

File No. 151245 Committee Item No. 5
Board Item No. _____

COMMITTEE/BOARD OF SUPERVISORS
AGENDA PACKET CONTENTS LIST

Committee: Government Audit and Oversight Date April 28, 2017

Board of Supervisors Meeting Date _____
Cmte Board

- | | | |
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| <input type="checkbox"/> | <input type="checkbox"/> | Motion |
| <input type="checkbox"/> | <input type="checkbox"/> | Resolution |
| <input type="checkbox"/> | <input type="checkbox"/> | Ordinance |
| <input type="checkbox"/> | <input type="checkbox"/> | Legislative Digest |
| <input type="checkbox"/> | <input type="checkbox"/> | Budget and Legislative Analyst Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Youth Commission Report |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Introduction Form |
| <input type="checkbox"/> | <input type="checkbox"/> | Department/Agency Cover Letter and/or Report |
| <input type="checkbox"/> | <input type="checkbox"/> | MOU |
| <input type="checkbox"/> | <input type="checkbox"/> | Grant Information Form |
| <input type="checkbox"/> | <input type="checkbox"/> | Grant Budget |
| <input type="checkbox"/> | <input type="checkbox"/> | Subcontract Budget |
| <input type="checkbox"/> | <input type="checkbox"/> | Contract/Agreement |
| <input type="checkbox"/> | <input type="checkbox"/> | Form 126 – Ethics Commission |
| <input type="checkbox"/> | <input type="checkbox"/> | Award Letter |
| <input type="checkbox"/> | <input type="checkbox"/> | Application |
| <input type="checkbox"/> | <input type="checkbox"/> | Public Correspondence |

OTHER (Use back side if additional space is needed)

- | | | |
|-------------------------------------|--------------------------|---|
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <u>Referral FYI - 12/09/15</u> |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <u>Power Point Presentation - 04/25/16</u> |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <u>Power Point Presentation - 1/11/16</u> |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <u>Office of Short Term Rentals PPT - 10/3/16</u> |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <u>Presidential Action Memo - 10/28/16</u> |
| <input type="checkbox"/> | <input type="checkbox"/> | _____ |
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Completed by: Erica Major Date April 21, 2017
Completed by: _____ Date _____

Office of Short-Term Rentals

GAO Committee

October 3, 2016



Submitted + Presented
IN COMMITTEE
Gao 10/3/2016



Program Overview

- Effective February 1, 2015
- Allows permanent residents to rent homes < 30 days
- Office of Short-Term Rentals established in July 2015 to administer Short-Term Rental Program
- Oversees registration and enforcement



Registration Overview

- 2,253 applications received
 - 229 certificates disapproved
 - 133 applications incomplete
 - 57 applications under review
- 1,758 certificates issued
 - 76 certificates cancelled
 - **1,682 registered hosts**
- 3 - 4 week processing time for most applications

