owner. This includes, without limitation, all partners, officers, or trustees of any real estate trusts; any members or managers of a limited liability company; and all officers and directors of a corporation; and
  - b. The residential street address, e-mail address and home phone number of at least one (1) such individual person;
5. The manager of the property or the person or persons responsible for its regular maintenance or repair, as well as a name, address, telephone number, and email address for that person or entity.
  6. The person designated as the agent of the owner or owners for the service of notices and civil process by the city, as well as their name, address, telephone number, and e-mail address. Service of notice and process upon the person so designated shall be deemed conclusive service upon the owner or owners.

(c) *Additional Information Required for Short Term Rentals.* A short term rental shall not be considered registered unless and until the registrant has submitted a complete application together with all information required by this article, paid the fee required by Sec. 6-152, and a registration number has been issued.

In addition to the information required in Section 6-151(b), a Short Term Rental registrant must provide at a minimum the following information and any other information requested by the City's Permitting and Inspections Department or their designee:

1. A short term rental application;
2. Whether the rental unit is owner-occupied, tenant-occupied, or non-owner occupied;
  - a. For Short Term Rental units that are owner-occupied, the registrant must provide a notarized primary residence affidavit, on forms provided by the City.
  - b. For Short Term Rental units that are tenant-

occupied, the registrant must provide a notarized primary residence affidavit, a notarized statement of permission by his/her landlord, both on forms supplied by the City.

3. The address and tax assessor's chart, block, and lot number of all other short term rentals in the City in which the registrant has an ownership interest;

(d) *Display of Short Term Rental Registration Number Required.*

Once registration is approved by the City, each short term rental shall be given a registration number, which must be displayed in the rental unit and in any and all advertisements for the rental unit.

(e) Upon request by the City, at any time, all registrants and/or agents of short term rental units must provide the City with their registration information, rental history, and upcoming reservation information. Failure of short term rental unit owners, tenants, and/or their representatives to adequately respond to inquiries by the City within a forty-eight (48) hour period shall be considered a violation under this ordinance.

(Ord. No. 443-89, 6-7-89; Ord. No. 53-89, 7-17-89; Ord. No. 246-97, 4-9-97; Ord. 298-14/15, 7-6-2015; Ord. 69-15/16, 10/5/2015; Ord. 179-16/17, 3-27-2017)

**Sec. 6-152. Registration Fees.**

(a) *Annual Registration Fee.* Upon initial registration and by January 1st of each year, registrants shall pay the City a registration fee for each rental unit, in the amounts set forth below. A rental unit shall not be considered registered unless and until this fee is paid in full.

(b) *Long Term Rental Registration Fee.* The registrant of a long term rental shall pay thirty five dollars (\$35.00) to the City by January 1st of each year.

(c) *Short Term Rental Registration Fee Structure.* The registrant of a short term rental shall pay the fee specified in the chart below. All fees will be cumulative and will increase based on the number of total units registered by the owner. ~~The fee total will accumulate first by counting any owner occupied or tenant occupied units short term rental units operating in a single family home or owner occupied multi family buildings and then fees will be attributed at the higher rate for any non owner occupied units located in non owner occupied buildings. If an owner registers units in both in the owner occupied and non owner~~

~~occupied buildings categories then the owner occupied fees will be considered the first unit under the fee structure starting with the 1<sup>st</sup> unit fee as described in the chart below regardless of the order in which the units are registered.~~

Owner Occupied <del>Single Family Home</del> or Tenant Occupied <u>Units</u>	\$100
<del>Multi Unit Owner Occupied Building</del> <del>Island Short Term Rentals</del>	<del>1<sup>st</sup> Unit - \$100</del> <del>2<sup>nd</sup> Unit - \$250</del> <del>3<sup>rd</sup> Unit - \$500</del> <del>4<sup>th</sup> Unit - \$1,000</del> <del>5<sup>th</sup> Unit - \$2,000</del>
<del>Multi Unit Non-Owner Occupied Building</del> <u>Units</u>	1 <sup>st</sup> Unit - \$200 2 <sup>nd</sup> Unit - \$500 3 <sup>rd</sup> Unit - \$1,000 4 <sup>th</sup> Unit - \$2,000 5 <sup>th</sup> Unit - \$4,000

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(d) *Registration and Renewal Fee Discounts.* The following discounts shall apply to the registration and renewal fees:

- (1) \$10 discount for each rental unit within a fully-sprinkled building as verified by a testing report, maintenance report or a maintenance contract, which shall be provided at the time of registration and upon each registration renewal;
- (2) \$7.50 discount for each rental unit within a building with a centrally-monitored fire alarm as verified by Fire Department logs or an alarm contract, which shall be provided at the time of registration and upon each registration renewal;
- (3) \$5.00 for a rental unit that has been subject to and has passed a Housing and Urban Development Housing Quality Standard (HQS) inspection within the preceding year as verified by the HQS inspection report, which shall be provided at the time of registration and upon each registration renewal;
- (4) \$10.00 for a rental unit that has been subject to and has passed a Housing and Urban Development Uniform



as the owner retains ownership of that unit and continues to comply with all other provisions of this article.

~~(e)~~ (d) No individual or entity may register a short term rental in any single family home unless it is owner-occupied; tenant-occupied with permission of the owner; or located on an Island.

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(e) The number of short term rental units that may be operated in a multi-unit building are as follows:

Total # of Units in a Building	# of Short Term Rental Units Allowed in a Building	
	Owner-Occupied	Non-Owner-Occupied
2	2	1
3	3	2
4	4	2
5	5	2
6-9	5	4
10+	5	5

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~~Owner-occupied units and tenant-occupied units, where the tenant is the registrant, shall not be counted towards these limits.~~

f. Where more than two [complaints/confirmed disturbances/police reports] are filed regarding the same Short term rental unit or multi-unit building, that unit or any unit in the multi-unit building may not be renewed until and unless the Building Authority holds a hearing and finds that the continued operation of the short term rental unit does not unduly disrupt the purpose of the zone in which it is located. [FOR DISCUSSION PURPOSES. TRYING TO ADDRESS WHERE THERE ARE RECURRENT DISTURBANCES]

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(Ord. No. 443-89, 6-7-89; Ord. No. 53-89, 7-17-89; Ord. 298-14/15, 7-6-2015; Ord. 179-16/17, 3-27-2017)

**Sec. 6-154. Allocation of Non-owner Occupied Short Term Rentals Units.**

The limitations on the allocation of 300 non-owner occupied mainland short term rental units identified in section 6-153(b) shall be allocated each year first to renewal applications which shall be filed by December 31st on a first come, first registered basis. If this limit is not reached after review and issuance of

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~~renewal registrations, then new applications for non-owner occupied units will be accepted on a first come, first registered basis. Once the total number of units identified in section 6-153(b) has been reached, a waitlist will be formed to help gauge market demand. The City Manager or his or her designee, may institute a lottery process at his or her discretion. [alternatively] delete this section if we choose to only allow owner-occupied & tenant-occupied STR units after December 1, 2018 under 6-153(c)~~

(Ord. 179-16/17, 3-27-2017)

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#### Sec. 6-155. Violations.

Specific violations of this article, subject to the provisions of section 6-1, include, but are not limited to:

- (a) Any person, business entity, or other organization failing to timely register a rental unit, including providing all required information and paying the required registration fee;
- (b) Any person, business entity, or other organization providing false information with respect to registration. Notwithstanding the provisions of § 6-1, the penalty for such violation shall be \$1,000.00;
- (c) Any person, business entity, or other organization renting any rental unit that is not registered under this article, or to permitting the occupancy of such premises without registration;
- (d) Failure of short term rental unit owners, tenants, and/or their representatives to adequately respond to inquiries by the City pursuant to 6-152(e) within a forty-eight (48) hour period;
- (e) Any person, business entity or other organization failing to timely file the required registration, acquire and/or display the required Short Term Rental registration number, or failing to timely pay, in full, the registration fee or annual renewal fee, or failing to timely file any required update to the registration ~~shall~~ be in violation of this Article for which a fine of \$100.00 per day each day the violation continues shall be assessed;
- (f) Any person providing false information with respect to registration shall be in violation of this article for

which a fine of \$1,000.00 shall be assessed;  
(Ord. 179-16/17, 3-27-2017)

**Sec. 6-156. Enforcement.**

(a) The building authority as defined in section 6-1 or his or her designee is authorized to institute or cause to be instituted by and through the office of the corporation counsel, in the name of the city, any and all actions, legal or equitable, that may be appropriate or necessary for the enforcement of the provisions of this article.

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(b) No certificate of occupancy shall be issued for property that is subject to the registration requirements of this article, but is not registered in accordance with this article.

(c) Any short term rental at a property that is designated by the City as a disorderly house and fails to remedy the disorderly house as required by section 6-202, shall, at the discretion of the City Manager or his or her designee, have its registration revoked and be ineligible for registration for a period of ~~twelve~~ ~~36~~ (~~12~~36) months. Any registration after revocation shall be considered a new registration and not a renewal. Upon the second designation of the short term rental property as a disorderly house, the City shall, at the discretion of the City Manager or his or her designee, prohibit the registered owner from operating the property as a short term rental or post the property against occupancy pursuant to section 6-201.

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(d) Fines may be attributed to Property Management firms found operating short term rental units in violation of this article. These fines may be in addition to fines levied against owners of property.

(e) Violations of the provisions of this article shall be grounds to deny an application or renewal application for a short-term rental registration.

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(Ord. 179-16/17, 3-27-2017; Ord. No. 29-17/18, 9-18-2017)

**Sec. 6-157. Revenue Allocation.**

Notwithstanding section 6-1(b), all revenue generated from short term rental registration fees and penalties shall be used to first fund short term rental related administrative costs. Any remaining revenue shall be deposited in the Housing Trust Fund, as defined in Section 14-489.  
(Ord. 179-16/17, 3-27-2017)

City of Portland  
Code of Ordinances  
Sec. 6-157

Buildings and Building Regulations  
Chapter 6  
Rev. 3-27-2017

- Sec. 6-158. Reserved.**
- Sec. 6-159. Reserved.**
- Sec. 6-160. Reserved.**
- Sec. 6-161. Reserved.**
- Sec. 6-162. Reserved.**
- Sec. 6-163. Reserved.**
- Sec. 6-164. Reserved.**

PROPOSED AMENDMENTS TO CHAPTER 6, ARTICLE VI, § 6-151  
SPONSORED BY COUNCILOR COOK

**Sec. 6-151. Registration required.**

(a) *Registration of Ownership.*

1. Rental units must be registered in accordance with this article by January 1st of each year. Registration must be renewed annually, on or before January 1st, including updating all changes in previously submitted registration information.
2. If a rental unit is rented as both a short term and long term rental, it must be separately registered for each type of rental.
3. Each owner, manager, ~~and/or~~ person/entity otherwise responsible for the rental unit, such as a property manager, shall be obligated under this article. Any new owner, manager, or responsible person/entity must apply to register within thirty (30) days of purchase of the rental unit or transfer of management or responsibility. New owners or tenants applying to register an existing short term rental unit are considered new applicants and shall be subject to all limitations and regulations in effect at the time of the application.
4. A rental unit shall not be considered registered until all information and fees are provided to the satisfaction of the City's Permitting and Inspections Department or its designee.
5. As a condition of registration, all owners must allow onsite inspections of their property including, without limitation, all rental units.

(b) *Information/Documentation Required.* Registration must be completed on forms supplied by the City's Permitting and Inspections Department or their designee and must provide, at a minimum, the following information:

1. The street address of the building;
2. The unit number of the rental unit;

3. The tax assessor's chart, block and lot of the property on which the building is located;
4. The owner of the property, including the owners' name, address, telephone number, and email address. If the owner is anything other than a natural person, the following information must also be included:
  - a. The name of ~~E~~each individual person that has an ownership interest in any entity that is the record owner. This includes, without limitation, all partners, officers, or trustees of any real estate trusts; any members or managers of a limited liability company; and all officers and directors of a corporation; and
  - b. The residential street address, e-mail address and home phone number of at least one (1) such individual person;
5. The manager of the property or the person or persons responsible for its regular maintenance or repair, as well as a name, address, telephone number, and email address for that person or entity.
6. The person designated as the agent of the owner or owners for the service of notices and civil process by the city, as well as their name, address, telephone number, and e-mail address. Service of notice and process upon the person so designated shall be deemed conclusive service upon the owner or owners.

