



BRENTWOOD Community Council

149 S. Barrington Ave., Box 194, Los Angeles, CA 90049

www.brentwoodcommunitycouncil.org

May 13, 2016

City Planning Commission – Commission Executive Assistant cpc@lacity.org
200 North Spring Street, Room 272
james.k.williams@lacity.org
Los Angeles, CA 90012

Re: **OPPOSE: Draft Home-Sharing Ordinance**

Case: CPC-2016-1243-CA; ENV-2016-1277-CE

Hearing: May 21, 2016

Dear Mr. Williams:

Please provide place this letter in the above file and provide a copy to each member of the Planning Commission.

The Brentwood Community Council (“BCC”) is the broadest based Brentwood community organization, representing approximately 50,000 stakeholders of the 90049 community. BCC includes homeowners associations, multi-family residential dwellers, business organizations, schools, religious groups, volunteer service groups, public safety and environmental organizations.

On October 6, 2015, the BCC adopted the following resolution relating to short-term rentals: “BCC opposes the Motion in CF 14-1635-S2, sponsored by Mike Bonin and Herb J. Wesson, Jr. BCC opposes any change in the current zoning laws regarding short-term rentals.”

While the BCC’s position is unchanged, we have reviewed the draft Home-Sharing Ordinance designed to legalize certain short-term rentals. Should you elect to move forward with this ordinance, despite the opposition of the BCC and many other community organizations and homeowners associations, we recommend the following improvements to the ordinance:

1. Ensure adequate enforcement by providing for a private right of action. It is clear that the City does have not sufficient resources to enforce this complex new regulatory regime. Adopting this ordinance without an effective enforcement mechanism would be a “worst-case scenario,” in which short-term rentals would exist in a legal gray area that would quickly be exploited by unscrupulous landlords and investors. The only solution to this dilemma is to allow neighbors and other affected individuals to sue landlords who violate the Home-Sharing Ordinance and recover attorney’s fees if they prevail. Of course, such a provision should also discourage frivolous lawsuits by awarding attorney’s fees to prevailing defendants. If there is concern that this right may be abused, it would be relatively simple to

limit the individuals who have standing to sue to those who live or own property within a certain radius of the home allegedly in violation of the law.

2. Reduce impact on neighbors by limiting the total number of tenant groups per home, per year. As presently drafted, the Home-Sharing Ordinance limits home sharing to 90 days per calendar year. We appreciate this limitation. However, it is necessary to add a corollary restriction on the total number of tenant groups that may rent a home during the year. The impact on neighbors of 90 different groups entering and exiting a property each day is vastly greater than that of a single tenant who rents the property for 90 days. Therefore, we urge a reasonable restriction on the number of tenant groups who may rent a property during a calendar year. We suggest six is an appropriate number.
3. Avoid disruptive and potentially dangerous scenarios by limiting the number of people in a "group." The ordinance appropriately limits home sharing to no more than one group of guests at a time. However, it does not impose any limit on the size of such a group. Clearly, a group of 20 or 30 college students would have a significant detrimental impact on a residential neighborhood. We urge both a per-bedroom and overall limit to the size of any group. For example, we suggest limiting groups to no more than two people per bedroom and no more than eight people total, regardless of number of bedrooms in the home. Without this limit, a large home could be rented to dozens of people simultaneously.
4. Reduce the impact on neighbors by enforcing noise restrictions. One obvious potential for abuse of the home sharing ordinance is the renting of homes for parties. To limit this problem, we suggest adding a specific "curfew" period, such as 10:00 p.m. to 10:00 a.m., during which no loud noise, amplified music, etc. may be generated.

The BCC strongly supports protecting the residential character of our neighborhoods. Those who have purchased homes have done so in the expectation that they will live adjacent to other homeowners or long-term tenants and not next to a constant, hotel-like stream of daily guests. We appreciate your careful consideration of this issue and expect that you will act in a manner that preserves the safety and tranquility of our communities.

Sincerely,

Larry Watts
Chairman, Brentwood Community Council

CC : Councilman Mike Bonin
Sharon Shapiro
Debbie Dyner Harris
Tricia Keane
Ezra Gale