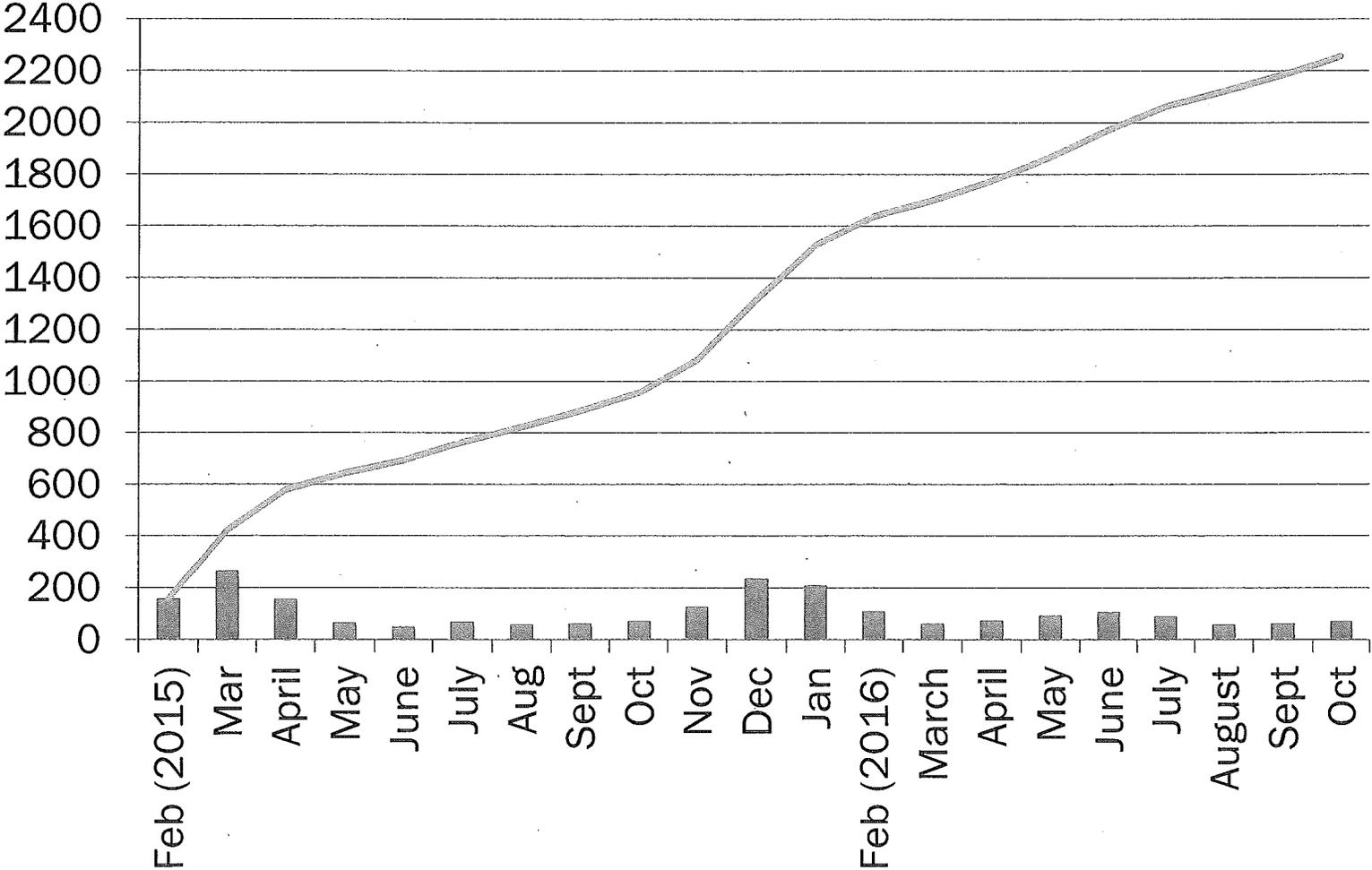


Registration Overview

	October 2016	April 2016	January 2016
Applications Received	2,253	1,747	1,318
Registered Hosts	1,682	1,210	879
Apps. Disapproved/Incomplete	438	425	170
Pending Review	57	112	269



Registrations Applications to Date





Process Improvements - Program Access

- Weekly Walk-In Hours: Wednesdays, 1:00pm - 4:00pm
- Monthly Evening Walk-In Hours: First Monday, 5:30pm - 7:30pm
- Expanded Appointment Hours
- Community Registration Events in Spring/Summer



Process Improvements

- Generally pause enforcement while application is pending
- New website
 - Easier filing of quarterly reports
 - Host account tools
- On-line application submittal
 - Would still require some in-person contact
 - Fully on-line application requires data transparency
- Data transparency w/ platforms is critical for more extensive changes



Enforcement

- Proactive focus on major offenders:
 - Hosts with multiple units
 - Full-time vacation rentals
 - Second violations
- Notices of Violation (NOV) issued to platforms
 - Failure to inform users of SF requirements
- Utilizing webscrapes to facilitate, prioritize cases
- 856 cases opened since February 1, 2015
- Notices of Violation Issued for 349 dwelling units
- 417 cases fully closed, 151 pending closure (182 dwelling units)
- \$870,000 in penalties assessed



Host Reporting

- Latest Quarter: July-Sept 2016
- 72% response rate
- Hosting Types
 - 50% hosted rentals only
 - 21% unhosted rentals only
 - 17% combined hosted/unhosted
 - 12% reported no stays
- Revoking certificates for failing to report



Recent Legislation

- Summer 2016 - Passed
 - Impose additional requirements on platforms
 - Verify registration of hosts
 - Subject to penalties for unregistered hosts
 - Currently in litigation
- October 2016 – Introduced by BOS
 - Cap all rentals at 60 nights per year
 - Modify private right of action timelines, parties
- October 2016 – Introduced by OSTR
 - Retain existing \$50 application fee
 - Tie future increases to CPI



Office of Short-Term Rentals Contact Info

- Website:
<http://shorttermrentals.sfgov.org>
- Enforcement Complaints/General Inquiries:
shorttermrentals@sfgov.org or (415) 575-9179
- Walk-in Hours:
 - Wednesday Afternoons: 1:00p – 4:00p
 - First Monday evening each month: 5:30p – 7:00p