(c) *Additional Information Required for Short Term Rentals.*

A short term rental shall not be considered registered unless and until the registrant has submitted a complete application together with all information required by this article, paid the fee required by Sec. 6-152, and a registration number has been issued.

In addition to the information required in Section 6-151(b), a Short Term Rental registrant must provide at a minimum the following information and any other information requested by the City's Permitting and Inspections Department or their designee:

1. A short term rental application;
2. Whether the rental unit is owner-occupied, tenant-occupied, or non-owner occupied;

a. For Short Term Rental units that are owner-occupied, the ~~owner-registrant~~ must provide a notarized primary residence affidavit, on forms provided by the City, and must also produce for review two of the following demonstrating residency at the owner-occupied unit:

- i. Valid driver's license or other state-issued identification;
- ii. Valid motor vehicle registration;
- iii. Current voter registration; or
- iv. Proof of homestead exemption.

b. For Short Term Rental units that are tenant-occupied, the ~~tenant-registrant~~ must provide a notarized primary residence affidavit, ~~and~~ a notarized statement of permission by his/her landlord, both on forms supplied by the City, and must also produce for review two of the following demonstrating residency at the tenant-occupied unit:

- i. Valid driver's license or other state-issued identification;
- ii. Valid motor vehicle registration;
- iii. Current voter registration; or
- iv. Recent utility bill.

3. The address and tax assessor's chart, block, and lot number of all other short term rentals in the City in which the registrant has an ownership interest;

4. For Short term rental units that are within a condominium or homeowner's association, a notarized affidavit attesting that use of the unit as a short term rental is allowed under the relevant documents.

5. If the application is for renewal, the following:

(a) The number of nights the unit was rented on a short-term basis in the previous reporting year. For purposes of reporting this information, November 1 through October 31 is the reporting period for a renewal of January 1, and

(b) Produce for review, proof that state lodging taxes were paid for the year prior to the renewal date.

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(d) *Display of Short Term Rental Registration Number Required.* Once registration is approved by the City, each short term rental shall be given a registration number, which much be displayed in the rental unit and in any and all advertisements for the rental unit.

(e) Upon request by the City, at any time, all registrants and/or agents of short term rental units must provide the City with their registration information, rental history, and upcoming reservation information. Failure of short term rental unit owners, tenants, and/or their representatives to adequately respond to inquiries by the City within a forty-eight (48) hour period shall be considered a violation under this ordinance.

(Ord. No. 443-89, 6-7-89; Ord. No. 53-89, 7-17-89; Ord. No. 246-97, 4-9-97; Ord. 298-14/15, 7-6-2015; Ord. 69-15/16, 10/5/2015; Ord. 179-16/17, 3-27-2017)

(f) The City shall make available on its website a way for the public to query by address whether there are any short term rental registrations, and if so how many there are at a given address. [this doesn't seem to fit here, but where?]

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**RAY AMENDMENT TO SHORT TERM RENTAL  
ALLOCATION AND REGISTRATION REQUIREMENTS**

Overview of Proposed Changes to Current Regulations

SECTION	CHANGE	REASON
<b>6-150.1 Definitions</b>	Adds definition for "Short Term Property Manager"	Allows us to limit the number of properties that can be managed by one individual/entity in Section 6-153(d). See explanation below.
<b>6-152 Registration Fees</b>	Eliminates language around single family homes and multi-family buildings.	Units will be charged according to whether they are owner-occupied or non-owner occupied. It is not necessary to specify what type of building they are in. This simplifies the language and the fee structure.
	Combines Island STRs, Owner-occupied units, and tenant-occupied units in first box of chart.	These three categories all follow the same fee structure, so they can be combined in the chart.
	Deletes language describing minimum annual fee for registration or renewal.	This language is unnecessary, because there is already a maximum amount that can be discounted from the annual rental fee. It also creates confusion because there is no instance in which an STR renewal would be reduced to anything near \$20. Finally, removing this text ensures that if the annual rental fee changes, there will be no need to alter this section of the code as well.

SECTION	CHANGE	REASON
<b>6-153(b) Limitations</b>	Keeps the cap at 300. This is not a change, but it is different from an initial staff recommendation to expand the cap.	To ensure that the number of non-owner occupied STRs in the city remains below 1% of our overall number of housing units, thereby reducing their impact on the housing market.
	Adds language specifying that non owner-occupied units in owner-occupied buildings shall be regulated as non-owner occupied units.	To ensure that we are meeting the original intent of the 300 unit cap, as expressed above.
<b>6-153(d) Limitations</b>	Adds language limiting the number of STRs that may be managed by a single individual or entity.	To discourage large property management companies from moving into the STR management business and marketing their services to owners who may not otherwise consider converting units from LTR to STR.
<b>6-153(f) Limitations</b>	Adds "mainland"	To ensure Island rentals are not affected by the chart change.
	Decreases the number of STR Units allowed in Owner-Occupied Multi-Units on the mainland.	To ensure that the number of STR units in a building remains proportional to the number or LTR units in the building, and to ensure that no building can ever be completely composed of STR units.
	Adds language below the chart clarifying that tenant-occupied and owner-occupied STR units <i>do</i> count toward the number of STR units in a building	Again, to make sure that no multi-unit can ever comprise solely STR units and that the number of STRs remain proportional to the number of LTRs in a multi-unit.

SECTION	CHANGE	REASON
6-154	Eliminates language about lottery.	To ensure that if/when space becomes available under the cap, the waitlist is used to allow the "next person in line" the opportunity to take that space.
	Added auto-renewal language.	To allow for auto-renewal of valid non owner-occupied mainland STR units. Also states that failure to do so by January 1 effectively puts someone on the waiting list if the Cap has been met. This will help us to get back under the cap if we have exceeded it.
	Added language to clarify what will happen if counting non-owner occupied STRs in owner-occupied buildings toward the Cap causes us to exceed the Cap.	To respect STR operators who legitimately registered their units in 2017 while also keeping our cap at 300, even if we have to get back to it through attrition.

**RAY AMENDMENT TO SHORT TERM RENTAL  
ALLOCATION AND REGISTRATION REQUIREMENTS**

**ARTICLE VI. RESIDENTIAL RENTAL UNIT REGISTRATION REQUIREMENTS**

**Sec. 6-150. Purpose.**

The proliferation of real estate proprietorships, partnerships, and trusts having undisclosed, anonymous or otherwise unidentifiable principals, owning large numbers of residential rental properties, sometimes managed through unresponsive property management companies, has impeded the proper enforcement of this chapter, chapter 12 and other ordinances of the city. This article is intended to require the disclosure of the ownership of such property, to regulate the renting of property within the City, and to make owners and persons responsible for the maintenance of property more accessible and accountable with respect to the premises, and to ensure that owners and tenants comply with chapters 6 and 10 of the City Code.

(Ord. No. 443-89, 6-7-89; Ord. No. 53-89, 7-17-89; Ord. 298-14/15, 7-6-2015; Ord. 179-16/17, 3-27-2017)

**Sec. 6-150.1. Definitions.**

The definitions in 6-106 apply to this Article. The following words and phrases, when used in this article, shall have the meanings respectively ascribed to them:

*Island Short Term Rental* shall mean a short term rental located on one of the following islands in the City of Portland: Peaks Island, Great Diamond Island, Cushing Island, Little Diamond Island, House Island, and/or Cliff Island.

*Long Term Rental* shall mean the letting of a rental unit in whole or in part for thirty (30) days or more.

*Mainland Short Term Rental* shall mean a short term rental located within the limits of the City of Portland, but not on Peaks Island, Long Island, Great Diamond Island, Cushing Island, Little Diamond Island, House Island and/or Cliff Island.

*Multi-Unit* shall mean a single, detached building in common ownership interest containing more than one (1) residential or commercial unit, as determined by the Director of the Permitting and Inspections Department.

*Owner-Occupied* shall mean a rental unit owned and occupied by the registrant as his or her primary residence.

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*Owner* shall mean each individual person or entity including, without limitation, all partners, officers, or trustees of any real estate trust; all members or managers of a limited liability company; and all officers and directors of a corporation; that is the record owner of a building or property.

*Primary Residence* shall mean the dwelling in which a person resides as his or her legal residence for more than one half of a year and registers as his or her address for tax and government identification purposes.

*Registrant* shall mean the owner of a rental unit, or a tenant, with permission from the owner, seeking to register a rental unit.

*Rental unit* is a portion of any residential structure that is rented or available for rent to any individual or individuals for any length of time. Any portion of a Single-Family Home, Condominium, or Apartment that is rented or available to be rented to an individual or individuals who are not the owner or owners shall be considered a *rental unit*. *Dwelling units* and *rooming units* as defined in §6-106 are, without limitation, *rental units*. A Single-Family Home, Condominium, or Apartment that is occupied by the owner or owners, and of which no portion is rented or available for rent, is not a *rental unit*.

*Short Term Rental* is the letting of a rental unit, in whole or in part, for less than thirty (30) days.

*Short Term Rental Property Manager* shall mean the manager of the Short Term Rental Unit or the person or persons responsible for its regular maintenance or repair.

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*Single Family Home* shall mean a detached residential dwelling or a single condominium unit containing one dwelling unit.

*Tenant-Occupied* shall mean a rental unit in which the registrant is not the record owner of the rental unit, but lawfully occupies the rental unit as his or her primary residence.  
(Ord. 179-16/17, 3-27-2017)

**Sec. 6-151. Registration required.**

(a) *Registration of Ownership.*

1. Rental units must be registered in accordance with this article by January 1st of each year. Registration must

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be renewed annually, on or before January 1st, including updating all changes in previously submitted registration information.

2. If a rental unit is rented as both a short term and long term rental, it must be separately registered for each type of rentals.
3. Each owner, manager, or person/entity otherwise responsible for the rental unit, such as a property manager, shall be obligated under this article. Any new owner, manager, or responsible person/entity must register within thirty (30) days of purchase of the rental unit or transfer of management or responsibility.
4. A rental unit shall not be considered registered until all information and fees are provided to the satisfaction of the City's Permitting and Inspections Department or its designee.
5. As a condition of registration, all owners must allow onsite inspections of their property including, without limitation, all rental units.

(b) *Information/Documentation Required.* Registration must be completed on forms supplied by the City's Permitting and Inspections Department or their designee and must provide, at a minimum, the following information:

1. The street address of the building;
2. The unit number of the rental unit;
3. The tax assessor's chart, block and lot of the property on which the building is located;
4. The owner of the property, including the owners' name, address, telephone number, and email address. If the owner is anything other than a natural person, the following information must also be included:
  - a. Each individual person that has an ownership interest in any entity that is the record owner. This includes, without limitation, all partners, officers, or trustees of any real estate trusts; any members or managers of a limited liability company; and all officers and directors of a

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corporation; and

- b. The residential street address, e-mail address and home phone number of at least one (1) such individual person;
5. The manager of the property or the person or persons responsible for its regular maintenance or repair, as well as a name, address, telephone number, and email address for that person or entity.
6. The person designated as the agent of the owner or owners for the service of notices and civil process by the city, as well as their name, address, telephone number, and e-mail address. Service of notice and process upon the person so designated shall be deemed conclusive service upon the owner or owners.

(c) *Additional Information Required for Short Term Rentals.* A short term rental shall not be considered registered unless and until the registrant has submitted a complete application together with all information required by this article, paid the fee required by Sec. 6-152, and a registration number has been issued.

In addition to the information required in Section 6-151(b), a Short Term Rental registrant must provide at a minimum the following information and any other information requested by the City's Permitting and Inspections Department or their designee:

1. A short term rental application;
2. Whether the rental unit is owner-occupied, tenant-occupied, or non-owner occupied;
  - a. For Short Term Rental units that are owner-occupied, the registrant must provide a notarized primary residence affidavit, on forms provided by the City.
  - b. For Short Term Rental units that are tenant-occupied, the registrant must provide a notarized primary residence affidavit, a notarized statement of permission by his/her landlord, both on forms supplied by the City.
3. The address and tax assessor's chart, block, and lot number of all other short term rentals in the City in

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which the registrant has an ownership interest;

(d) *Display of Short Term Rental Registration Number Required.*

Once registration is approved by the City, each short term rental shall be given a registration number, which much be displayed in the rental unit and in any and all advertisements for the rental unit.

