

HIGHLIGHTS OF MODEL LEGISLATIVE APPROACHES

Philadelphia, PA: In preparation for the Democratic National Convention and Pope Francis' first US Visit, the City of Philadelphia needed a solution to support the influx of thousands of guests to the city. So, in June 2015, Philadelphia passed strong Short Term Rental legislation (*the largest US city to do so*) that easily allows residents to share their homes, enabling more guests, more local spending, and more taxes to flow into Philadelphia.

Ordinance Highlights:

- Hosts in Philadelphia can rent a primary home for up to 180 days.
- Anyone in Philly can rent their home up to 90 days per year regardless of whether they are an owner or renter, regardless of how many listings they have. After 90 days rented in a given year, they must get a permit from the city.
- Short Term Rental properties must remain a residence with guest lodging a secondary use
- Owner must maintain records for one year and make available to city
- Owner must provide contact info to lodgers for the purpose of responding to complaint.

Statistics:

- Active Listings: 8,000
- Average Host Income: \$4,700
- Total Number of Guests 2015: 102,000
- Average Length of Stay: 2.9 nights

Amsterdam, Netherlands: In early 2014, the Amsterdam City Council approved a policy that made it easier for local residents to share their primary residence. Airbnb and the City of Amsterdam subsequently entered into an MOU agreement to promote responsible home sharing, simplify the payment of tourist tax and clamp down on illegal hotels. The new adopted policy is an excellent example of how policymakers can create innovative policies that embrace the sharing economy and make cities better places to live and visit.

Ordinance Highlights Include:

- A new category of accommodation was created, called "Private Rental", which allows local residents to rent their residence for up to 60 days a year.
- Short Term Rentals are allowed only by those registered by the City as a primary resident in that particular dwelling.
- Ensure the Short Term Rental meets all fire and safety rules.
- Airbnb collects all applicable bed and tourist taxes (an additional 5%), the first European country to enter into our Voluntary Collection Agreement.

Statistics:

- Active Listings: 13,000
- Entire Home | Private Room: 81% | 18%
- Average Host Income: \$4,100
- Total Number of Guests 2015: 575,000
- Average Length of Stay: 3.3 nights

Paris, France: In March 2015, the President of France signed into law "Bill ALUR" - the new national housing legislation allowing anyone living in France to legally (and easily) rent out their primary

residence. In the year since, thousands of Parisians share their homes making Paris the top destination in the world for home sharing on Airbnb. Paris is a great example of what can happen when governments embrace innovation and provide clear legal frameworks for home sharing.

Ordinance Highlights Include:

- Short Term Rentals are allowed in all primary residences (defined in France as somewhere the host lives for at least eight months per year)
- Hosting in secondary residences is subject to a “change of use” permission from the city.

Statistics:

- Active Listings: 52,000
- Entire Home | Private Room: 88% | 11%
- Average Host Income: \$3,200
- Total Number of Guests 2015: 1,453,000
- Average Length of Stay: 4.3 nights

London, United Kingdom: In May 2015, new national legislation was passed to reform 1970s-era legislation about Short Term Rentals in the capital. Now, Londoners are able to share their homes with guests from all over the world – just like residents in the rest of the UK. These reforms help locals meet the cost of living in one of the most expensive cities in the world.

Ordinance Overview:

- Hosts are free to share their homes for up to 90 days a year without the need for “change of use” permission. Beyond 90 days, local areas of London may require formal permission.
- Hosts are able to earn up to £7,500 per year from renting part of their primary residence without having to pay income tax on it.
- Simple, proportionate fire safety measures apply.

Statistics:

- Active Listings: 36,000
- Entire Home | Private Room: 52% | 46%
- Average Host Income: \$5,300
- Total Number of Guests 2015: 1,060,000
- Average Length of Stay: 4.4 nights

Santa Clara, CA: During the summer of 2015, Airbnb and the City of Santa Clara began discussing how to work together to ensure the upcoming Super Bowl 50 could be a success for residents and the city (see: [Super Bowl report](#)). With the event fast approaching, Airbnb and the city entered into a streamlined agreement legalizing short term rentals coupled with a simple and fair tax collection component. Santa Clara is a perfect example of agreements done correctly: residents earn additional income while ensuring spending is distributed to local businesses and neighborhoods throughout the city.

Ordinance Overview:

- Upon review, the city determined their existing laws did not need to be adjusted and short term rentals were permissible. The City opted not to amend any land use regulations.
- In Santa Clara, the city is committed to allocating Airbnb’s incoming transient occupancy tax revenue for an affordable housing trust fund.