OFFICE OF SHORT-TERM RENTALS

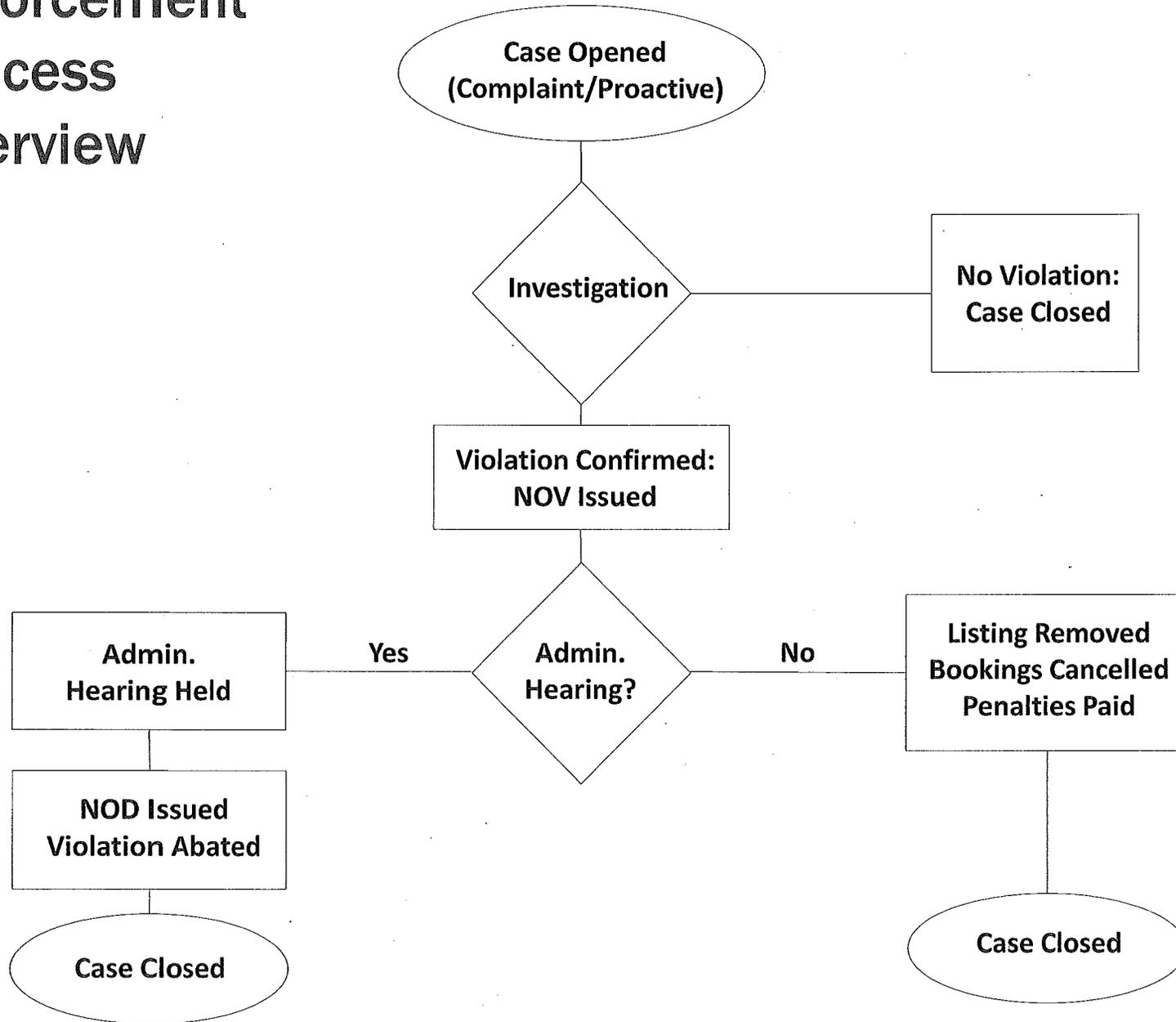




Listing/Host Data

- 8,665 listings / 6,700 Airbnb hosts
 - 5% are 30+ days
 - 25% have no reviews/last reviewed in 2014
- Listings on other platforms:
 - VRBO/Homeaway: 2,410
 - Flipkey: 977
- Some units are cross-listed on multiple platforms

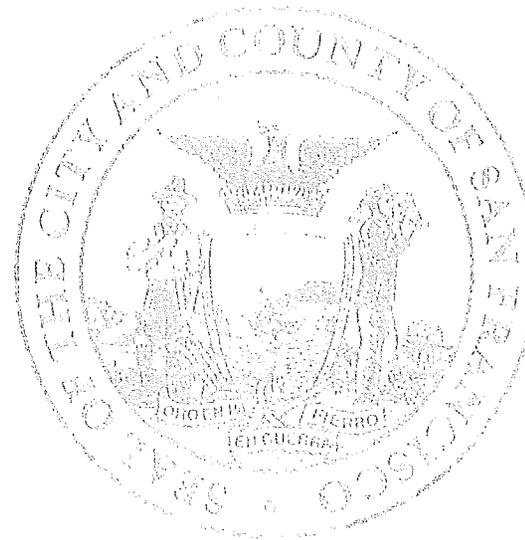
Enforcement Process Overview



Office of Short-Term Rentals

Land Use and Transportation Committee

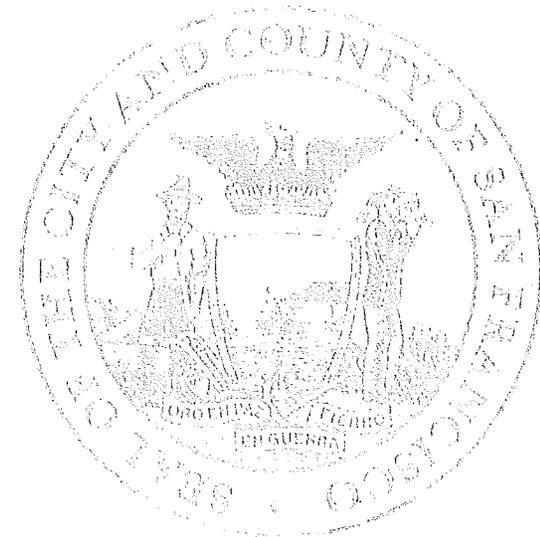
April 25, 2016





AGENDA

1. PROGRAM OVERVIEW
2. REGISTRATION/OUTREACH
3. LISTING/HOST DATA
4. ENFORCEMENT
5. HOST REPORTING





Program Overview

- Ordinance 218-14 amends the administrative code regulations on short-term rentals, effective February 1, 2015
- Allows permanent residents to rent homes < 30 days
- Office of Short-Term Rentals established in July to administer Short-Term Rental Program
- Oversees registration and enforcement