(e) Upon request by the City, at any time, all registrants and/or agents of short term rental units must provide the City with their registration information, rental history, and upcoming reservation information. Failure of short term rental unit owners, tenants, and/or their representatives to adequately respond to inquiries by the City within a forty-eight (48) hour period shall be considered a violation under this ordinance.

(Ord. No. 443-89, 6-7-89; Ord. No. 53-89, 7-17-89; Ord. No. 246-97, 4-9-97; Ord. 298-14/15, 7-6-2015; Ord. 69-15/16, 10/5/2015; Ord. 179-16/17, 3-27-2017)

**Sec. 6-152. Registration Fees.**

(a) *Annual Registration Fee.* Upon initial registration and by January 1st of each year, registrants shall pay the City a registration fee for each rental unit, in the amounts set forth below. A rental unit shall not be considered registered unless and until this fee is paid in full.

(b) *Long Term Rental Registration Fee.* The registrant of a long term rental shall pay thirty five dollars (\$35.00) to the City by January 1st of each year.

(c) *Short Term Rental Registration Fee Structure.* The registrant of a short term rental shall pay the fee specified in the chart below. All fees will be cumulative and will increase based on the number of total units registered by the owner. The fee total will accumulate first by counting any owner-occupied or tenant-occupied units, short term rental units operating in a single family home or owner occupied multi family buildings and then fees will be attributed at the higher rate for any non owner-occupied units units located in non owner occupied buildings. ~~If an owner registers units in both owner occupied and non owner occupied buildings then the owner occupied fees will be considered the first unit under the fee structure starting with the 1<sup>st</sup> unit fee as described in the chart below regardless of the order in which the units are registered.~~

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<del>Owner-Occupied Single Family Home or Tenant-Occupied Units</del>	\$100
<del>Multi Unit Owner-Occupied Building</del> Island Short Term Rentals, <del>Owner-occupied Units; Tenant-occupied Units</del>	1 <sup>st</sup> Unit - \$100 2 <sup>nd</sup> Unit - \$250 3 <sup>rd</sup> Unit - \$500 4 <sup>th</sup> Unit - \$1,000 5 <sup>th</sup> Unit - \$2,000
<del>Multi Unit Non-Owner-Occupied Building</del> <del>Units</del>	1 <sup>st</sup> Unit - \$200 2 <sup>nd</sup> Unit - \$500 3 <sup>rd</sup> Unit - \$1,000 4 <sup>th</sup> Unit - \$2,000 5 <sup>th</sup> Unit - \$4,000

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(d) *Registration and Renewal Fee Discounts.* The following discounts shall apply to the registration and renewal fees:

- (1) \$10 discount for each rental unit within a fully-sprinkled building as verified by a testing report, maintenance report or a maintenance contract, which shall be provided at the time of registration and upon each registration renewal;
- (2) \$7.50 discount for each rental unit within a building with a centrally-monitored fire alarm as verified by Fire Department logs or an alarm contract, which shall be provided at the time of registration and upon each registration renewal;
- (3) \$5.00 for a rental unit that has been subject to and has passed a Housing and Urban Development Housing Quality Standard (HQS) inspection within the preceding year as verified by the HQS inspection report, which shall be provided at the time of registration and upon each registration renewal;
- (4) \$10.00 for a rental unit that has been subject to and has passed a Housing and Urban Development Uniform Physical Condition Standard (UPCS) inspection within the preceding year as verified by the UPCS inspection report, which shall be provided at the time of registration and upon each registration renewal;

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- (5) \$2.50 for a rental unit that is subject to a signed lease which prohibits smoking by tenants as verified by a copy of the current lease, which shall be provided at the time of registration and upon each registration renewal. The existence of and enforcement of this provision may be verified through an inspections of each rental unit.

The total amount of discounts from the annual registration or renewal fee as described above shall not exceed \$20.00 per unit. ~~and the minimum annual fee for registration or renewal shall be \$15.00 per unit.~~

(Ord. No. 443-89, 6-7-89; Ord. No. 53-89, 7-17-89; Ord. 298-14/15, 7-6-2015; Ord. 179-16/17, 3-27-2017)

**Sec. 6-153. ViolationsLimitations.**

(a) *Occupancy Limit.* Overnight short term rental guest occupancy in each rental unit will be limited to two (2) guests per bedroom plus no more than two (2) additional guests.

(b) *Limitation on Total Number of Short Term Rentals.* No more than 300 non-owner occupied mainland short term rental units shall be registered in any one calendar year.

As of November 1, 2018, or the date of passage of these updates to the STR ordinance, whichever is earlier, Mainland Short Term Rental Units in Owner-Occupied Multi-units that are not the Primary Residence of the registrant shall be understood to be Non Owner-occupied units and regulated as such.

(c) *Limitations on number of Short Term Rentals an Individual or Entity May Register.* An individual or entity may only register up to five (5) short term rentals in the City, including the Islands, in any one (1) calendar year. For purposes of this section, short term rentals registered by an entity in which the registrant has an ownership interest shall be counted towards this limit.

~~(e)~~(d) Limitations on number of Short Term Rentals for which an Individual of Entity may be the Short Term Rental Property Manager. No individual or entity may be the Short Term Rental Property Manager for more than five (5) mainland short term rental units in the City.

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~~(d)~~(e) No individual or entity may register a short term rental in any single family home unless it is owner-occupied; tenant-occupied with permission of the owner; or located on an Island.

~~(f)~~(e) The number of mainland short term rental units that may be operated in a multi-unit building are as follows:

Total # of Units in Building	# of Short Term Rental Units Allowed in Building	
	Owner-Occupied	Non Owner-Occupied
2	21	1
3	22	2
4	43	2
5	54	2
6-9	5	4
10+	5	5

Owner-occupied units and ~~T~~tenant-occupied units, ~~where the tenant is the registrant,~~ shall **not** be counted towards these limits.  
(Ord. No. 443-89, 6-7-89; Ord. No. 53-89, 7-17-89; Ord. 298-14/15, 7-6-2015; Ord. 179-16/17, 3-27-2017)

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#### Sec. 6-154. Allocation of Short Term Rentals.

~~The limitations on the allocation of short~~Non-owner occupied mainland short term rental units identified registrations, which are limited by ~~in~~ section 6-153(b) shall be allocated each year on a first come, first registered basis. Once the total number of units identified in section 6-153(b) (the "Cap") has been reached, a waitlist will be formed to help gauge market demand. ~~The City Manager or his or her designee, may institute a lottery process at his or her discretion.~~  
(Ord. 179-16/17, 3-27-2017)

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Valid non-owner occupied mainland registrations may be automatically renewed each year upon application and payment of the registration fee, so long as the renewal is complete by January 1 of that year.

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Failure to renew by January 1 shall result in the forfeiture of the automatic right to renew the registration of a unit, and re-registration shall be available only if the limitations in 6-153(b) have not been reached, or if the applicant is chosen off the waitlist.

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If this automatic right to renew **causes** the number of Non-Owner

Occupied Mainland Short Term Rentals to exceed the Cap, no new Non-Owner Occupied Mainland Short Terms Rentals shall be registered until the number of Non-Owner Occupied Mainland Rentals falls below the Cap.

**Sec. 6-155. Violations.**

Specific violations of this article, subject to the provisions of section 6-1, include, but are not limited to:

- (a) Any person, business entity, or other organization failing to timely register a rental unit, including providing all required information and paying the required registration fee;
- (b) Any person, business entity, or other organization providing false information with respect to registration. Notwithstanding the provisions of § 6-1, the penalty for such violation shall be \$1,000.00;
- (c) Any person, business entity, or other organization renting any rental unit that is not registered under this article, or to permitting the occupancy of such premises without registration;
- (d) Failure of short term rental unit owners, tenants, and/or their representatives to adequately respond to inquiries by the City pursuant to 6-152(e) within a forty-eight (48) hour period;
- (e) Any person business entity or other organization failing to timely file the required registration or failing to timely pay, in full, the registration fee or annual renewal fee, or failing to timely file any required update to the registration shall be in violation of this Article for which a fine of \$100.00 per day each day the violation continues shall be assessed;
- (f) Any person providing false information with respect to registration shall be in violation of this article for which a fine of \$1,000.00 shall be assessed;

(Ord. 179-16/17, 3-27-2017)

**Sec. 6-156. Enforcement.**

(a) The building authority as defined in section 6-1 or his or her designee is authorized to institute or cause to be instituted

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by and through the office of the corporation counsel, in the name of the city, any and all actions, legal or equitable, that may be appropriate or necessary for the enforcement of the provisions of this article.

(b) No certificate of occupancy shall be issued for property that is subject to the registration requirements of this article, but is not registered in accordance with this article.

(c) Any short term rental at a property that is designated by the City as a disorderly house and fails to remedy the disorderly house as required by section 6-202, shall, at the discretion of the City Manager or his or her designee, have its registration revoked and be ineligible for registration for a period of twelve (12) months. Any registration after revocation shall be considered a new registration and not a renewal. Upon the second designation of the short term rental property as a disorderly house, the City shall, at the discretion of the City Manager or his or her designee, prohibit the registered owner from operating the property as a short term rental or post the property against occupancy pursuant to section 6-201.

(d) Fines may be attributed to Property Management firms found operating short term rental units in violation of this article. These fines may be in addition to fines levied against owners of property.  
(Ord. 179-16/17, 3-27-2017; Ord. No. 29-17/18, 9-18-2017)

**Sec. 6-157. Revenue Allocation.**

Notwithstanding section 6-1(b), all revenue generated from short term rental registration fees and penalties shall be used to first fund short term rental related administrative costs. Any remaining revenue shall be deposited in the Housing Trust Fund, as defined in Section 14-489.  
(Ord. 179-16/17, 3-27-2017)

- Sec. 6-158. Reserved.**
- Sec. 6-159. Reserved.**
- Sec. 6-160. Reserved.**
- Sec. 6-161. Reserved.**
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## STAFF PROPOSED AMENDMENT TO CHAPTER 6, ARTICLE VI

### ARTICLE VI. RESIDENTIAL RENTAL UNIT REGISTRATION REQUIREMENTS

#### Sec. 6-150. Purpose.

The proliferation of real estate proprietorships, partnerships, and trusts having undisclosed, anonymous or otherwise unidentifiable principals, owning large numbers of residential long term rental properties, sometimes managed through unresponsive property management companies, has impeded the proper enforcement of this chapter, chapter 12 and other ordinances of the city. Non-owner occupied short term rental units remove housing units from the long term rental market and may contribute to the increase in the cost of rental housing in the City.

This article is intended to require the disclosure of the ownership of such property, and to regulate the renting of property within the City, and to make owners and persons responsible for the maintenance of property more accessible and accountable with respect to the premises, to ensure that housing units remain available for rent to those who reside or seek to reside within the City, to ensure that residential areas are not unduly impacted by the operation of short term rentals, and to ensure that owners and tenants comply with chapters 6 and 10 of the City Code.

(Ord. No. 443-89, 6-7-89; Ord. No. 53-89, 7-17-89; Ord. 298-14/15, 7-6-2015; Ord. 179-16/17, 3-27-2017)

#### Sec. 6-150.1. Definitions.

The definitions in 6-106 apply to this Article. The following words and phrases, when used in this article, shall have the meanings respectively ascribed to them:

*Island Short Term Rental* shall mean a short term rental located on one of the following islands in the City of Portland: Peaks Island, Great Diamond Island, Cushing Island, Little Diamond Island, House Island, and/or Cliff Island.

*Long Term Rental* shall mean the letting of a rental unit in whole or in part for thirty (30) days or more.

*Mainland Short Term Rental* shall mean a short term rental located within the limits of the City of Portland, but not on Peaks Island, Long Island, Great Diamond Island, Cushing Island, Little Diamond Island, House Island and/or Cliff Island.

