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

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: **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  
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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.**

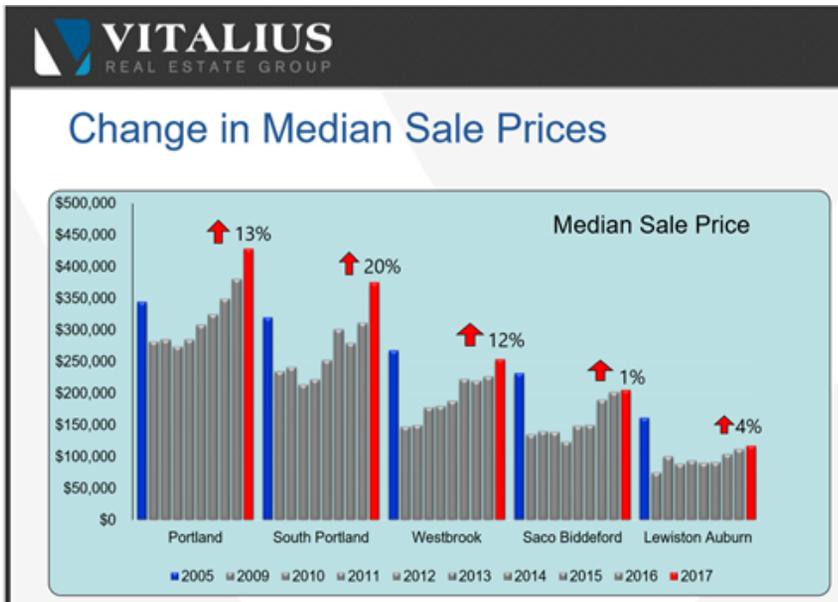
These means several abutting property owners who provide long term residential and affordable housing have to continue to be wedged between properties that are almost completely STR driven and are basically hotels. Is that fair and just? This is essentially saying that the City is trying to continue 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

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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