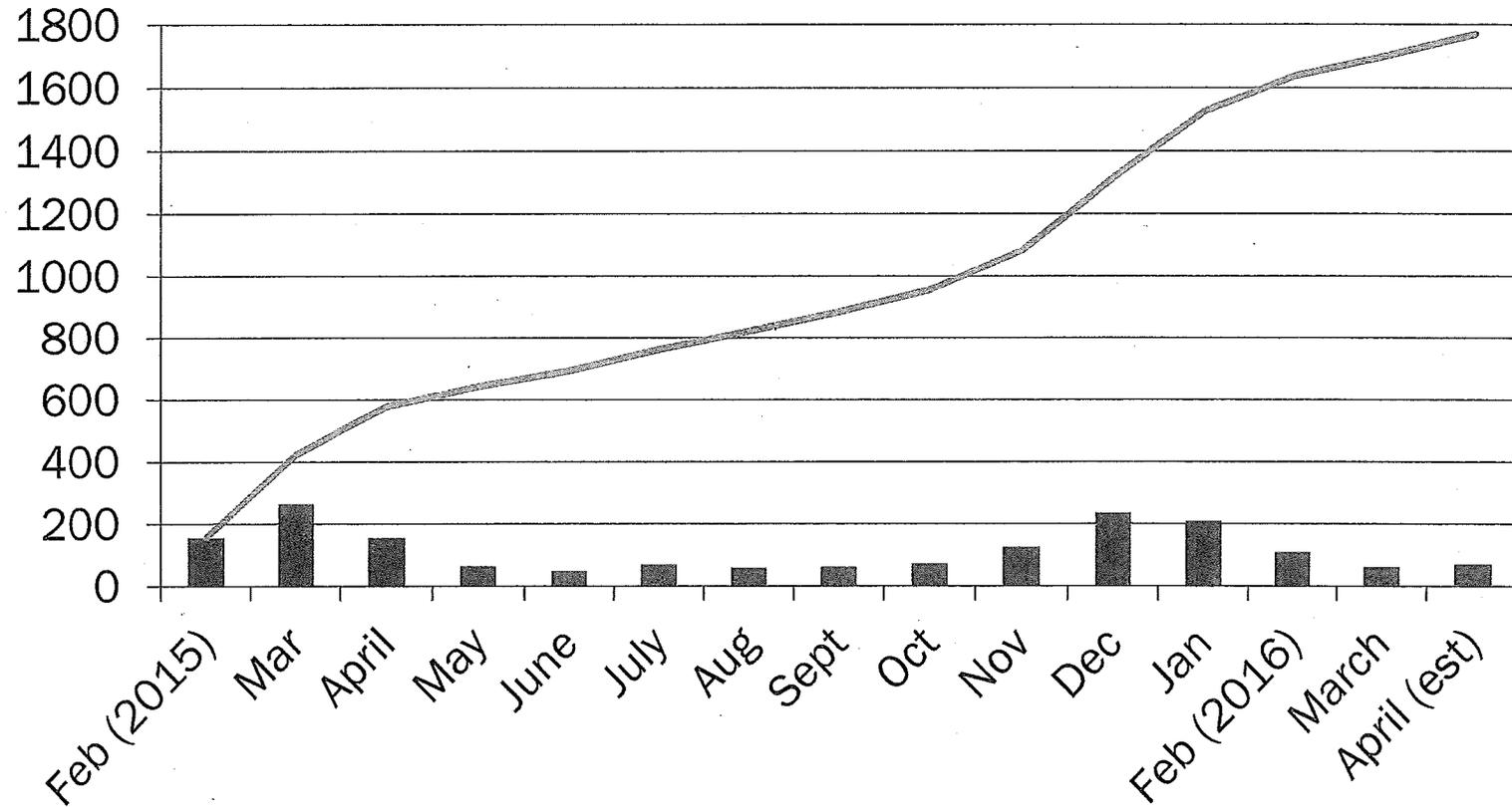


Registration Overview

	April 2016	January 2016
Applications Received	1,747	1,318
Registered Hosts	1,210	879
Apps. Rejected/Incomplete	425	170
Pending Review	112	269



Registrations Applications to Date





Registration Process

- 1) Obtain business registration from TTX
- 2) Attend OSTR application intake appointment, submit:
 - Completed application
 - Two proofs-of-residency
 - Proof of insurance
- 3) OSTR reviews application materials, compares against public records
- 4) OSTR issues either approved certificate or denial letter with explanation



Outreach to Date

- Media
 - SF Chronicle (press releases, interviews)
 - KPIX (interview)
 - KQED Radio (interview)
 - Sound of Hope Radio (interview)

- Presentations to Resident Groups
 - Small Property Owners of SF Institute
 - Homesharers of SF
 - Hayes Valley Neighborhood Association

- Public Registration Events
 - City Hall Registration Fair (March 22)
 - Earthquake Retrofit Fair (April 18)



Program Access

- Weekly Walk-In Hours: Wednesdays, 1:00pm - 4:00pm
- Monthly Evening Walk-In Hours: First Monday, 5:30pm – 7:30pm
- Upcoming Community Registration Events:
 - Ortega Branch Library: May 5th, 5:30pm – 8:30pm
 - Potrero Branch Library: May 19th, 5:30pm – 8:30pm
 - Additional events in June TBD



Listing/Host Data

- 7,029 listings / 5,378 Airbnb hosts (Nov '15 BLA report)
 - Entire unit: 57%
 - Private room: 37%
 - Shared room: 5%
- 9,448 listings/7,047 hosts (Mar '16 Airbnb self-reported)
- Listings on other platforms:
 - VRBO: 1,774
 - Homeaway: 1,793
 - Flipkey: 896
 - (Some units are cross-listed on multiple platforms)



Unregistered Host Profiles

- Hosts ineligible to register:
 - Full-time vacation rentals (18%)
 - Multiple properties (7%)
 - Rentals > 30 days (4%)
 - Hotels & timeshares (1%)
- Listings with no reviews (13%)
- Tenants with a “no-subletting” clause (% unknown)
- Recent applications have had a higher rejection rate
 - Incomplete documentation
 - Contradicts information from publicly-available sources
- Will issue letters to hosts with Business Registration, but no certificate from OSTR