*Multi-Unit* shall mean a single, detached building in common

ownership interest containing more than one (1) residential or commercial unit, as determined by the Director of the Permitting and Inspections Department.

*Owner-Occupied* shall mean a rental unit owned and occupied by the registrant as his or her primary residence. Accessory dwelling units as defined in Chapter 14 of this Code, are not considered owner-occupied units for purposes of short term rental registration and regulation.

*Owner* shall mean each individual person or entity including, without limitation, all partners, officers, or trustees of any real estate trust; all members or managers of a limited liability company; and all officers and directors of a corporation; that is the record owner of a building or property.

*Primary Residence* shall mean the dwelling in which a person resides as his or her legal residence for more than one half of a year and registers as his or her address for tax and government identification purposes.

*Registrant* shall mean the owner of a rental unit, or a tenant, with permission from the owner, seeking to register a rental unit.

*Rental unit* is a portion of any residential structure that is rented or available for rent to any individual or individuals for any length of time. Any portion of a Single-Family Home, Condominium, or Apartment that is rented or available to be rented to an individual or individuals who are not the owner or owners shall be considered a *rental unit*. *Dwelling units* and *rooming units* as defined in §6-106 are, without limitation, *rental units*. A Single-Family Home, Condominium, or Apartment that is occupied by the owner or owners, and of which no portion is rented or available for rent, is not a *rental unit*.

*Short Term Rental* is the letting of a rental unit, in whole or in part, for less than thirty (30) days.

*Single Family Home* shall mean a detached residential dwelling or a single condominium unit containing one dwelling unit.

*Tenant-Occupied* shall mean a rental unit in which the registrant is not the record owner of the rental unit, but lawfully occupies the rental unit as his or her primary residence.

(Ord. 179-16/17, 3-27-2017)

**Sec. 6-151. Registration required.**

*(a) Registration of Ownership.*

1. Rental units must be registered in accordance with this article by January 1st of each year. Registration must be renewed annually, on or before January 1st, including updating all changes in previously submitted registration information.
2. If a rental unit is rented as both a short term and long term rental, it must be separately registered for each type of rental~~s~~.
3. Each owner, manager, or person/entity otherwise responsible for the rental unit, such as a property manager, shall be obligated under this article. Any new owner, manager, or responsible person/entity must register within thirty (30) days of purchase of the rental unit or transfer of management or responsibility.
4. A rental unit shall not be considered registered until all information and fees are provided to the satisfaction of the City's Permitting and Inspections Department or its designee.
5. As a condition of registration, all owners must allow onsite inspections of their property including, without limitation, all rental units.

*(b) Information/Documentation Required.* Registration must be completed on forms supplied by the City's Permitting and Inspections Department or their designee and must provide, at a minimum, the following information:

1. The street address of the building;
2. The unit number of the rental unit;
3. The tax assessor's chart, block and lot of the property on which the building is located;
4. The owner of the property, including the owners' name, address, telephone number, and email address. If the owner is anything other than a natural person, the following information must also be included:

- a. The name of ~~E~~each individual person that has an ownership interest in any entity that is the record owner. This includes, without limitation, all partners, officers, or trustees of any real estate trusts; any members or managers of a limited liability company; and all officers and directors of a corporation; and
  - b. The residential street address, e-mail address and home phone number of at least one (1) such individual person;
5. The manager of the property or the person or persons responsible for its regular maintenance or repair, as well as a name, address, telephone number, and email address for that person or entity.
  6. The person designated as the agent of the owner or owners for the service of notices and civil process by the city, as well as their name, address, telephone number, and e-mail address. Service of notice and process upon the person so designated shall be deemed conclusive service upon the owner or owners.

(c) *Additional Information Required for Short Term Rentals.* A short term rental shall not be considered registered unless and until the registrant has submitted a complete application together with all information required by this article, paid the fee required by Sec. 6-152, and a registration number has been issued.

In addition to the information required in Section 6-151(b), a Short Term Rental registrant must provide at a minimum the following information and any other information requested by the City's Permitting and Inspections Department or their designee:

1. A short term rental application;
2. Whether the rental unit is owner-occupied, tenant-occupied, or non-owner occupied;
  - a. For Short Term Rental units that are owner-occupied, the ~~registrant~~ owner must provide a notarized primary residence affidavit, on forms provided by the City. The owner must also produce for review one of the following demonstrating residency at the owner-occupied unit:

- i. Valid driver's license or other state-issued identification;
- ii. Valid motor vehicle registration;
- iii. Current voter registration;
- iv. Proof of homestead exemption; or
- i.v. Other documentation proving residence to the satisfaction of the City's Permitting and Inspections Department.

b. For Short Term Rental units that are tenant-occupied, the ~~registrant~~ tenant must provide a notarized primary residence affidavit, and a notarized statement of permission by his/her landlord, both on forms supplied by the City. The tenant must also produce for review one of the following demonstrating residency at the tenant-occupied unit:

- i. Valid driver's license or other state-issued identification;
- ii. Valid motor vehicle registration;
- iii. Current voter registration; or
- iv. Other documentation proving residence to the satisfaction of the City's Permitting and Inspections Department

3. The address and tax assessor's chart, block, and lot number of all other short term rentals in the City in which the registrant has an ownership interest. +

(d) *Display of Short Term Rental Registration Number Required.*  
Once registration is approved by the City, each short term rental shall be given a registration number, which much be displayed in the rental unit and in any and all advertisements for the rental unit.

(e) Upon request by the City, at any time, all registrants and/or agents of short term rental units must provide the City with their registration information, rental history, and upcoming reservation information. Failure of short term rental unit owners, tenants, and/or their representatives to adequately respond to inquiries by the City within a forty-eight (48) hour period shall be considered a violation under this ordinance.

(Ord. No. 443-89, 6-7-89; Ord. No. 53-89, 7-17-89; Ord. No. 246-97, 4-9-97; Ord.

298-14/15, 7-6-2015; Ord. 69-15/16, 10/5/2015; Ord. 179-16/17, 3-27-2017)

**Sec. 6-152. Registration Fees.**

(a) *Annual Registration Fee.* Upon initial registration and by January 1st of each year, registrants shall pay the City a registration fee for each rental unit, in the amounts set forth below. A rental unit shall not be considered registered unless and until this fee is paid in full.

(b) *Long Term Rental Registration Fee.* The registrant of a long term rental shall pay thirty five dollars (\$35.00) to the City by January 1st of each year.

(c) *Short Term Rental Registration Fee Structure.* The registrant of a short term rental shall pay the fee specified in the chart below. All fees will be cumulative and will increase based on the number of total units registered by the owner. The fee total will accumulate first by counting any owner occupied or tenant occupied units ~~short term rental units operating in a single family home or owner occupied multi-family buildings~~ and then fees will be attributed at the higher rate for any non owner occupied units ~~units located in non owner occupied buildings.~~ ~~If an owner registers units in both owner occupied and non owner occupied buildings then the owner occupied fees will be considered the first unit under the fee structure starting with the 1<sup>st</sup> unit fee as described in the chart below regardless of the order in which the units are registered.~~

Owners and tenants may register more than one short term rental unit (bedrooms, separate spaces, etc.) within their primary residence.

<del>Owner Occupied Single Family Home Units; or Tenant Occupied Units; Island Short Term Rental Units</del>	\$100 <u>each</u>
<del>Multi Unit Owner Occupied Building          Island Short Term Rentals</del>	<del>1<sup>st</sup> Unit - \$100          2<sup>nd</sup> Unit - \$250          3<sup>rd</sup> Unit - \$500          4<sup>th</sup> Unit - \$1,000          5<sup>th</sup> Unit - \$2,000</del>
<del>Multi Unit Non Owner Occupied Building          Non-Owner Occupied Mainland Short Term Rental Units</del>	1 <sup>st</sup> Unit - \$200 2 <sup>nd</sup> Unit - \$500 3 <sup>rd</sup> Unit - \$1,000 4 <sup>th</sup> Unit - \$2,000* 5 <sup>th</sup> Unit - \$4,000*

\* Available only for units that are lawfully registered as of December 1, 2018, and timely reregister each year.

(d) *Registration and Renewal Fee Discounts.* The following discounts shall apply to the registration and renewal fees:

- (1) \$10 discount for each rental unit within a fully-sprinkled building as verified by a testing report, maintenance report or a maintenance contract, which shall be provided at the time of registration and upon each registration renewal;
- (2) \$7.50 discount for each rental unit within a building with a centrally-monitored fire alarm as verified by Fire Department logs or an alarm contract, which shall be provided at the time of registration and upon each registration renewal;
- (3) \$5.00 for a rental unit that has been subject to and has passed a Housing and Urban Development Housing Quality Standard (HQS) inspection within the preceding year as verified by the HQS inspection report, which shall be provided at the time of registration and upon each registration renewal;
- (4) \$10.00 for a rental unit that has been subject to and

has passed a Housing and Urban Development Uniform Physical Condition Standard (UPCS) inspection within the preceding year as verified by the UPCS inspection report, which shall be provided at the time of registration and upon each registration renewal;

- (5) \$2.50 for a rental unit that is subject to a signed lease which prohibits smoking by tenants as verified by a copy of the current lease, which shall be provided at the time of registration and upon each registration renewal. The existence of and enforcement of this provision may be verified through an inspections of each rental unit.

The total amount of discounts from the annual registration or renewal fee as described above shall not exceed \$20.00, and the minimum annual fee for registration or renewal shall be \$15.00 per unit.

(Ord. No. 443-89, 6-7-89; Ord. No. 53-89, 7-17-89; Ord. 298-14/15, 7-6-2015; Ord. 179-16/17, 3-27-2017)

**Sec. 6-153. ~~Violations~~Limitations on Short Term Rental Units.**

(a) *Occupancy Limit.* Overnight short term rental guest occupancy in each rental unit will be limited to two (2) guests per bedroom plus no more than two (2) additional guests.

(b) *Limitation on Total Number of Short Term Rentals.* No more than 300 non-owner occupied mainland short term rental units shall be registered in any one calendar year.

As of December 1, 2018, Mainland Short Term Rental Units in Owner-Occupied Multi-units that are not the Primary Residence of the registrant shall be counted as Non-Owner occupied units and subject to this limitation.

(c) *Limitations on number of Short Term Rentals an Individual or Entity May Register.* After December 1, 2018, Aan individual or entity may only register up to threefive (35) short term rentals ~~units~~ in the City, including the Islands, in any one (1) calendar year. For purposes of this section, short term rental ~~units~~ registered by an entity in which the registrant has an ownership interest shall be counted towards this limit.

~~(e)~~(d) No individual or entity may register a short term

rental in any single family home unless it is owner-occupied; tenant-occupied with permission of the owner; or located on an Island.

~~(d)~~(e) The number of mainland short term rental units that may be operated in a multi-unit building are as follows:

Total # of <u>Dwelling</u> Units in <del>Building</del>	# of <u>Non Owner Occupied</u> Short Term Rental Units Allowed in Building	
	<del>Owner Occupied</del>	<del>Non-Owner Occupied</del>
2	<del>2</del>	1
<del>3-5</del>	3	2
<del>6+</del>		3
<del>4</del>	4	<del>2</del>
<del>5</del>	5	<del>2</del>
<del>6-9</del>	5	4
<del>10+</del>	5	5

~~Tenant-occupied units, where the tenant is the registrant, shall not be counted towards these limits.~~

(Ord. No. 443-89, 6-7-89; Ord. No. 53-89, 7-17-89; Ord. 298-14/15, 7-6-2015; Ord. 179-16/17, 3-27-2017)

**Sec. 6-154. Allocation of Short Term Rentals.**

~~(a) The limitations on the allocation of Non-owner occupied mainland short term rental units identified in, which are limited by section 6-153(b), shall be allocated each year on a first come, first registered basis. Once the total number of units identified in section 6-153(b) has been reached, a waitlist will be formed ~~to help gauge market demand~~. The City Manager or his or her designee, may institute a lottery process to allocate available registrations off the waitlist at his or her discretion.~~

~~(b) Notwithstanding the limitations in section 6-153(b) and (c), valid registrations of short term rentals may be renewed each year upon application and payment of the registration fee, so long as the renewal is complete by January 1 of that year.~~

~~However, if the number of registered non-owner occupied mainland units exceeds the limitations in section 6-153(b), then no new non-owner occupied mainland units shall be registered until the number of units falls below that limitation. The City Manager or his or her designee may implement staggered application deadlines for renewal applications and new applications as necessary to implement this requirement.~~

Failure to renew by January 1 shall result in the forfeiture of the right to renew the registration, and any subsequent application shall be treated as a new application for registration.

