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## Melee Sparks Discussion of Short-term Rentals

*By Victor Ryerson*

A weekend party that turned violent, leaving one partygoer with life-threatening injuries, prompted Orinda Mayor Victoria Smith to request that the city council a review short-term rental properties in Orinda.

The home where the incident happened was a short-term rental, and although the event was unprecedented, it raised concerns about the financial responsibility of owners who rent their properties to be used for parties or any other reason.

In this instance, homicide investigators from the Contra Costa Sheriff's Office were called, because Orinda does not have its own staff for such duty. Orinda has to reimburse the \$9,000 unbudgeted personnel cost, and the city council is concerned that there is no mechanism in place to seek reimbursement from the property owner.

A broad-ranging discussion took place before the council last week, and a variety of public speakers presented their views on the general topic of short-term rentals, a relatively new phenomenon in Orinda caused by the advent of Airbnb and similar online rental services. While San Francisco has struggled to regulate these rentals because of the impact they have had upon housing, city revenues, and other aspects of community life there, the practice has not yet become a significant factor in Orinda.

One speaker, a mother who was widowed and then reluctantly persuaded by her adolescent children to try Airbnb, spoke glowingly about the experience and the importance the income has become to her life here. Others spoke about less pleasant experiences they have had with neighbors' short-term renters, including parking problems and use of their garbage cans. None, however, indicated that they had any problems with renters' parties.

Although Orinda has a transient occupancy tax (TOT) on "hotels," which are broadly defined, it has not imposed that tax on short-term rentals - thought to number about 64 - up to this point. Smith attributed the

absence of efforts to enforce this tax, as well as regulate other aspects of the business, to the "live and let live" nature of the community.

At the end of the evening's discussion, all of the council members came down in favor of some kind of registration

of short-term rentals. Council member Amy Worth suggested that Orinda's home business permitting ordinance might be used as a model.

"Whatever we do needs to be modest," Council member Darlene Gee emphasized, and must respect those who engage in the short-term rental business.

The council directed staff to return with the suggested language of an ordinance at a later date. The matter will then be sent to the Orinda Planning Commission for comments.

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