



# **California Association of Code Enforcement Officers**

Learning Domain #233

Specialty Enforcement



# Introductions

- Instructor Introduction
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  - County of Riverside, Transportation
  - County of San Bernardino, County of San Diego, and County of Riverside – 27 years
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# DISCLAIMER

- CACEO is a statewide organization serving the needs of a diverse group. Some information may not apply to your agency at this time but will still serve you well during your career.
- The instructor is not an attorney and the information provided is not intended to serve as legal counsel. Review any actions with your organization's legal counsel before proceeding.
- Your agency policy is the authority under which you should act. Any information in conflict with your agency policy should be reviewed with your supervisor and management, and possibly your agency's legal counselor.



# Training Goals

- Some calls for enforcement action are very unique, sensitive, sometimes political, and often require a deft approach while still addressing any threats to public safety.
- Students will be provided with information on some unique situations and potential tools to resolve similar circumstances in their local jurisdiction.

# Short Term Rentals “Home Sharing”

- Short-term rental sites like Airbnb, BRVO and HomeAway have facilitated a lucrative way for home owners to earn income by renting out their spare bedrooms or living room space to transient occupants for a short stay.



# Short Term Rentals “Home Sharing”

The industry has also attracted critics who say short-term rentals erode the quality of life in their neighborhoods.





# Issues

- Parties & Noise & Trash & Undesirables
- People & Vehicle Congestion
- Unmaintained = Blight
- Loss of Use & Enjoyment = Neighbor Disputes
- Crime & Lack of Accountability
- Zoning Prohibition
- Black Market Revenue Loss
- Others Problems?



# Benefits

- Regulation
  - Prevent Black Market Operations
  - Limit Parties, Noise, Vehicles, Visitors, Blight, Negative Externalities
  - Require Maintenance
  - Identified Responsible Parties
- Revenues
  - Permit Fees
  - Business License Taxes & Fees
  - TOT (Transient Occupancy Tax)
  - Tourism Sales Taxes
  - Admin Fines & Cost Recovery
- Employment





# How Cities are Regulating

California's housing crisis has made short-term rental regulations an even more urgent concern for leaders across the state, and some cities have already set their own regulations. Using some of the following restrictions:

- **Transient Occupancy Taxes (TOT).** Most municipalities impose transient occupancy taxes on short-term rentals of 30 days or less.
- **Zoning ordinances.** Some municipalities limit short-term vacation rentals to specific geographic areas, prohibit short-term rental homes near other short-term rentals, impose a maximum number of vacation rental days or vacation rental occupants, or otherwise regulate short-term rentals in single family residences and/or multi-family residences.
- **Registration and Licensing.** Many municipalities require landlords obtain business licenses or other special licenses to operate short-term vacation rentals



# How Cities are Regulating

Examples:

## **Seal Beach, CA**

No residentially zoned property, or any portion thereof, shall be leased or rented for a term of 29 days or less for any purpose, including but not limited to any residential or commercial purpose such as vacation rentals, weddings, or other event rentals.

## **La Quinta, CA**

Property owner to be the Short-Term Vacation Rental (STR) permit holder. STR permit shall be valid only for the number of bedrooms approved by the city. Three violation of the STR regulations will result in a suspension of STR permit. Fines for STR violations have increased to range from \$500 - \$5,000.



# Ordinances

- Prohibition
  - City-Wide?
  - Certain Zones?
- Special Events
  - Limited Dates?
  - Limited Zones?
  - Other Restrictions?
- Permitted
  - Beach Cities?
  - Zones?
  - Special Restrictions?



# Regulations

- Limit Zones
- Limit Concentrations
- Limit Dates
- Limit Frequency
- Size & Parking Requirements
- Cleanup & Maintenance Requirements
- Inspections & Fees
- Local Contact Requirement
- Required Tenant Notices & Declarations
- Prohibit Sub-Leasing
- Prohibit Subsidized Short-Term Rentals



# Enforcement

- Compliance Monitoring Contractors
  - Search & ID Violators
  - Collect Revenues
- Admin Fines
  - Property Owner, Operator, Tenant, Responsible Parties
- Criminal Prosecution
  - Property Owner, Operator, Tenant, Responsible Parties
- Business License Revocation
  - Requires Due Process
- Permit Holds
- Cost Recovery



# Rental Housing Inspection Program

- Cities and counties throughout the state frequently adopt a Rental Housing Inspection Program by drafting and adopting an ordinance to identify single-family rental properties and ensure tenants and landlords of residential rental properties, are involved in maintaining single family homes to city codes and applicable laws.
- A Rental Property Inspection Program is a effective way of ensuring rental properties are registered as rentals and to enhance the quality of life for all residence.



# Multi- Family Dwelling Inspection Program

- Several Jurisdictions implement a Multi-Family Inspection Program in conjunction with local Fire Departments and other agencies.
- The purpose of the program is to gain the commitment of property owners, managers, tenants, and the community to maintain properties free of illegal or destructive activity and to promote a higher quality of life within each neighborhood.
- Successful programs increase community participation, provide accountability for property owners, and lower maintenance costs. The proven crime prevention methods and program phases improve public safety for tenants, property owners, and the community.



# SHORT TERM 'POOL' RENTALS

- Swimply – the new Airbnb of aquatic recreation
  - Earn revenue at \$68 an hour or more depending on number of guests (set your own rate)
  - 80% of Swimply hosts will make a bathroom available for guests
  - For extra \$35, folks can rent the grill (set your own rate)







# UPCOMING 'SWIMPLY' RENTALS

- Swimply – the new Airbnb of:
  - Coming in 2022 – 'PLAY'
    - private tennis, basketball and volleyball courts and soccer fields.
  - Coming in 2022- 'GATHER'
    - Rent unique private venues such as Backyards, rooftops, and docked boats.
  - Coming in 2023 – 'EXPERIENCE'
    - Rent a unique experience like a horse farm, private gym, golf / putting greens or art studio.

Swimply charges 15% and Swimply Hosts are automatically covered by their \$1,000,000 host liability guarantee and \$10,000 in property damage insurance

# Specialty Enforcement Cont.

- As the Code Enforcement profession expands, the types of enforcement activities jurisdictions enforce becomes larger.
- Haunted Houses
- Holiday Light Displays
  - Example – City of Rancho Cucamonga
    - Traffic
    - Permit
    - Residential property selling items – commercial purposes
    - Pedestrian
- Vendor Enforcement
- Hotel / Motel Inspection Program
- Crime Free Multi Housing Program

And so many more.....

# Specialty Enforcement Cont.

- Fire / Weeds – Defensible space enforcement
- Covid Enforcement
  - Mask
  - Occupancy
- Vendor Enforcement
  - Without permit
- Hotel / Motel Inspection Program
  - Bedbug
- Crime Free Multi Housing Program

And so many more.....



QUESTIONS???