(Ord. 179-16/17, 3-27-2017)

**Sec. 6-155. Violations.**

Specific violations of this article, subject to the provisions of section 6-1, include, but are not limited to:

- (a) Any person, business entity, or other organization failing to timely register a rental unit, including providing all required information and paying the required registration fee;
- (b) Any person, business entity, or other organization providing false information with respect to registration. Notwithstanding the provisions of § 6-1, the penalty for such violation shall be \$1,000.00;
- (c) Any person, business entity, or other organization renting any rental unit that is not registered under this article, or to permitting the occupancy of such premises without registration;
- (d) Failure of short term rental unit owners, tenants, and/or their representatives to adequately respond to inquiries by the City pursuant to 6-152(e) within a forty-eight (48) hour period;
- (e) Any person business entity or other organization failing to timely file the required registration, acquire and/or display the required Short Term Rental registration number, or failing to timely pay, in full, the registration fee or annual renewal fee, or failing to timely file any required update to the registration ~~shall be~~ is in violation of this Article for which a fine of \$100.00 per day each day the violation continues shall be assessed;
- (f) Any person providing false information with respect to registration shall be in violation of this article for

which a fine of \$1,000.00 shall be assessed;  
(Ord. 179-16/17, 3-27-2017)

**Sec. 6-156. Enforcement.**

(a) The building authority as defined in section 6-1 or his or her designee is authorized to institute or cause to be instituted by and through the office of the corporation counsel, in the name of the city, any and all actions, legal or equitable, that may be appropriate or necessary for the enforcement of the provisions of this article.

(b) No certificate of occupancy shall be issued for property that is subject to the registration requirements of this article, but is not registered in accordance with this article.

(c) Any short term rental at a property that is designated by the City as a disorderly house and fails to remedy the disorderly house as required by section 6-202, shall, at the discretion of the City Manager or his or her designee, have its registration revoked and be ineligible for registration for a period of twelve (12) months. Any registration after revocation shall be considered a new registration and not a renewal. Upon the second designation of the short term rental property as a disorderly house, the City shall, at the discretion of the City Manager or his or her designee, prohibit the registered owner from operating the property as a short term rental or post the property against occupancy pursuant to section 6-201.

(d) Fines may be attributed to Property Management firms found operating short term rental units in violation of this article. These fines may be in addition to fines levied against owners of property.

(e) Violations of the provisions of this article shall be grounds to deny an application or renewal application for a short term rental registration.

(Ord. 179-16/17, 3-27-2017; Ord. No. 29-17/18, 9-18-2017)

**Sec. 6-157. Revenue Allocation.**

Notwithstanding section 6-1(b), all revenue generated from short term rental registration fees and penalties shall be used to first fund short term rental related administrative costs. Any remaining revenue shall be deposited in the Housing Trust Fund, as defined in Section 14-489.

(Ord. 179-16/17, 3-27-2017)

- Sec. 6-158. Reserved.**
- Sec. 6-159. Reserved.**
- Sec. 6-160. Reserved.**
- Sec. 6-161. Reserved.**
- Sec. 6-162. Reserved.**
- Sec. 6-163. Reserved.**
- Sec. 6-164. Reserved.**

*Air BnB*

Q Portland, ME

Oct 24 - 28

Guests



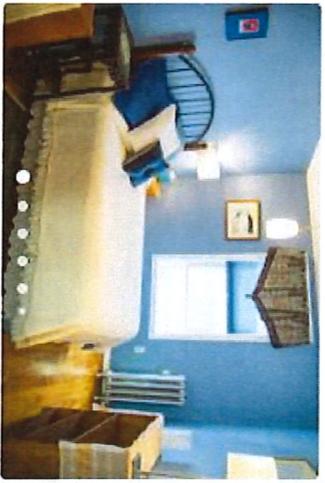
guests. The Superhost badge makes them easy to find.

Show Portland Superhosts

### Where to stay



**ENTIRE APARTMENT · 2 BEDS**  
**East End Oasis**  
\$168 per night · Free cancellation  
**NEW**



**PRIVATE ROOM · 1 BED**  
**East End -walk to water AND town.**  
**Room for 1 or 2**  
\$69 per night · Free cancellation  
★★★★★ 3



**PRIVATE ROOM · 1 BED**  
**Bright clean room for one in**  
**fragrance free home!**  
\$51 per night · Free cancellation  
★★★★★ 120 · Superhost



**PRIVATE ROOM · 1 BED**  
**Spacious, TV, AC, & free parking**  
**(greenbelt trail)**  
\$55 per night · Free cancellation  
★★★★★ 42

Show all (10000+) >

*Ethan Sammis*

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## Comment RE: Short Term Rental Proposals

1 message

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**Jill Duson** <jduson@portlandmaine.gov>  
To: Mary Davis <mpd@portlandmaine.gov>, vvolent@portlandmaine.gov  
Cc: Michael Sauschuck <mjs@portlandmaine.gov>, mswnola@gmail.com

Wed, Oct 10, 2018 at 12:21 PM

In response to the concern raised by Ms. Snyder, I have gone back through e-mail and noted receipt of a few messages re: STR that came in after the 9/26 meeting of the Housing Committee.

At the time of review, I apparently missed my usual routine of reviewing who was copied and filling in missing parties. Thus, Ms. Snyder is correct, I missed forwarding several messages received after 9/26 to staff for inclusion in the committee record.

By copy of this e-mail I am forwarding a message dated 9/28. This was addressed to the three members of the Housing Committee, District Councilor Ray, the Mayor, the Manager and cc'd to Ms Snyder.

jduson <jduson@portlandmaine.gov>,  
Belinda Ray <bsr@portlandmaine.gov>,  
Ethan Strimling <estrimling@portlandmaine.gov>,  
kcook@portlandmaine.gov,  
Jon Jennings <jpj@portlandmaine.gov>,  
Pious Ali <pali@portlandmaine.gov>

cc: Karine S  
<karsny@yahoo.com>

----- Forwarded message -----

From: **Maggy W** <mwnola@gmail.com>  
Date: Fri, Sep 28, 2018 at 9:26 PM  
Subject: Housing Committee proposals on Short Term Rentals  
To: jduson <jduson@portlandmaine.gov>, Belinda Ray <bsr@portlandmaine.gov>, Ethan Strimling <estrimling@portlandmaine.gov>,  
<kcook@portlandmaine.gov>, Jon Jennings <jpj@portlandmaine.gov>, Pious Ali <pali@portlandmaine.gov>  
Cc: Karine S <karsny@yahoo.com>

Dear Councilors Cook, Ray, Ali, Duson, and Mayor Strimling,

For over a year, several Munjoy Hill neighbors and I have been in discussions about the problem of Short Term Rentals and the impact on housing availability in Portland, as well as the impact on the neighborhood - from noise to parking to lack of shoveling in the winter to lack of proper trash/recycling preparation which can cause a big mess on the sidewalks. Some operators are chronic bad neighbors in these last areas.

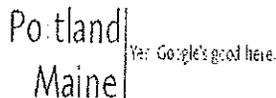
I support the amendments proposed by Councilor Cook and Councilor Ray and Mayor Strimling in the 9/26 meeting, and I do NOT support any grandfathering of the old regulations for current operators. It is relatively simple to convert an STR unit into a long term rental, so there is no real hardship to these current operators. At the most, they could be given a grace period of a couple of months to accomplish the conversion or to honor future bookings which have already been made - HOWEVER, future bookings should be frozen at the time of adoption of the new policies.

Thank you for your attention to this very important matter.

Sincerely,  
Maggy Wolf  
28 Saint Lawrence

--

Jill C. Duson  
At Large Councilor  
City of Portland



Victoria Volent &lt;vvolent@portlandmaine.gov&gt;

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**Re: support for air b&b regulation**

1 message

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Jill Duson <jduson@portlandmaine.gov>

Thu, Oct 11, 2018 at 3:49 PM

To: "gretch1949@gmail.com" &lt;gretch1949@gmail.com&gt;

Cc: Mary Davis &lt;mpd@portlandmaine.gov&gt;, Victoria Volent &lt;vvolent@portlandmaine.gov&gt;

I write to confirm receipt and review of your message.

I copied it to staff to be added to the committee record when it is updated following tonight's meeting.

On Thu, Oct 11, 2018 at 7:27 AM Gretchen Greenberg <gretch1949@gmail.com> wrote:

Dear Councilors

This resident is in favor of regulations for air b&b as proposed by Councilor Cook. While I am not personally impacted since I live in a condominium association that only allows one year rentals, I firmly believe that the quality of life in Portland's neighborhoods is a factor of Portland being a livable city. The number of short term rentals must also impact the housing market, but some of the air b&b's are not exactly affordable housing. I think that short term rental owners should be on the property or very close by. I have been a consumer of air b&b's in various cities and I do enjoy this rental arrangement, but a city needs to have restrictions for its residents and I would have to live with that as a consumer.

I do recommend gathering accurate data as to the exact number of air b&b rentals there actually are in the city. Arguments always are more convincing with true numbers.

And while I am writing, what is Mayor Strimling thinking about proposing a housing bond??? There are other resources for the housing needs. How can he be so insensitive to property owners? Doesn't he realize that bond repayment is the third highest cost on our property taxes, which increase every year, and this is before we start paying for the school bonds? Honestly, I don't think he ever considers taxpayers when he puts forth proposals. Please don't even vote this to go to referendum.

Thank you.

Gretchen Greenberg

--  
Jill C. Duson  
At Large Councilor  
City of Portland

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## Correspondence re: short term rental

1 message

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Jill Duson <jillduson@gmail.com>

Wed, Oct 10, 2018 at 8:05 PM

To: joey.brunelle@gmail.com, jyork2@maine.rr.com

Cc: Mary Davis <mpd@portlandmaine.gov>, Victoria Volent <vvolent@portlandmaine.gov>, Michael Sauschuck <mjs@portlandmaine.gov>

I try to be attentive to getting council related information in the hands of staff, for inclusion in the Housing Committee record of review on issues. Still, from time to time, I slip on this and have to backtrack.

I have forwarded the attached message string to city staff for inclusion in the Housing Committee record of review of STR issues.

And, I write to request that you use my city e-mail address ([jduson@portlandmaine.gov](mailto:jduson@portlandmaine.gov)) for council related correspondence.

Thanks

On Wed, Oct 3, 2018 at 2:45 PM Joey Brunelle <[joey.brunelle@gmail.com](mailto:joey.brunelle@gmail.com)> wrote:

Except Jay, the data is in. We don't have studies from Portland, Maine, but there have been other studies in other cities that demonstrate that rampant Airbnbs in non-owner occupied homes makes rents go up. [Here is an article about one such study that examined 100 metro areas:](#)

*"The researchers looked at rents and home prices in the 100 largest metro areas in the U.S. between 2012 and 2016. They found that a 10% increase in Airbnb listings leads to a 0.39% increase in rents and a 0.64% increase in house prices. "That may sound minuscule, but between 2012 and 2016, rents rose by about 2.2% annually [on average in the 100 areas], so a 0.39% increase in that context isn't very small at all," says Edward Kung, an assistant professor of economics at the University of California Los Angeles and one of the study's authors."*

I refuse to believe that there's now nothing the City of Portland can do to get more affordable housing back. If I believed that that horse was truly out of the barn, as you say, I wouldn't be running for City Council. There are still things we can do, and things we should do - and better regulations around Airbnbs is one of those things.