Statistics:

- Active Listings: 432
- Entire Home | Private Room: 54% | 40%
- Average Host Income: \$8,800
- Total Number of Guests 2015: 6,000
- Average Length of Stay: 6.4 nights

Malibu, CA: Every day around the world, we are having conversations with policymakers about fair policies that make it easier for people to share their homes. Tax rules, for example, can be complicated and are often unclear how existing rules apply. In April 2015, Airbnb worked with Malibu on a policy to allow people to rent their homes as short term rentals, without limitation, if hosts register with the city and pay the transient occupancy tax. As we continue to engage with officials in cities around the world around complicated tax rules—different in nearly every jurisdiction—we look to Malibu as a shining light of what can be possible when we work together to ensure that rules enabling home sharing are simple, fair, easy to follow and easy to implement.

Ordinance Overview:

- Hosts must abide by contracts or rules that bind them, such as leases, condo board or co-op rules, HOA rules, or rules established by tenant organizations.
- Malibu requires hosts of some rooms offered for overnight stay to obtain a business license from the Los Angeles County Treasurer and Tax Collector.
- Airbnb collects the Transient Occupancy Tax on behalf of our hosts and remits it back to the city.

Statistics:

- Active Listings: 350
- Entire Home | Private Room: 81% | 18%
- Average Host Income: \$17,000
- Total Number of Guests 2015: 14,000
- Average Length of Stay: 2.9 nights

South Lake Tahoe, CA: South Lake Tahoe has seen some explosive growth over the past decade. Initially, the city adopted their short term rental program in 2003 in response to community concerns. Over the course of the following twelve years, the number of vacation homes has steadily grown to approximately 1,800 short term rental properties. Amendments to the short term rental ordinance was adopted throughout several City Council meetings with the new laws having taken effect in late 2015. South Lake Tahoe is a great example of creative laws being employed in booming vacation rental markets.

Ordinance Overview:

- South Lake Tahoe has short term rentals in both residential and commercial / tourist areas where transient occupancy (hotels/motels) are allowed. The City's Ordinance divides rules and regulations by where the rentals are located.
- All short term rentals in both residential and commercial districts will require a permit with the city.
- Short term rentals already permitted in residential areas will be required to have an inspection by a city inspector at the time of their permit renewal.

Statistics:

- Active Listings: 1,000
- Entire Home | Private Room: 93% | 7%
- Average Host Income: \$11,300
- Total Number of Guests 2015: 70,000
- Average Length of Stay: 2.7 nights

San Jose, CA: In December 2014, San Jose adopted comprehensive home sharing regulations allowing primary residents in all residential and mixed-use zoning districts to host in short term rentals for up to 180 days if they are not physically present during the rental ('unhosted') or without limitation if they share a portion of their residence while they are physically present ('hosted'). The Council focused on developing rules which were simple for residents to follow, that provide recourse for residents and community members in case of nuisances, and that did not require the City to establish a new enforcement bureaucracy due to minimal evidence of actual community concerns or complaints. San Jose remains one of the most effective pieces of home sharing legislation passed in the United States and should serve as a guide for other cities considering entering into short term rental agreements.

Ordinance Highlights Include:

- Authorized 'incidental transient occupancy' as an allowed use in one-family, two-family or multiple family dwellings, mobile homes, live/work units, secondary dwellings and guest houses.
- Allows short term rentals as an incidental use of the property and does not impose any registration requirements.
- Numerical caps on annual number of nights (180 days per calendar year - no host present. 365 days per calendar year with host present)
- Parking requirements by dwelling type
- Transient Occupancy Tax collection/remittance
- Recordkeeping requirements for hosts/operators

Statistics:

- Active Listings:
- Entire Home | Private Room:
- Average Host Income:
- Total Number of Guests 2015:
- Average Length of Stay:

Jersey City, NJ: In October 2015, the Jersey City Council passed a clear and highly effective ordinance to permit short term rentals (STRs), e.g. a unit rented out for less than 30 consecutive days. City officials lauded the proposed ordinance as a partnership with us, which we then, in turn, publicly endorsed the change in the city's zoning ordinance, highlighting our agreement to collect and remit taxes on behalf of the hosts/guests. According to city leaders, by legalizing STRs and partnering with us, Jersey City would earn an additional \$600,000 - \$1 million annually on the (then) more than 300 Airbnb listings in the city, in addition to the roughly \$6 million it already received from its tax on traditional hotel rooms. Our host community has since grown to over 1,000 and our engagement in Jersey City remains one of the most mutually beneficial in the United States.

Ordinance Highlights:

- A host offering an ADU for STR use must be the owner/lessee of the residence in which the STR activity occurs.
- No person offering an ADU for STR use shall be required to obtain any license unless they offer more than 5 separate listings in the city.
- If a host offers 5 or more listings:
 - They must obtain a license for each ADU and;
 - Ensure that the STR use is clearly incidental to the principal residential property
- Host ensures no sign identifying the STR and no identification of an STR on any mailbox.
- Host agrees the STR will be conducted in a manner that does not disrupt the residential character of the neighborhood.

Statistics:

- Active Listings: 1,000
- Entire Home | Private Room: 55% | 40%
- Average Host Income: \$4,200
- Total Number of Guests 2015: 26,000
- Average Length of Stay: 5.8 nights