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## South Lake Tahoe Vacation Rental Alliance

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To: jim.mitrising@edcgov.us

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Hello Jim,

I am a member of the South Lake Tahoe Vacation Rental Alliance, we had a meeting recently regarding the upcoming Board of Supervisors Meeting on February 1<sup>st</sup> here in South Lake Tahoe. Our meeting consisted of discussion of all of the proposals for the BOS. I have made a list of the items discussed and our comments regarding each one. It is attached to this email.

Can you please send this off to all of the Board members? I was hoping this would give them plenty of time to read through everything prior to the meeting. If they have any questions or concerns, please do not hesitate to have them contact me by email or phone.

Thank you in advance for your help in this matter.

Joshua Priou

Director of Product Development

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# South Lake Tahoe Vacation Rental Alliance

## El Dorado County Board of Supervisors Meeting February 1, 2018 – Vacation Home Rentals

The South Lake Tahoe Vacation Rental Alliance is in favor of good regulation and our members strive to provide the best possible management of our rentals. We go the extra mile to insure good behavior by our guests, proper education regarding the VHR ordinance, and an understanding of renting a property in a residential neighborhood. We are saddened to hear that some residents of South Lake Tahoe have been negatively affected by vacation rentals in their neighborhoods but we are hoping through some changes to the current ordinance and requirements of owners to be more diligent, we can eventually keep our neighborhoods peaceful and quiet.

The Alliance has met and put together a list of the major proposals offered by El Dorado County and we would like to help in working together to provide positive regulations.

### 1. Eliminate Language – “best efforts”

- a. We feel that the language of “best efforts” is very important in protecting the home owner from a violation when a guest chooses to break the rules anyway. We have always used this to illustrate to the Sheriff and County that we properly educated the guest with all the information that they needed so that they would not break the rules. Every once in a while, a guest will still break the rules. In this case the owner should not receive a violation. If we are notified and take prompt action to correct any actions/behavior. In these cases the guests should be fined but an owner/manager making best efforts should not be penalized.
- b. Whether a guest books a reservation through a management company or an online travel agency such as VRBO or AirBnb, they all click “agree to the terms and conditions.” We all do this of course. What we propose is a requirement that all guests have a secondary interaction with the owner/manager to prove that actions were taken further to educate guests and require them to sign documentation that the rules have been explained to them. Whether that means a face to face check-in or a phone conversation... plus signatures on the proper documentation that explains that they did understand the rules. (See attached Registration Form)
- c. We understand that the words best efforts can be ambiguous. We propose that the BOS come up with the language of what requirements are enough to show that the guest has been properly educated about parking, noise, trash, hot tub use, and parking. This way if there is a violation, the owner can prove they used the proper method of education and the guest still chose to break the rules anyway. Hence, avoiding a violation to the owner.

### 2. Require Exterior Signage

- a. Our Alliance understands that it is difficult to find out information about a vacation rentals through the El Dorado County website. Although we do feel it would be easier if

the website could allow searching by address rather than by APN# or owner name, we feel that a sign out front showing the local contact info, maximum parking allowed, and maximum occupants would be beneficial to the neighbors.