- Joey

On Sun, Sep 30, 2018 at 5:39 PM Jay York <[jyork2@maine.rr.com](mailto:jyork2@maine.rr.com)> wrote:

Hi Joey,

According to the data provided from the last Housing Committee meeting the city doesn't know the level STR are affecting the full time rental market...but everyone's proposing solutions before all the data is there. I haven't seen a report of the number of police calls to buildings with STRs either so disruptions to neighborhoods is nothing but anecdotal. If I was forced to put my unit on the full time rental market it would not be "affordable." And neither will any of the apartments that are renting now as STRs. If you can't afford to live somewhere then you move to a place you can afford. If city leaders had taken steps to control housing development 10 years ago then we might still have "affordable" rentals in Portland. The horse is out of the barn and there is no getting it back.

Jay

On Sep 30, 2018, at 5:05 PM, Joey Brunelle <[joey.brunelle@gmail.com](mailto:joey.brunelle@gmail.com)> wrote:

Hi Jay - thanks for sending this to me. Just so you know, I'm cc'ing my response to your original recipients.

It's undeniable that the guests who stay at Airbnbs (just like hotels) spend money in the community - you are right about that. But as I see it, the problem is that in many (but not all) cases Airbnbs (unlike hotels) take housing away from the housing supply accessible to residents. These are often units that would have been put on the rental market, one way or another. And we know that decreased supply makes rents go up. While Airbnb guests have a positive impact on businesses, they also have a negative impact on renters - a group that includes the folks who are working at those businesses. Yes, businesses are booming, but wages have been stagnant, healthcare costs are very high, and many people in my generation are burdened by student loan payments that can equal or exceed their rent - the last thing these folks need is more unaffordable housing. And if Airbnbs are contributing to that problem, I want to address it.

And don't forget that if these housing units were being rented to Portland residents instead of on Airbnb, those Portland residents would spend money in the Portland economy too. Spending isn't strictly the purview of tourists. But those folks would spend money at different locations: instead of boutiques and restaurants and bars, they'd spend more at grocery stores, laundromats, and other businesses that actually serve the community - not just tourists.

Do I think Airbnbs are the only think contributing to unaffordable housing? No - far from it. There are plenty of bigger, better solutions to the housing crisis - but Airbnb is still a factor, and additional limits on the number and type of Airbnbs can help address this problem, so I think it's worth pursuing better regulations. There's no silver bullet solution to the unaffordable housing problem - it's going to require addressing many different problems simultaneously, and this is one.

And this is to say nothing of the impact that Airbnbs have had on neighborhoods. I don't know if you saw, but the Press Herald recently reported that in my part of Munjoy Hill, one in five housing units has been listed as an Airbnb in the last year. No wonder the streets are so quiet, no wonder there aren't a lot of families and kids around, no wonder there isn't really a grocery store up here - the people living in the houses around me aren't from here, they're on vacation. The nearly-unfettered proliferation of Airbnbs on Munjoy Hill and elsewhere has, in my opinion, definitely had a negative impact on the character of neighborhoods.

I'm happy to keep this dialogue going - this is a complex issue, and there are many conflicting aspects to it. Thanks for writing me, I hope you and Tucker are well. :-)

- Joey

On Fri, Sep 28, 2018 at 7:18 PM Jay York <jyork2@maine.rr.com> wrote:

Hi Joey,

Take a moment and read this.

Jay

Begin forwarded message:

**From:** Jay York <jyork2@maine.rr.com>

**Subject:** Airbnb & local economy

**Date:** September 28, 2018 at 6:26:38 PM EDT

**To:** Jill Duson <jduson@portlandmaine.gov>, Pious Ali <pali@portlandmaine.gov>

**Cc:** Ethan Strimling <estrimling@portlandmaine.gov>, Jon Jennings <jpj@portlandmaine.gov>

Hi Jill,

By the end of this year I will have rented my Airbnb for 250 nights. My 595 square foot, one room, rental unit is part of my home but has separate entrances. It was previously rented as an artist studio (not a living space) and has no kitchen. The economic impact of this STR breaks down to a little over \$27,000 for me, almost \$3000 in lodging taxes for the state, and well over **\$32,000 for local businesses**. With almost every night rented being double occupancy that translates to about 500 guests going out to eat at least twice each day. And since the reason most of my guests have chosen Portland as their destination is to explore the restaurant and brewery/distillery scene, assuming a daily average of \$130 (per couple) spending is far more than reasonable.

I have read many letters and discussions about STR impacts on the rental housing market but have not read about the impacts on the local Portland economy. My calculations suggest that if I renovated my unit into a full time rental and rented it at the going rate for studio apartments I would see income of only \$15,000 per year, the state would get zero in lodging tax, and local businesses would get less than \$3000 (based on single occupancy) per year. That's a huge reduction in local spending because of a change to full time rental. So now lets just guess at (because, so far, that's all the city can do) what a number (maybe 400) of similar type STRs in Portland would have as impact on the **local economy...\$25,000,000+ per year**. And it could be almost twice that.

Please consider this while addressing proposed changes to STR ordinances in Portland.

Jay York

PS. And consider that all this STR economy is happening while the hotel business is booming.

---

**Fw: Housing Comm 9/26 STR's**

1 message

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**Karen Snyder** <karsny@yahoo.com>  
To: Mary Davis <mpd@portlandmaine.gov>

Wed, Oct 10, 2018 at 9:52 AM

----- Forwarded Message -----

**From:** Pa Ag <pagopian1@yahoo.com>

**To:** Ethan Strimling <estrimling@portlandmaine.gov>; Jill Duson <jduson@portlandmaine.gov>; Kim Cook <kcook@portlandmaine.gov>; Belinda Ray <bsr@portlandmaine.gov>; Jon Jennings <jpj@portlandmaine.gov>

**Cc:** Jay Norris <jay.norris@munjoyhill.org>; "vestal@chesterandvestal.com" <vestal@chesterandvestal.com>; Joey Brunelle <joey.brunelle@gmail.com>; "rbillings@mainetoday.com" <rbillings@mainetoday.com>; David Harry <dharry@theforecaster.net>

**Sent:** Saturday, September 29, 2018 02:33:43 PM EDT

**Subject:** Housing Comm 9/26 STR's

I was in attendance for this meeting and would like to express my support for the proposed amendments to the current STR policies. In addition I agree that the stats for STR's are NOT accurate and the registration application needs to be fine tuned in order to reflect accurate numbers. Furthermore the non owner occupied units need not be grandfathered but need to be eradicated. They are essentially operating as mini hotels in a residential zone. There is a difference from an Owner Occupied property owner trying to make ends meet as opposed to a non owner occupied building operating as an STR. I am waiting for a legal challenge to surface! STR's Should be Owner Occupied ONLY!!

Sincerely,

Paula Guillemette Agopian

Founding Member of Munjoy Hill Conservation Collaborative and long time property owner and landlord

Sent from my iPhone

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## Fw: Housing Committee proposals on Short Term Rentals

1 message

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**Karen Snyder** <karsny@yahoo.com>  
To: Mary Davis <mpd@portlandmaine.gov>

Wed, Oct 10, 2018 at 9:52 AM

----- Forwarded Message -----

**From:** Maggy W <mawnola@gmail.com>

**To:** jduson <jduson@portlandmaine.gov>; Belinda Ray <bsr@portlandmaine.gov>; Ethan Strimling <estrimling@portlandmaine.gov>; "kcook@portlandmaine.gov" <kcook@portlandmaine.gov>; Jon Jennings <jpj@portlandmaine.gov>; Pious Ali <pali@portlandmaine.gov>

**Cc:** Karine S <karsny@yahoo.com>

**Sent:** Friday, September 28, 2018 09:26:17 PM EDT

**Subject:** Housing Committee proposals on Short Term Rentals

Dear Councilors Cook, Ray, Ali, Duson, and Mayor Strimling,

For over a year, several Munjoy Hill neighbors and I have been in discussions about the problem of Short Term Rentals and the impact on housing availability in Portland, as well as the impact on the neighborhood - from noise to parking to lack of shoveling in the winter to lack of proper trash/recycling preparation which can cause a big mess on the sidewalks. Some operators are chronic bad neighbors in these last areas.

I support the amendments proposed by Councilor Cook and Councilor Ray and Mayor Strimling in the 9/26 meeting, and I do NOT support any grandfathering of the old regulations for current operators. It is relatively simple to convert an STR unit into a long term rental, so there is no real hardship to these current operators. At the most, they could be given a grace period of a couple of months to accomplish the conversion or to honor future bookings which have already been made - HOWEVER, future bookings should be frozen at the time of adoption of the new policies.

Thank you for your attention to this very important matter.

Sincerely,  
Maggy Wolf  
28 Saint Lawrence

---

## Fw: Short Term Rental Revisions

1 message

---

**Karen Snyder** <karsny@yahoo.com>  
To: Mary Davis <mpd@portlandmaine.gov>

Wed, Oct 10, 2018 at 9:55 AM

**From:** Mary Casale <dirtgirl1@aol.com>

**Date:** September 29, 2018 at 1:07:06 AM EDT  
**To:** Kim Cook <kcook@portlandmaine.gov>, Ethan Strimling <estrimling@portlandmaine.gov>, Pius Ali <pali@portlandmaine.gov>, Jill Duson <jduson@portlandmaine.gov>  
**Cc:** Belinda Ray <BSR@portlandmaine.gov>, John Jennings <jpj@portlandmaine.gov>  
**Subject:** Short Term Rental Revisions

The current City of Portland STR ordinance needs to be revised. The assignment of units for owner occupied property and # of STR units vs. non owner occupied property and units is incorrect. This has led the city to allowing more than allotted number of rentals.

To really make this simple and remove the impetus of profiteering, only property owner occupied unit should be allowed as STR. There should be no "grandfathering" of the excess units that have been allowed.

A public complaint process, and a form needs to be developed for property owners and long term renters who are negatively impacted. Along with this complaint process a criteria for rescinding of registration and denial of renewal of registration should be in place. Absolutely no, automatic renewal.

I live in a RESIDENTIAL zone, not a business zone, not a commercial zone.

As I sat down to write this missive (10:30pm) I heard voices on my neighbors walkway, which abuts my driveway, and two young women (lugging a few six packs) were headed up to my back door. Upon seeing me at the window, they realized that they were again headed to the wrong house.

I am now living with 2 STR in the building next to my home and 2 STR in the building across the street from me. Both of the buildings rentals are run by management companies. These are not home owners trying to keep up, with their taxes. Prior to the STR Business being allowed, these apartments were LTR, and never vacant.

Please take the time necessary to review and revise this ordinance as is necessary. If this is allowed to continue as is, this area will no longer be a neighborhood but just an extension of the ever developing waterfront. So sad.

Regards

Mary Westort Casale  
39 Waterville St.

Sent from my iPad

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## Fwd: Airbnb & local economy

1 message

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Jon Jennings <jpj@portlandmaine.gov>  
To: Mary Davis <mpd@portlandmaine.gov>

Wed, Oct 10, 2018 at 10:09 AM

----- Forwarded message -----

From: **Jay York** <jyork2@maine.rr.com>  
Date: Fri, Sep 28, 2018 at 6:26 PM  
Subject: Airbnb & local economy  
To: Jill Duson <jduson@portlandmaine.gov>, Pious Ali <pali@portlandmaine.gov>  
CC: Ethan Strimling <estrimling@portlandmaine.gov>, Jon Jennings <jpj@portlandmaine.gov>

Hi Jill,

By the end of this year I will have rented my Airbnb for 250 nights. My 595 square foot, one room, rental unit is part of my home but has separate entrances. It was previously rented as an artist studio (not a living space) and has no kitchen. The economic impact of this STR breaks down to a little over \$27,000 for me, almost \$3000 in lodging taxes for the state, and well over **\$32,000 for local businesses**. With almost every night rented being double occupancy that translates to about 500 guests going out to eat at least twice each day. And since the reason most of my guests have chosen Portland as their destination is to explore the restaurant and brewery/distillery scene, assuming a daily average of \$130 (per couple) spending is far more than reasonable.

I have read many letters and discussions about STR impacts on the rental housing market but have not read about the impacts on the local Portland economy. My calculations suggest that if I renovated my unit into a full time rental and rented it at the going rate for studio apartments I would see income of only \$15,000 per year, the state would get zero in lodging tax, and local businesses would get less than \$3000 (based on single occupancy) per year. That's a huge reduction in local spending because of a change to full time rental. So now lets just guess at (because, so far, that's all the city can do) what a number (maybe 400) of similar type STRs in Portland would have as impact on the **local economy...\$25,000,000+ per year**. And it could be almost twice that.