Enforcement

- Proactive focus on major offenders:
 - Hosts with multiple units
 - Full-time vacation rentals
 - Second violations
- Notices of Violation (NOV) issued to platforms
 - Failure to inform users of SF requirements
- Utilizing webscrapes to facilitate, prioritize cases
- 423 cases opened since February 1, 2015
- Notices of Violation Issued for 174 dwelling units
- 169 cases fully closed, 61 pending closure (95 dwelling units)
- \$695,000 in penalties assessed



Host Reporting

- Began January 1, 2016
- 62% response rate
- Hosting Types
 - 52% hosted rentals only
 - 18% unhosted rentals only
 - 23% combined hosted/unhosted
 - 6% reported no stays
- Quarterly reporting resumed April 1
 - Improved response rate vs. January
 - Email reminders and form improvements



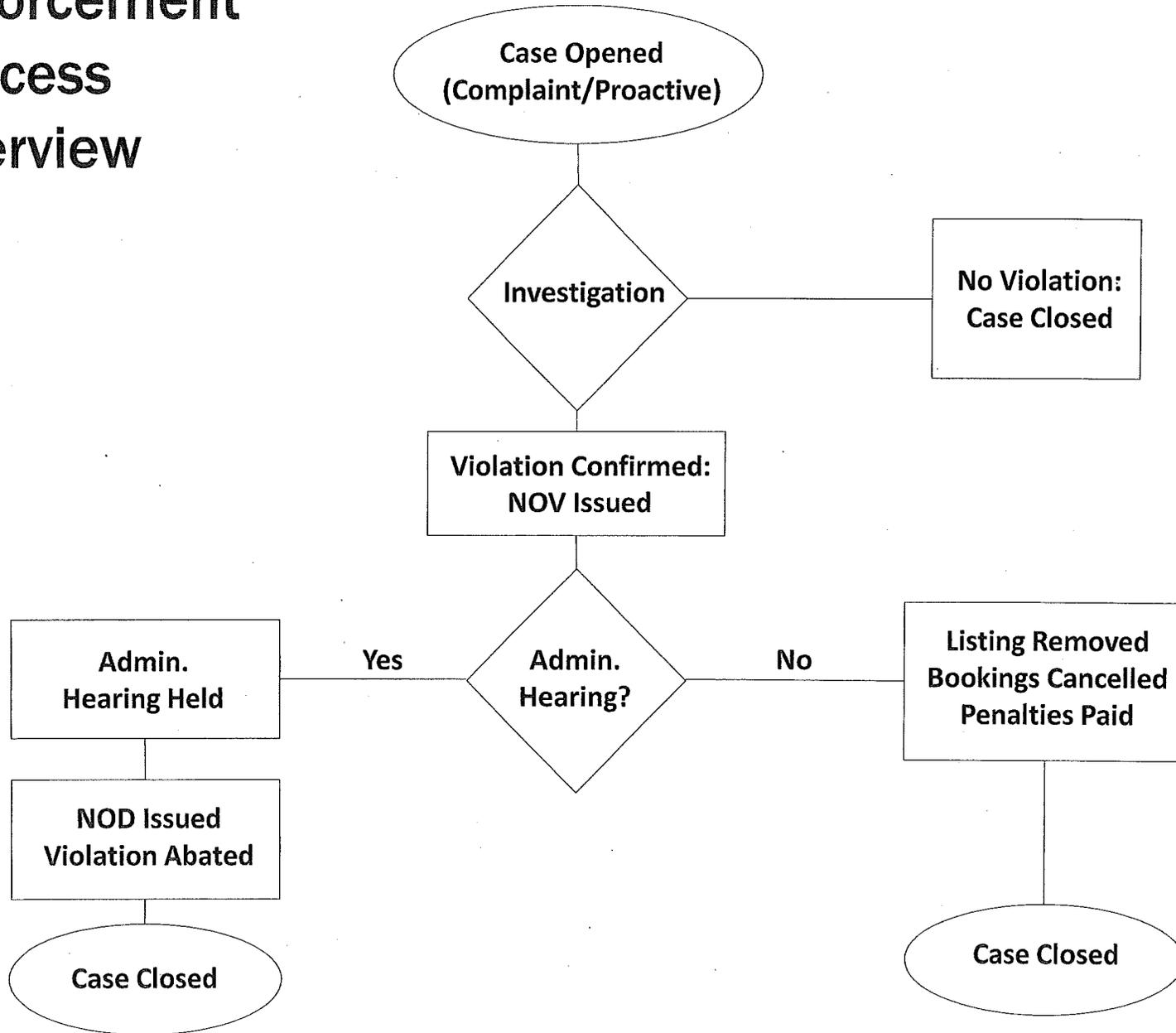
Office of Short-Term Rentals Contact Info

- Registration:
<http://businessportal.sfgov.org/start/starter-kits/short-term-rental>
- Enforcement Complaints/General Inquiries:
shorttermrentals@sfgov.org or (415) 575-9179
- Walk-in Hours:
 - Wednesday Afternoons: 1:00p – 4:00p
 - First Monday evening each month: 5:30p – 7:00p

OFFICE OF SHORT-TERM RENTALS



Enforcement Process Overview





Requests to Hosting Platforms

- Identify hosts with listings for multiple properties in San Francisco
- Require that website users/hosts include a City registration number for their SF listings
- Deactivate listings of year-round vacation rentals
- Provide specific addresses of listings subject to complaints submitted to OSTR
- Provide content to STR hosts regarding legal requirements (registration, reporting, business tax, etc.)

