

**From:** Caleb Fry <caleb@vratahoe.com>  
**Sent:** Thursday, October 17, 2024 10:54 AM  
**To:** Brooke Laine; Karen L. Garner; Brendan Ferry; BOS-Clerk of the Board; BOS-District V; Lisa D. Watson  
**Subject:** VHR Proposed Ordinance: First Reading Feedback and Enhancements  
**Attachments:** VHR Ordinance First Reading Feedback.pdf

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

**This Message Is From an External Sender**

This message came from outside your organization.

[Report Suspicious](#)

Dear Brooke, Karen, Brendan, Kevin and the other BOS in cc,

Please find attached a collaborative letter from myself and several professional managers that represent a substantial portion of VHR's in the Lake Tahoe Basin. We feel a few clarifications and enhancements can help this tremendous effort finish strongly and fairly. I do not have Mr. Bailey's email and would appreciate this being forwarded to him as well as each BOS, if not already included.

Thank you all in advance,

Caleb Fry

Dear Brooke, Karen, Brendan, Kevin (and other BOS in cc),

My name is Caleb Fry, I was a member of the VHR Advisory Committee (AC) to Brooke Laine and am a 16-year professional VHR manager in South Lake Tahoe. I am writing to you on behalf of property managers responsible for a substantial portion of VHRs in the basin, including the three professional managers on the AC.

We acknowledge the tremendous effort each of you put into the process of improving the VHR program. I appreciate the opportunity to be involved in the AC; one I took very seriously and dedicated significant time towards. This is the most comprehensive and collaborative process I have ever seen on one of the region's most spicy topics, and I respect the county's endeavor. Thank you to the countless people involved for making this a priority.

Our group generally supports the new ordinance and believe in the positive impact it will have on this issue for all involved. We feel strongly, however, 3 items need review for clarification and enhancement that will make this program and its enforcement clear and fair.

1. **Sec. 5.56.130. A.** States: "Failure to respond twice to Code Enforcement and cure a violation within 30 minutes shall revoke the certification of the local contact."

Suggested revision: "Failure to respond twice to Code Enforcement and cure a violation within 30 minutes shall require the property owner to replace the Local Contact within a 45-day period."

The initial proposal on this came from the pro VHR managers on the AC, and the intent was for a pattern of neglect to require the homeowner to replace the Local Contact. This proposed wording is a bit different, and dramatically changes the intent. Local Contacts are often companies, decertifying a company is extreme and severe for such infraction, and trying to decertify an individual, including inside a company sounds unreasonable and difficult to enforce. A company could simply list revolving different names, while continuing to be negligent in their duties, having little intended enforcement effect.

2. **Sec. 5.56.140. C.** "If a trash and refuse related violation is not resolved within the initial 30-minute period, each 60-minute period thereafter is a separate Notice of Violation for a total of up to three violations. The fines and violations will be cumulative. If the violation is not cured within eight (8) hours from the initial Notice of Violation, the vacation home rental permit shall be suspended." The following Section D on fines states penalties begin at \$1500 for first violation and go up to \$5,000 for the 3<sup>rd</sup> violation, and any thereafter. Our concern here is the ability for trash (or any infraction) to be able to incur multiple violations in a single incident.

Suggested Revision: "If a trash and refuse related violation is not resolved within the initial 30-minute period, a Notice of Violation and fine will be issued."

Our primary concern here is the ability for a homeowner to incur more than one violation in a single incident, trash related or otherwise. Historically, that has not been the case and a change

here is significant. As written, an owner / operator with outstanding track record, little history of ever causing disturbance, could incur 3-4 violations in a single incident (3 for trash, 1 for failure to respond?), resulting in up to \$10-\$15,000 in fines, and suspension or complete revocation of permit. This is severe and we feel unreasonable. A single incident does not show a pattern of recurring neglect and disregard for policy.

With the new California trash cart system in effect, local refuse operations are a mess as residents and guests try to adapt. Different bins for different things with different color coding all with different pick-up schedules. This furthers our concern of this extreme proposal at this time. Should a VHR owner be penalized for a bear knocking over a 'bear resistant' recycling container and not responding promptly in the same way a negligent VHR has recurring loud parties over 18 months? Doesn't seem right.

Trash management is something we take very, very seriously. We agree timely response is necessary and feel the penalty for not responding is well defined in the new ordinance with dramatically increased fines.

### **3. Approach to implement occupancy change**

We ask for clear language on implementing this new occupancy policy eliminating +2 guests. I hear that occupancy may be updated during renewal. Why wait up to 12 months to get everyone onboard with this policy? Seems better to have it in effect for any new reservations coming in right away, and not to delay. This approach also sounds difficult to track and enforce, including the surveillance of listings and their advertised occupancy. Further, as expressed, owner / operators accept reservations beyond their renewal date, and I feel expecting anything otherwise is unreasonable. Many things in our world perform on the presumption of renewal. We ask for you to follow what the city did. This will put this into effect the quickest, and easiest way possible in our opinion.

Suggested approach: "The new occupancy policy will be in effect for any reservations made on or after the date this new ordinance goes into effect (11/XX/2024) as to not cause major disruption with future reservations and help enforcement abilities. This will be enforced by reviewing the signed rental agreement as needed. As a reminder, the county will monitor property listing to ensure the accurate and updated occupancy is being advertised and failure to do so can be a violation of this chapter.

If you want to put a stick in the sand where enforcement knows all occupancy is now in effect unilaterally, no matter when the reservation was made, perhaps state that "any reservation for dates 8/15/25 or later, no matter when it was made, shall be in compliance with the new occupancy policy.

### **Closing Comments:**

The new ordinance is packed with carefully considered regulatory changes that majorly tighten the oversight and enforcement of VHR's. Widely expanding enforcement and creating a dedicated team for VHR's; processing and responding to all complaints centrally and locally;

300-1000% increase in fines, and trash and parking brought inside VHR enforcement, to name a few. These are sweeping changes that we're confident will create real improvements for all. We feel our recommendations are fair, reasonable, and will improve the enforcement and management of this ordinance.

On behalf of my colleagues and countless unnamed locals, homeowners, business owners, and service providers, thank you for considering our suggestions. I would appreciate an opportunity to speak with one or more of you about these and am readily available to connect.

Sincerely,



Caleb Fry  
Owner / Manager  
Vacation Rental Assistance (VRA)

[caleb@vratahoe.com](mailto:caleb@vratahoe.com)  
855-872-8246 ext. 505

And endorsed by:

Stu and Diana Roberson - RNR Vacation Rentals (AC member)  
Michelle Benedict - Pinnacle Lake Tahoe Getaways (AC Member)  
Lisa Underwood – Tahoe Keys Resort  
Mike Fanini – Branch VR  
Nicole Ladd – Summit Tahoe Vacation Rentals