Please consider this while addressing proposed changes to STR ordinances in Portland.

Jay York

PS. And consider that all this STR economy is happening while the hotel business is booming.

--

Jon P. Jennings  
City Manager  
[City of Portland](#)  
[389 Congress Street](#)  
Portland, ME 04101  
(207) 874-8689 Office  
[jpj@portlandmaine.gov](mailto:jpj@portlandmaine.gov)  
[www.portlandmaine.gov](http://www.portlandmaine.gov)

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## Fwd: Concerns over the 9/26 Housing Committee Discussion on STRs

1 message

---

Jon Jennings <jpj@portlandmaine.gov>  
To: Mary Davis <mpd@portlandmaine.gov>

Wed, Oct 10, 2018 at 10:08 AM

----- Forwarded message -----

From: **Karen Snyder** <karsny@yahoo.com>

Date: Fri, Sep 28, 2018 at 12:15 PM

Subject: Concerns over the 9/26 Housing Committee Discussion on STRs

To: Kim Cook <kcook@portlandmaine.gov>, Ethan Strimling <estrimling@portlandmaine.gov>, Pious Ali <pali@portlandmaine.gov>, Jill  
Duson <jduson@maine.rr.com>

CC: Belinda Ray <bsr@portlandmaine.gov>, Jon Jennings <jpj@portlandmaine.gov>

In the 9/26 Housing Committee, Councilor Cook, Mayor Strimling, and Councilor Ray proposed STR amendments. They have made an excellent effort in further clarifying the STR ordinance which have caused confusion and had resulted in the under reporting of the actual amount of non-owner occupied STR rentals in Portland. The current STR ordinance has also allowed certain multi-unit properties to be almost entirely used as short term rentals instead of providing long term residential housing in neighborhoods.

Councilor Cook, Mayor Strimling, and Councilor Ray have listened to many people affected by STRs and have made great effort to try to make changes by these proposed STR amendments.

However, my concern within the 9/26 Housing Committee 4 hour meeting was the overall general impression of the lack of embracing of these proposed STR amendments by Chair Councilor Duson.

**ALL** of the proposed STR amendment language discussed that night needs to be retained albeit with some language revision fine tuning.

The specific concerns are as follows:

**Concern #1: The STR Registration Form did NOT capture correctly for multi units in the Owner Occupied properties which STR units was an owner occupied STR unit vs a non-owner occupied STR unit.**

Below is a suggested change on the STR registration form to capture the information correctly and to add document control # or date for revision control. Until this STR registration form is corrected and this form resent out to the current 377 Owner Occupied property owners, one will never really now how much officially under reported are the non-owner occupied STR units.

Based on 9/26 Housing Committee documentation, the current range of non-owner STR unit underreporting is shown follows:

- Current Non-Owner Occupied Property STR Registered Unit Count = 162
- Current Owner Occupied Property where there are Non-Owner STR Registered Unit Count Range: 92 to 468
- This means the real Non-Owner STR registration Count is a range of **254 to 630**. (162+92 to 162+468)
- **Note: The Cap for Non-Owner Registered STR unit count is 300.**

Below is a suggestion for revising the STR registration form to be able to accurately collect the required valid data points to reduce confusion currently going on with this issue

Current STR Registration Form Section 6

SECTION 6: RENTAL UNIT REGISTRATION							
Please Indicate if the Unit is:							
	# of Units	Mainland	Island	Owner Occupied	Tenant Occupied	Non Owner Occupied	
Long Term							
Short Term							

Revision Date: 9/29/2018

Suggested STR Registration Form Section 6 Revision

SECTION 6: RENTAL UNIT REGISTRATION												
Please Indicate If the Unit is:				# of Units				Mailing Address of Unit(s)				
	Total # of Units	Mainland (Y/N)	Island (Y/N)	Owner Occupied Unit (Yes/No) If Yes, Provide # of Rooms.	Owner Occupied Property - Non-Owner Occupied Units	Tenant Occupied Units	Non-Owner Occupied Property Units	Owner Occupied Property Unit	Owner Occupied Property - Non-Owner Occupied Units	Tenant Occupied Units	Non-Owner Occupied Property Units	
Long Term												
Short Term												

**IMPORTANT:** Once the STR Registration revision is updated to whatever is decided upon, this section will need to go out to the 377 Owner Occupied STR properties to gather the additional relevant information that was in revised STR registration form.

**Concern #2:** There have been several examples STR properties where the majority or all of units within a multi-unit property were allowed to be registered as STR and provide no long term housing units any longer.

**Concern #3: Cook/Strimling Amendment: Section 6-153 proposed (f) section -Councilor Cook/Mayor Strimling made a good effort to address the concentration of the amount of STRs from a single property owner.** Since a city block is relative, it may be better to simply say there should be no more than 3 registered STR units of a property owner with 5 or 6 abutting surrounding properties where the density of overall housing units < 20 (for example)

**Concern #4: Cook/Strimling Amendment: Section 6-153 proposed (g) section in.** There should clarification and instructions on City's STR webpage where complaints specific to STR properties should be emailed and sent. This is because generally the STR complaints are more of a civil manner (except for Noise Disturbances) and not a criminal manner which then it will not be a Police recorded incident.

From various property owners, there have been multiple complaints sent to the City regarding STR incidents but there is no visibility if these complaints have been received and/or logged. There should be an ability to view the complaints on a STR property. I have actually had to make my own log of incidence that have happened on my property specifically related to STRs and I have no idea if the City received these complaints when I sent them originally. Therefore, I had to keep my own log.

**Please see attachment.**

**Concern #5: Councilor Duson's statement which said it was only "fair and just" to grandfather in the non-owner occupied STR units that are all ready out there even if these Non-Owner occupied STR units were under reported by the city and may have bypassed the 300 cap.**

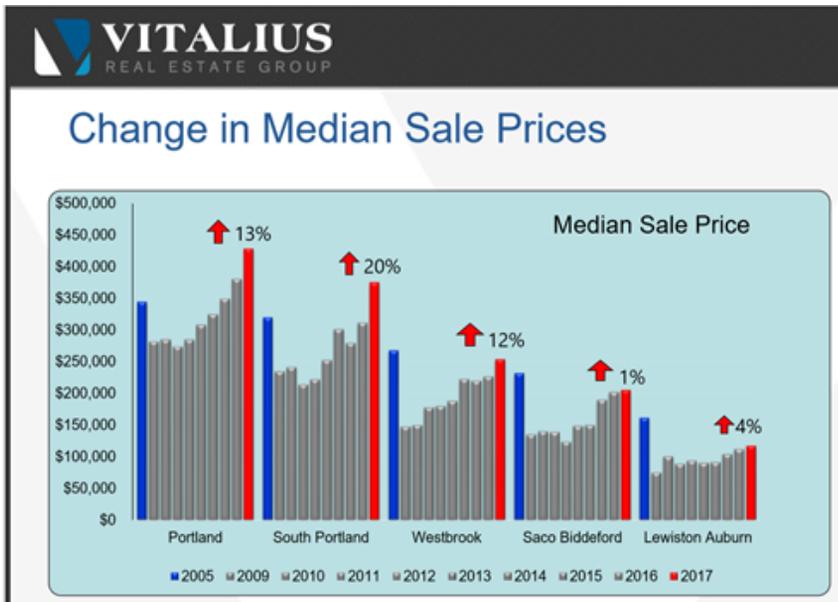
These means several abutting property owners who provide long term residential and affordable housing have to continue to be wedged between properties that are almost completely STR driven and are basically hotels. Is that fair and just? This is essentially saying that the City is trying to continue to legitimize illegally running hotels in residential zones without correcting this issue. This will continue to degrade the abutting property owners, providing long term affordable housing, their enjoyment of their own property in which they are entitled to have because of a continuous stream of strangers coming and going in these STR properties next to properties providing long term and affordable housing.

In conclusion, I encourage the Housing Committee to adopt ALL the amendments presented and discussed in the 9/26 Housing Committee meeting proposed by Councilor Cook, Mayor Strimling, and Councilor Ray. In addition, to clarifying the language in certain Sections indicated above and to correct the STR registration form with the proposed suggestions made above.

To further re-iterate, **there is no issue with owner occupied STR registered unit only** which can be single family residence or a owner occupied unit within an Owner Occupied property.

The issue is the non-owner occupied STR units where it is removing long term housing off of the rental market which have contributed to new 1 Bd and 2 Bd apartment unit rents to be > est 35% more expensive to existing apartment rents and a 13%

increase in 1 year and 25% in 3 years for multi-unit property values in reported findings from realtor/President of Southern Maine Portland Landlord Association of Brit Vitalius website as shown below.



Source: <https://vitalius.com/documents/MEREDA-2018-Multi-Family-Report.pdf> (Page 5)

**VITALIUS**  
REAL ESTATE GROUP

### New Units – Regional Rental Comparison

	Average Rents for mid-grade, heated units		
	Anderson St - Portland	Cumberland/SoPo/ Scarborough	Cascade Falls - Saco
1 Bd	\$1,550	\$1,250 - \$1,325	\$1,200
2 Bd	\$2,000	\$1,450 - \$1,500	\$1,450 - \$1,600
Occupancy	100%	~75% newest units	100%

**Portland**

- Developers aggressively use incentives to fill units

**Outside of Portland**

- Patience, holding prices, slower occupancy rates

Source: <https://vitalius.com/documents/MEREDA-2018-Multi-Family-Report.pdf> (Page 14)

Finally, if these proposed STR amendment are not made, this will be evidence that the City is ignoring the Comprehensive Plan which states that neighborhoods are to be preserved and the R-6 Zoning definition which was to conserve and retain residential housing essentially indicating that it is not a priority to maintain neighborhoods and long term residential housing for the current residents.

Regards,

Karen Snyder

Munjoy Hill Property Owner

--  
Jon P. Jennings  
City Manager  
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 **IncidentLog\_with\_STRPropertyOwner.pdf**  
557K

### Short Term Rental Incident Log with STR Property Owner

Date	Incident	Description
5/5/2018	2 Airbnb girls locking their bikes in the bike rack on my property	Two girls from Airbnb people locked their bikes on my property. They removed them when I asked. They also left a kind note. Confirmed this was Airbnb people from STR property next to me.  (Exhibit A)
5/5/2018	Another Airbnb person locked their bike in the bike rack on my property	When the 2 Airbnb girls removed their bikes, there was a purple bike with a Kryptonite lock not owned by my tenants or the two Airbnb girls. So, I had to contact STR property owner and get them to contact all the STR units and ask them to remove that purple bike from my property. Confirmed this was another Airbnb person from STR property next to me.  (Exhibit B)
7/16/2018	Unknown young boy entered my garden thinking it was the STR property next to my property.	A young unknown boy with a bike entered my garden as I was working in it. When I told him this is private property, he backed out of the garden and left. His mother was at the edge of my driveway waiting for him. Confirmed this was another Airbnb person from STR property next to me.  (Exhibit C)
9/22/2018	Noise Disturbance	Woke up four times in the night with last time at 1:45pm with various car door slamming and drunk people walking down the street talking loudly.
9/26/2018	Airbnb guy with 2 unruly dogs in front of my property and me feel intimidated.	I was walking from the 9/26 Housing Committee and some Airbnb guy with 2 unruly dogs followed me to my property and stood outside my property on the public sidewalk which made me feel intimidated. Confirmed this was another Airbnb person from STR property next to me.  (Exhibit D)

Note: This is not even documenting the constant minor disturbances that happen now regularly on the weekend around midnight to 1:30pm of car doors shutting or loud talking as STR people are coming back to their STR rentals from the bars.

## Exhibit A



Hi,

We just want to apologize again for any trouble we caused you this morning. We are truly sorry. While it was an honest mistake, I bet you have to deal with a lot of honest mistakes and that is not fair. This is your home and your community and we are sorry for disturbing it. We hope you accept our apology and we will promise to carefully choose and respect all neighbors @ any future house rentals. You made some very good points about your community and we don't want to disrespect any other one like we did yours today.