3. **Change Hot Tub Hours – 9pm to 8am**
  - a. We are not really sure how this would help anyone. If anything it is just a punishment to guests staying in residential neighborhoods. We feel that the current 10pm-8am rule is appropriate and as long as guests educated properly and leave the hot tub by 10pm, then neighbors will not be negatively affected
  - b. Also, this would coincide with the City's rules of 10pm-8am
4. **No subletting**
  - a. Our Alliance supports this proposal
5. **Online submission for TOT returns and credit card payments**
  - a. We also support this proposal
6. **Occupancy in house at any one time vs. overnight**
  - a. We are in agreement with this proposal. The City of South Lake Tahoe has already removed the word "overnight" from their ordinance. Any time of day, if the house is being over occupied, regardless of the situation, the guests should be liable for over occupying the house. This also keeps our agreements simple and easy to explain and we feel that this stricter requirement will help us manage our properties better.
7. **No more warning with no fine – Reduce # of violation with 1<sup>st</sup> violation carrying a dollar fine**
  - a. This is something that we cannot agree with. Giving an owner/manager the opportunity to correct their behavior and habits is a good policy. If for some reason an owner makes a mistake, does not educate properly, or doesn't manage his house correctly, he should be given a warning before a fine. This will give him the opportunity to correct his mistakes and make sure that there will be no issues in the future.
8. **Clusters – caps on # of VHR in a neighborhood**
  - a. We are not sure why this conversation comes up in these types of meetings? Clustering of VHR's does not make a more negative experience for neighbors. There is no documentation that proves that because one neighborhood has more density of VHR's than another that there are more problems.
  - b. Using the City VHR map, research has been done that shows that there are no increased violations in VHR dense neighborhoods. The violations are completely random. This is because the violations typically occur from bad renters and where they choose to stay is totally random.
9. **Require central air closing windows due to noise???**
  - a. We believe this idea is onerous, expensive, hard to enforce, and would not be a fair requirement for the many that are separated by open space.
10. **Require owners/managers attend training program before issuance of permit.**
  - a. The members of the SLTVRA are probably more equipped than the County is at being prepared for managing a rental. We could be of help with your training program if you choose to have one. We believe that training program is a good idea but mainly for owner managed properties.
  - b. If you choose to implement a training program the management companies request that we can get a one-time certification rather than one for each new application.
  - c. Certification should require that the local contact prove they have a local address.
11. **Citing the tenant rather than the owner**
  - a. We fully support citing the tenant. We have been saying this to the City of South Lake Tahoe and El Dorado County for years. Only recently the City started to cite tenants.

These are the violators and they deserve the punishment. Plus we feel the culture of the guests will change over time when they realize their planned parties will get them a fine, they will just stop coming to Tahoe altogether.

- b. We encourage the fine to fit the crime. In less than a month, we have already learned that the excessive \$1000 fine for simply parking in front of the home the visitor rented has created outrage. The outrage is loud and is resulting in visitors taking to social media telling others not to stay in South Lake Tahoe.

#### **12. Citing both Owner and Tenant**

- a. We would also agree that an owner should be cited, but only if they are in violation of the first section of this report. If the owner failed in educating the guests as would be required with the new ordinance then they should receive a citation. But, if the owner followed the rules that the BOS has required in the new ordinance, it should be an open and shut case, proof of education, and only the guest should be cited.
- b. Only one or other should ever receive a citation. The guest or the owner. The proof will be the responsibility of the owner.

#### **13. Limit the # of permits overall**

- a. We cannot agree to this as being a viable solution, yes... you limit the total # of rentals in the neighborhood, but how does that actually help with the current issues? Will the neighbors that are currently being affected by bad rentals feel any better if you choose to limit the total #?
- b. All the research that has been done over the years shows that there is a consistency to the total # of rentals vs. the total # of homes. Consistently, it falls around 12-15% of all properties are vacation rentals. Whether you look at the #'s 10 years ago vs. today, you will find that the percentage is close to the same. A cap will not change that.
- c. Any cap will create false demands for permits. The city experiences artificial increases in permit applications each time they started talking about a cap. We saw an unusually high number of applications in 2015 prior to the new ordinance going into effect only to decrease over the next two years. In 2017 when talk of a cap started, we had another increase.

#### **14. Inspections**

- a. We have heard talk about requiring inspections of vacation homes. Most of us feel that it is perfectly ok, we have been handling inspections at our homes for over 2 years in the City. The only concern is that you should only be inspecting for safety, not for current building codes. In the City we had some issues with older homes being required to conform to current building standards and the home owners spent thousands of dollars that really had no effect on safety.
- b. Safety issues we feel should be inspected would be:
  - i. Smoke detectors
  - ii. CO detectors
  - iii. Emergency lighting
  - iv. Fire Extinguishers
  - v. Wood burning fireplaces
  - vi. GFCI's, etc.