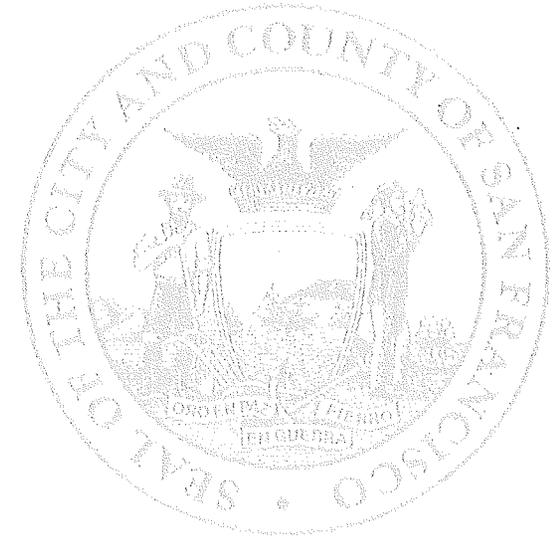
File No. 151245

1/11/16. Presented in Committee

(Kevin Guy, Director, Office of Short-Term Residential Rental Administration & Enforcement)

PROGRAM OVERVIEW

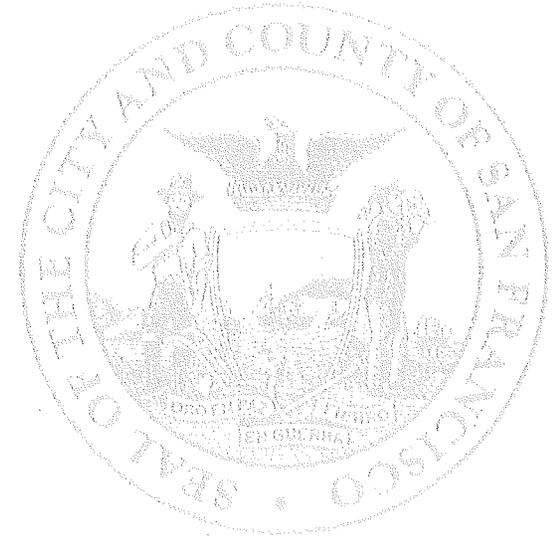
Office of Short-Term Rentals





AGENDA

- 1. PROGRAM OVERVIEW**
- 2. REGISTRATION STATUS**
- 3. OUTREACH TO PLATFORMS**
- 4. ENFORCEMENT STATUS**
- 5. WEBSITE CHANGES**





Program Overview

- Regulations effective February 1, 2015
- Allows permanent residents to rent homes < 30 days
- OSTR established in July to administer STR Program
- Oversees registration and enforcement