Best,  
Annie

**Exhibit B**



## Exhibit C

Mon, Jul 16, 4:14 PM

2nd time this summer that your Airbnb people were on my property. Today, some kid with his bike in my garden and as I told him this is private property, he backed out knocking over plants! This is unacceptable.

That is unacceptable. I'm so sorry.

I'm checking with a guest who has an 11 yr old boy. If there's damage let me know..

## Exhibit D



Video of dogs barking while the Airbnb owner tried to silence them at 10:15pm in front of my property.



AirbnbGuywith2unruly  
dogs\_20180926.MOV

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## Fwd: my opinion of the "Concerns over the 9/26 Housing Committee Discussion on STRs" from Karen Snyder

1 message

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Jon Jennings <jpj@portlandmaine.gov>  
To: Mary Davis <mpd@portlandmaine.gov>

Wed, Oct 10, 2018 at 10:08 AM

----- Forwarded message -----

From: **mary barrett** <jinspec@maine.rr.com>

Date: Fri, Sep 28, 2018 at 2:42 PM

Subject: my opinion of the "Concerns over the 9/26 Housing Committee Discussion on STRs" from Karen Snyder

To: Kim Cook <kcook@portlandmaine.gov>, Ethan Strimling <estrimling@portlandmaine.gov>, Pious Ali <pali@portlandmaine.gov>, Jill Duson <jduson@maine.rr.com>, Cc: Belinda Ray <bsr@portlandmaine.gov>, Jon Jennings <jpj@portlandmaine.gov>

Dear Portland City Government Representatives,  
I agree with Miss Snyder and the comprehensive report she has forwarded to you.  
Mary Barrett  
Parsons Road, Portland

In the 9/26 Housing Committee, Councilor Cook, Mayor Strimling, and Councilor Ray proposed STR amendments. They have made an excellent effort in further clarifying the STR ordinance which have caused confusion and had resulted in the under reporting of the actual amount of non-owner occupied STR rentals in Portland. The current STR ordinance has also allowed certain multi-unit properties to be almost entirely used as short term rentals instead of providing long term residential housing in neighborhoods.

Councilor Cook, Mayor Strimling, and Councilor Ray have listened to many people affected by STRs and have made great effort to try to make changes by these proposed STR amendments.

However, my concern within the 9/26 Housing Committee 4 hour meeting was the overall general impression of the lack of embracing of these proposed STR amendments by Chair Councilor Duson.

**ALL** of the proposed STR amendment language discussed that night needs to be retained albeit with some language revision fine tuning.

The specific concerns are as follows:

**Concern #1: The STR Registration Form did NOT capture correctly for multi units in the Owner Occupied properties which STR units was an owner occupied STR unit vs a non-owner occupied STR unit.**

Below is a suggested change on the STR registration form to capture the information correctly and to add document control # or date for revision control. Until this STR registration form is corrected and this form resent out to the current 377 Owner Occupied property owners, one will never really now how much officially under reported are the non-owner occupied STR units.

Based on 9/26 Housing Committee documentation, the current range of non-owner STR unit underreporting is shown follows:

- Current Non-Owner Occupied Property STR Registered Unit Count = 162
- Current Owner Occupied Property where there are Non-Owner STR Registered Unit Count Range: 92 to 468
- This means the real Non-Owner STR registration Count is a range of **254 to 630**. (162+92 to 162+468)
- **Note: The Cap for Non-Owner Registered STR unit count is 300.**

Below is a suggestion for revising the STR registration form to be able to accurately collect the required valid data points to reduce confusion currently going on with this issue

SECTION 6: RENTAL UNIT REGISTRATION						
Please Indicate if the Unit is:						
	# of Units	Mainland	Island	Owner Occupied	Tenant Occupied	Non-Owner Occupied
Long Term						
Short Term						

Revision Date: 4/15/2018

SECTION 6: RENTAL UNIT REGISTRATION											
Please Indicate if the Unit is:			# of Units						Mailing Address of Unit(s)		
Total # of Units	Mainland (Y/N)	Island (Y/N)	Owner Occupied Unit (Yes/No)	Owner Occupied Property - Non-Owner	Tenant Occupied Units	Non-Owner Occupied Property Units	Owner Occupied Property Units	Owner Occupied Property - Non-Owner	Tenant Occupied Units	Non-Owner Occupied Property Units	
			Provide # of Rooms	Occupied Units	Occupied Units	Occupied Unit	Occupied Units	Occupied Units	Occupied Units	Occupied Units	Occupied Property Units
Long Term											
Short Term											

--  
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**DRAFT**

**2018 Housing Committee Work Plan**

**October 11, 2018**

October 11, 2018

1. Presentation, Overview and Integrated Report from Permitting and Inspections and Fire Department re: Short-term and Long-term Safety Inspections, and Program Budgets (Public Comment)
2. (Action Item) Review, Discussion and Possible Recommendation regarding Proposed Policy Changes to Chapter 6, Article VI, Residential Rental Unit Registration Requirements, as it applies to short-term rental units. (Public Comment)
3. 2018 Work Plan Discussion

October 24, 2018

1. COTAPC Recommendations regarding the property at 200 Lambert Street
2. Presentation of Key Updates to the 2017 Housing Report
3. 2018 Work Plan Discussion

November 14, 2018

1. Portland Housing Authority presentation on the Rental Assistance Demonstration (RAD) program
2. Presentation and Discussion of Community Land Trust model
3. 2018 Work Plan Discussion

November 28, 2018

1. Review of 2018 Annual Committee Report
2. 2018 and 2019 Work Plan Discussion

December 26, 2018 – canceled

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**COMPLETED WORK**

January 24, 2018

1. Review 2017 Housing Policy Proposals.
2. Review 2017 Housing Committee Report; Goals, Work Plan, and Accomplishments.
3. Review Summary of Feedback of Housing Policy Proposals.
4. First Review of Developer Feedback on the Inclusionary Zoning Ordinance.
5. Update on 2018 Short Term Rental registration process.
6. 2018 Work Plan Discussion

February 12, 2018

1. Review Housing Policy Proposals
2. Review Public Feedback on Housing Policy Proposals
3. 2018 Work Plan Discussion

February 28, 2018

1. Housing Program Budget - Review and Recommendation to the City Council
2. Overview of the Housing and Community Development Division
3. Overview of the Housing Trust Fund
4. Communication Items: Community Land Trust Information; City-owned property information; Text Analysis of Housing Report Survey
5. 2018 Work Plan Discussion

March 28, 2018

1. 14-403
2. HomeStart

3. Affordable Housing Development HOME Fund Application - Review and Approval to Issue by the Committee
4. Franklin Reserve Massing Study/GPCOG overview of Brownfields Planning Grant
5. 2018 Work Plan Discussion – including a discussion of the Council’s goal setting session

April 25, 2018

1. Rental Market Survey results presentation
2. Review and Vote to Recommend to the City Council Amendments to Chapter 6 re: Disorderly House Ordinance.
3. Housing Trust Fund Annual Plan
4. Tax Acquired and City-Owned Property – Westbrook Street
5. 2018 Work Plan Discussion

Communication Items:

Portland Water District water efficiency and repair services program

Inclusionary Zoning Workflow Update

May 23, 2018

1. Review Funding Requests Received from the Affordable Housing Development HOME Fund Application
2. (Action Item) Review and Recommendation to the City Council of the 2018 Housing Trust Fund Annual Plan
3. Review of Amendments to Ordinance: Section 6-225 of the Tenant Housing Rights Ordinance. (Housing Advisory Board) (Pubic Comment)
4. Communication Item: HUD FY18/19 Funding Update
5. 2018 Work Plan Discussion

June 5, 2018

1. (Action Item) 5:30 pm to 6:30 pm - Joint meeting with the Economic Development Committee to Review and Recommend to the City Council Affordable Housing TIF Requests
2. (Action Item) Review and Recommendation to the City Council – Funding Requests Received from the Affordable Housing Development HOME Fund Application
3. (Action Item) Review and Recommendation to City Council of Amendments to Ordinance: Section 6-225 of the Tenant Housing Rights Ordinance. (Housing Advisory Board)
4. Hotel Linkage Fee Discussion
5. 2018 Work Plan Discussion

June 27, 2018

1. Presentation of City-Owned Property Map - housing development potential
2. (Action Item) Review and Recommendation to the City Council – HOME Affordable Housing Development Funding Requests Received from the Affordable Housing Development HOME Fund Application
3. (Action Item) Review and Recommendation to the Planning Board - Hotel Linkage Fee
4. 2018 Amended Housing Committee Schedule
5. Communication Item: FY19 HUD Annual Allocation Plan
6. Communication Item: Accessory Dwelling Units – site page review
7. 2018 Work Plan Discussion

July 31, 2018

1. Rental Housing Safety & Inspection Program - Implementation and Financial Report
2. Short Term Rental Registration Program – Implementation, Financial Report and possible Ordinance revisions
3. Initial Discussion of Order 225-17/18 Referring an Increase in Short Term Rental Registration Fees to the Housing Committee
4. (Action Item) Reconsideration of the Committee’s HOME Funding Recommendation
5. (Action Item) Review and Recommendation to the City Council Housing Trust Fund Allocation(s)
6. Public Comment Received since the last meeting: topics include allowing housing in “Franklin Reserve” and the City’s short term rental policy
7. Communication Item: Accessory Dwelling Units
8. Communication Item: Site Walk 622 Auburn Street
9. Communication Item: Map of City Owned Property
10. 2018 Work Plan Discussion

August 22, 2018 – canceled

September 6, 2018

1. Overview of Legal Framework for Municipal Fees, Land Use Controls, and Exactions
2. (Action Item) Review and Recommendation to the Housing Committee re: Order 225-17/18 Referring an Increase in Short Term Rental Registration Fees to the Housing Committee
3. Review and Discussion of possible changes to the Condominium Conversion Ordinance Section 14-565 to 14-571.
4. Review and discussion of a proposed ordinance addressing new hotel developments and affordable housing demand
5. Communication Item: Review of Map of City-Owned Property
6. Communication Item: Accessory Dwelling Units
7. 2018 Work Plan Discussion

September 26, 2018

1. Review and Discussion of Permitting and Inspections' response to questions from the July 31 meeting regarding rental housing safety and inspections program, and short and long term rental registration program
2. Review and Discussion of Proposed Policy Changes to Chapter 6, Article VI, Residential Rental Unit Registration Requirements, as it applies to short-term rental units.
3. Communication Item: FY18 HUD Consolidated Annual Performance Report
4. 2018 Work Plan Discussion

**Interim Update of Housing Data and Policy Implementation  
For 2018**

**Portland's Housing Market**

**a. Existing Conditions and Trends**

**Update 2018 Income Limits and FMR for Portland HUD Metro Area**

**Update on Rental Housing Costs from April 2018 Rental Housing Survey**

**Portland's Housing Initiatives**

**a. Housing Development**

**Update Subsidized Housing Development in Portland chart**

**b. Initiatives and Implementation Tools**

**Update Inclusionary Zoning Chart; discussion of issues/concerns, amendments to IZ ordinance (PB amendments and revision to pricing), new IZ marketing web page**

**Update on implementation of ADU amendments (chart)**

**Update on ReCode Portland (Peaks Island ADU update?)**

**Update on Rental Housing Advisory Committee**

**Map of City-Owned Property**

**Updated on Disorderly House Ordinance**

**Portland Water District Water Efficiency and Repair Services Program**

**Update on Short Term Rental Registration Program**

**Updated on Long Term Rental Registration and Inspection Program**

**Hotel Linkage Fee**

**Resources**

**a. Federal Resources**

**Update on HOME award and allocations**

**Update on CDBG award and allocations**

**Updated on Lead Hazard Control Grant**

**b. Local Resources**

**Update on Housing Trust Fund (Revenues and Expenditures)**

**Updated on Affordable Housing Tax Increment Financing**

**Attachments to be Included in Update**

**April 2018 Rental Market Survey**

**Permitting and Inspections Rental Registration and Inspections Report**

**Fire Department Rental Housing Inspection Report**

**GPCOG Hotel Linkage Fee Report**