**PREMIER  
VACATION  
RENTALS**

**LAKE TAHOE  
ACCOMMODATIONS**

CORPORATE OFFICE  
2048 Dunlap Drive  
South Lake Tahoe, California 96150  
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800.544.3234  
FAX 530.542.1860

## Registration Form

**Check – In Date:** \_\_\_\_\_

**Check-Out Date:** \_\_\_\_\_

**Reservation Number #:** \_\_\_\_\_

**Property ID:** \_\_\_\_\_

**Maximum Occupancy: # of Occupants** \_\_\_\_\_ **Maximum Occupancy** \_\_\_\_\_

I understand that I may not have more than the maximum allowable occupants at my vacation rental at any given time. If, during my tenancy at the above mentioned property, Lake Tahoe Accommodations, South Lake Tahoe Police Department, or the El Dorado County Sheriff's Department deem that I have not followed the rules and have over-occupied the home, I may be subject to eviction, citation, civil fines, and possible charges to my account. \_\_\_\_\_ **initials**

**Parking: # of Vehicles** \_\_\_\_\_ **Maximum Allowable Parking Spaces** \_\_\_\_\_

I understand that I may not have more than the maximum allowable vehicles at my vacation rental at any given time. If, during my tenancy at the above mentioned property, Lake Tahoe Accommodations, South Lake Tahoe Police Department, or the El Dorado County Sheriff's Department deem that I have not followed the rules and have parked more cars than is allowed, I may be subject to eviction, citation, civil fines, and possible charges to my account. \_\_\_\_\_ **initials**

### **Parking – On-Site & Paved Surfaces**

I understand that during my tenancy I must park all vehicles on-site and on paved surfaces. If I park in the street and/or not on a paved driveway I may be in violation of the vacation rental ordinance. The rules of the ordinance require that you do not park on any non-paved surface. This would include 1 (one) wheel of a car being parked off the driveway. If you break this rule you may be responsible for citations and or fines. \_\_\_\_\_ **initials**

### **Hot tub usage:**

I understand that I may not use the hot tub at the home after 10 pm or before 8am at my vacation rental. If, during my tenancy at the above mentioned property, Lake Tahoe Accommodations, South Lake Tahoe Police Department, or the El Dorado County Sheriff's Department deem that I have not followed the rules, I may be subject to eviction, citation, civil fines, and possible charges to my account. \_\_\_\_\_ **initials**

### **Excessive Noise:**

I understand that I may not create unreasonable noise or noise disturbances at my vacation rental at any given time. If, during my tenancy at the above mentioned property, Lake Tahoe Accommodations, South Lake Tahoe Police Department, or the El Dorado County Sheriff's Department deem that I have not followed the rules and have created unreasonable noise or noise disturbances, I may be subject to eviction, citation, civil fines, and possible charges to my account. \_\_\_\_\_ **initials**

### **Code of Conduct:**

I have read and received the "Vacation Renter Code of Conduct" that my vacation planner has given to me. If, during my tenancy at the above mentioned property, Lake Tahoe Accommodations, South Lake Tahoe Police Department, or the El Dorado County Sheriff's Department, deem my behavior as a violation of the "Code of Conduct," I may be subject to eviction, citation, civil fines, and possible charges to my account. \_\_\_\_\_ **initials**

**Thank you for your cooperation.**

\_\_\_\_\_  
Guests Name

\_\_\_\_\_  
Guests Signature

\_\_\_\_\_  
Date

INCLINE VILLAGE - 800 Southwood, Suite 112 - Incline Village, NV 89451 - 775.832.4475  
STATELINE - 292 Kingsbury Grade - P.O. Box 3824 - Stateline, NV 89449 - 775.588.5684  
NORTH TAHOE - 905 N. Lake Blvd - P.O. Box 5426 - Tahoe City, CA 96145 - 530.581.5210  
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