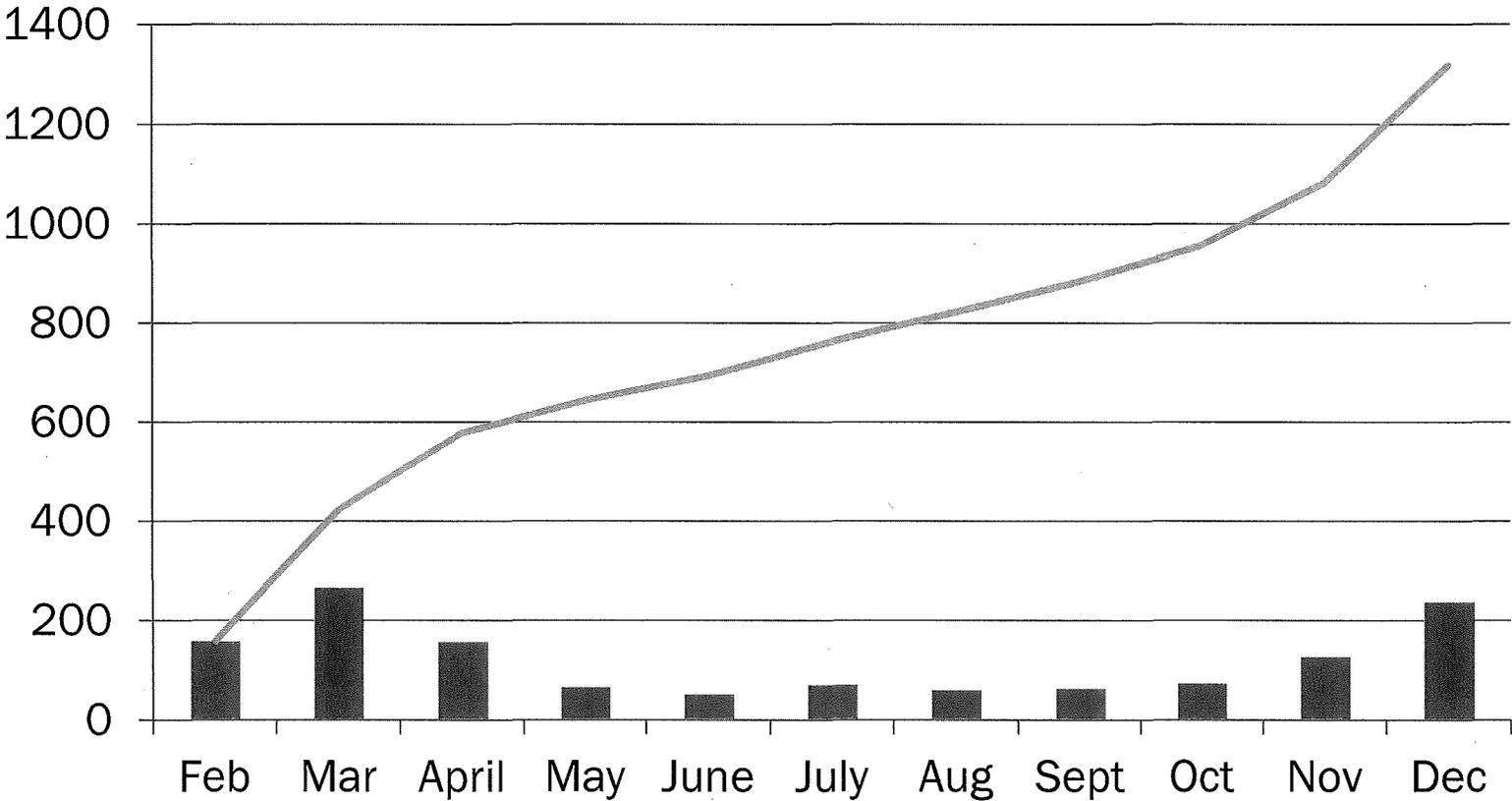


Registration Status

- 1,318 applications received
- 879 registered hosts
- 170 applications rejected/incomplete
- 269 applications pending review
- Approx. 150 appointments in January



Registrations Applications in 2015

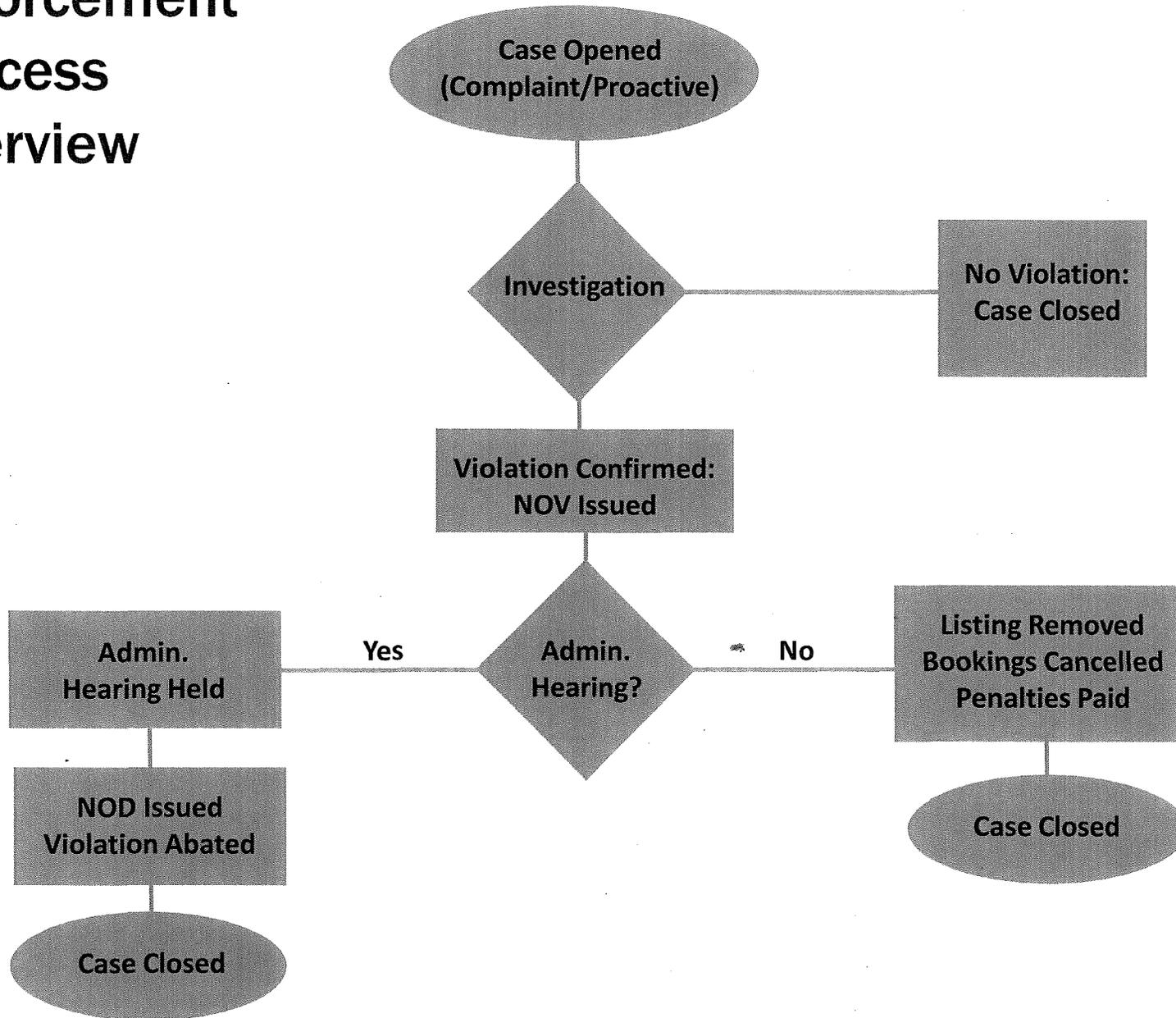




Requests to Hosting Platforms

- Identify hosts with listings for multiple properties in San Francisco.
- Require that website users/hosts include a registration number for their SF listings.
- Deactivate listings of year-round vacation rentals.
- Link listings to specific addresses when provided to OSTR by complainant.
- Push content to SF hosts regarding requirements (registration, reporting, business tax, etc.)

