

Contact Information

Neighborhood Council: Bel Air-Beverly Crest Neighborhood Council

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Date of NC Board Action: 06/24/2015

Type of NC Board Action: Against

Impact Information

Date: 08/21/2015

Update to a Previous Input: No

Directed To: City Council and Committees

Council File Number: 14-1635-S2

Agenda Date: 06/24/2015

Item Number: 11.a.

Brief Summary: Benedict Canyon (BC) can't endorse tax on transient home rentals in R1 Very High Fire Hazard Severity Zone requiring specialized insurance. Transient use, or rezoning BC for commercial use, compromises safety, integrity of long-established non-commercial hillside area. Enforced by law, BC must be entirely exempt from ordinances permitting rentals of BC property for under 30 days: "Short Term/Vacation/Weekend Rentals."

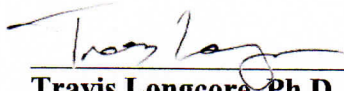
Additional Information: Please see enclosed position letter addressed to CM Paul Koretz from Benedict Canyon Association for reference.



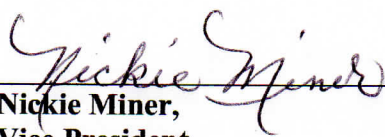
Bel-Air Beverly Crest Neighborhood Council
City of Los Angeles Municipal Building
1645 Corinth Avenue, Room 103-4
Los Angeles, California 90025
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BABCNC Board Resolution
Opposing Proposal to Legalize Short-Term Rentals in the City of Los Angeles

We, Travis Longcore, Ph.D. and Nickie Miner, declare that we are the President and Vice President respectively of the Bel Air Beverly Crest Neighborhood Council, and that on June 24, 2015, a Brown Act noticed public meeting was held by the Bel Air Beverly Crest Neighborhood Council, and, with a quorum of 15 board members present, the Bel Air Beverly Crest Neighborhood Council unanimously resolved by all Board members voting, to support the position taken by Benedict Canyon Association (BCA) expressing concern about a proposal to legalize and collect a Transient Occupancy Tax on short-term rentals in the City of Los Angeles that was introduced by Councilmembers Bonin, Wesson, and Koretz. BABCNC unanimously endorsed the concerns raised by BCA in a letter to the City on this matter.

 June 29, 2015

Travis Longcore, Ph.D. Date
President
tlongcore@babcnc.org

 June 29, 2015

Nickie Miner, Date
Vice President
nminer@babcnc.org

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Travis Longcore, Ph.D.
Vice President
Nickie Miner
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Traffic Committee

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Bel-Air Crest Master Association
Bel Air Ridge Association
Benedict Canyon Association
Casiano Estates Association
Laurel Canyon Association
Holmby Hills Homeowners Association
Residents of Beverly Glen
Roscomare Valley Association
Santa Monica Mountains Conservancy

RESIDENTIAL DISTRICTS

Bel Air District
Bel Air Glen District
Beverly Park Estates District
Franklin Cyn/Coldwater/Mulholland/Crest District
North of Sunset District
OTHER
At-Large Members
Faith-Based Institutions
Public & Private Schools
Commercial Areas



P.O. Box 1265
Beverly Hills, California 90213-1265

June 21, 2015

Councilman Paul Koretz, District 5
200 North Spring Street, Suite 440
Los Angeles, Ca. 90012

Re: The Motion to Prepare an Ordinance Governing Short Term Rentals

Dear Councilman Koretz:

The Benedict Canyon Association is strongly opposed to creation of an ordinance supporting short term rentals under 30 days in the City of Los Angeles. The City of Los Angeles is presently unable, and apparently unwilling, to enforce via the Building Department, Police Department or City Attorney even the present ordinance. The increased enforcement required to enforce any regulations on property owners renting their properties for less than 30 days in increasing numbers would be enormous. Is Airbnb prepared to pay for the enforcement of any ordinance passed by the City? The residents of Benedict Canyon clearly do not want to pay for this enforcement burden when our tax dollars are needed for improved roads, more police and other needed city services. How could the city hope to enforce collection of Transient Occupancy Taxes (TOT) on visitors who stay only a few days at a time? What if homeowners are allowed to rent only their primary residence and it is not their primary residence that is rented. The city will have to research ownership and build a case against the owner to enforce the law, which could take years while neighbors suffer.

Our neighborhood is in a brush and fire hazard zone. Short term visitors will not likely be either advised of the fire risk or simply not care, putting all residents in great danger. In the event of an emergency requiring evacuation, people unfamiliar with the area would impede routes to safety for themselves and residents. Short term rentals are considered "high risk" by insurance companies. If a policy is written for a homeowner and the insurer discovers that the homeowner is using the home as a short term rental and this was not disclosed, the insurer will consider this fact a misrepresentation and cancel the policy. Insurers have informed us that we can certainly expect our home insurance rates to increase if we are in proximity to risky neighbors with short term rentals.

Benedict Canyon is zoned R1, single family. Changing the current ordinance to under 30 days, which we know results in people renting for a few days, in and out of single family homes, effectively creates a zoning change to "Motel." We did not buy our homes in a "transient" neighborhood, and do not want any change in an ordinance that creates a zoning change. Benedict Canyon has never been a destination for short term vacationers. Having short term neighbors significantly alters the character and peace and quiet of our residential neighborhood. Noise from vacationers or even locals renting a house for a party will create disturbance and stress for neighbors who have to work the next day.

Creating a zoning change to "transient" zoning and the accompanying issues outlined above will create a property stigma on any homeowner in proximity to the short term rentals.

Long term renters will not want to rent next to unknown neighbors with potentially noisy parties, who change every few days. Property owners will have trouble selling their homes in proximity to the short term rentals and will likely receive less money for their properties. Single family property values will decline and so will property tax revenues for the city. The proximity to a short term rental will become a required disclosure of a defective property condition or subject the selling homeowner to a lawsuit by a buyer. Property owners who have spent many years paying for their single family homes will suffer unnecessary losses.

Nothing mentioned in the proposed ordinance mentions the requirement for the community's input as it should. The motion does not require an assessment of the impact on motels and hotels (reduced revenue, less taxes paid to the city, workers laid off). The business models of companies such as VBRO and Airbnb detrimentally affect people in Los Angeles communities such as Benedict Canyon. The one percent of residents who support short term rentals should not be accommodated in detriment to the ninety-nine percent who oppose it. VBRO and Airbnb are using the argument that their business is "a shared economy." In truth, neighbors have never had a problem with a neighbor renting a room in their home to help pay their mortgage. This concept has long been called "having a roommate" and is well accepted. Nor do neighbors have any issue with someone renting a "legal" guest unit on a property. Neither of these situations typically involved renting for less than 30 days. Airbnb is using them as justification for renting single family homes for a day or a few days at a time, an entirely different situation.

The Benedict Canyon Association requests a meeting with you, Councilman Koretz, to discuss this subject more fully. Please notify us of your availability as soon as possible.

Yours Sincerely,

A handwritten signature in black ink, appearing to read 'M Post', with a stylized, cursive flourish at the end.

Matthew Post, BCA President

cc: Travis Longcore, President, Bel-Air Beverly Crest Neighborhood Council