Enforcement Process Overview





Enforcement Status

- 264 cases opened since February 1, 2015
- 155 cases under investigation
- 14 cases issued Notices of Violation, pending closure
- 95 cases fully closed



Enforcement Status

- \$475,000 in penalties assessed
- Cases involving 64 dwelling units
- \$124,000 in penalties collected
- Outstanding penalties referred to BDR
- Procedures emphasize abatement without hearings
- Increased proactive enforcement activity
- Enhanced monitoring for future compliance



Website Changes: Quarterly Host Reporting

- Required per Admin. Code 41A
- Hosts report activity for last quarter, or from date of initial registration
- On-line form reporting form active on January 4, 2016
- Reports due February 1, 2016



Office of Short-Term Rentals
Quarterly Rental Reporting

After you file your report you will not be able to come back and change it. Please check your information before submitting.

[Homepage >](#)

What is your name?
Do I need to report my hosting?

Which best describes you?

Permanent resident

What is your registration number?
How do I find my registration number?

What is the address of the hosting property?

Street address

Apartment, suite, unit, etc.

San Francisco, CA

Zip

Please check all hosting platforms you used this quarter.

AirBnB

VRBO

HomeAway

FlipKey

Other

Please report the dates for each individual stay that occurred from
February 1st - December 31, 2015

Or from date of initial registration

How do I report stays in multiple rooms?

List your hosted stays below:	List your unhosted stays below:
<small>What is a hosted stay?</small>	<small>What is an unhosted stay?</small>
Date checked-in <small>dd/mm/yyyy</small>	Date checked-in <small>dd/mm/yyyy</small>
Date checked-out <small>dd/mm/yyyy</small>	Date checked-out <small>dd/mm/yyyy</small>
<input style="width: 95%;" type="text"/>	<input style="width: 95%;" type="text"/>
+ Add another stay	+ Add another stay

How to contact us

Office of Short-Term Rentals
1650 Mission Street, Ste 400
San Francisco, CA 94103

[View location on map](#)

shorttermrentals@sfgov.org
415-575-8179



Pending Website Changes

- On-line Complaint Form
- Posting of enforcement notices
- Real-time registration and enforcement data
- “Heat maps” of STR clusters

BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-5184
Fax No. 554-5163
TDD/TTY No. 554-5227

MEMORANDUM

TO: Kevin Guy, Office of Short-Term Rental Administration and Enforcement

FROM:  Alisa Somera, Assistant Clerk, Board of Supervisors

DATE: December 9, 2015

SUBJECT: LEGISLATION INTRODUCED

The Board of Supervisors' Land Use and Transportation Committee has received the following request for hearing, introduced by Supervisor Wiener on December 1, 2015:

File No. 151245

Hearing on short-term residential rentals registration and enforcement activity, current staffing levels of the Office of Short-Term Residential Rental Administration and Enforcement, and any need for additional resources of policies to adequately enforce the law; and requesting the Office of Short-Term Residential Rental Administration and Enforcement to report.

If you have any comments or reports to be included with the file, please forward them to me at the Board of Supervisors, City Hall, Room 244, 1 Dr. Carlton B. Goodlett Place, San Francisco, CA 94102.

President, District 5
BOARD of SUPERVISORS



City Hall
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco 94102-4689
Tel. No. 554-7630
Fax No. 554-7634
TDD/TTY No. 544-5227

BUS-11, CURB,
GMO CLERK, LU CLERK
LEA DEP

London Breed

PRESIDENTIAL ACTION

Date: 10/28/2016

To: Angela Calvillo, Clerk of the Board of Supervisors

Madam Clerk,
Pursuant to Board Rules, I am hereby:

Waiving 30-Day Rule (Board Rule No. 3.23)

File No. _____
(Primary Sponsor)

Title. _____

Transferring (Board Rule No 3.3)

File No. 151245 Wiener
(Primary Sponsor)

Title. Hearing on short-term residential rentals registration and enforcement activity, current staffing levels of the Office of Short-Term Residential

From: Land Use & Transportation Committee

To: Government Audit & Oversight Committee

Assigning Temporary Committee Appointment (Board Rule No. 3.1)

Supervisor _____

Replacing Supervisor _____

For: _____ Meeting
(Date) (Committee)

London Breed, President
Board of Supervisors

1016 OCT 28 AM 10:58
BOARD OF SUPERVISORS
SAN FRANCISCO
RECEIVED

Introduction Form

By a Member of the Board of Supervisors or the Mayor

Time stamp
or meeting date

I hereby submit the following item for introduction (select only one):

- 1. For reference to Committee. (An Ordinance, Resolution, Motion, or Charter Amendment)
- 2. Request for next printed agenda Without Reference to Committee.
- 3. Request for hearing on a subject matter at Committee.
- 4. Request for letter beginning "Supervisor [] inquires"
- 5. City Attorney request.
- 6. Call File No. [] from Committee.
- 7. Budget Analyst request (attach written motion).
- 8. Substitute Legislation File No. []
- 9. Reactivate File No. []
- 10. Question(s) submitted for Mayoral Appearance before the BOS on []

Please check the appropriate boxes. The proposed legislation should be forwarded to the following:

- Small Business Commission Youth Commission Ethics Commission
- Planning Commission Building Inspection Commission

Note: For the Imperative Agenda (a resolution not on the printed agenda), use a Imperative Form.

Sponsor(s):

Wiener

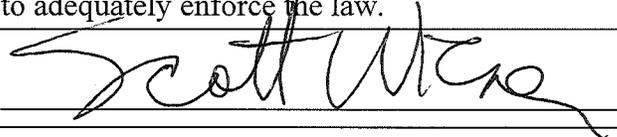
Subject:

Short Term Rentals Enforcement

The text is listed below or attached:

Hearing requesting the Office of Short Term Rentals to report on registration and enforcement activity, current staffing levels, and any need for additional resources or policies to adequately enforce the law.

Signature of Sponsoring Supervisor:



For Clerk's Use Only: