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Orinda's approved short-term rentals must be registered, pay TOT

By Sora O'Doherty

With the growth of hosting platforms such as Airbnb, VRBO and Craigslist, short-term rentals out of private homes have been growing in recent years, but short-term rental registration got off to a good start with the registration of six properties in early October. According to Orinda Senior Planner Daisy Allen, the city has received no complaints about the plan to allow short-term rentals and collect transient occupancy tax (TOT) on them.

The ordinance regulating short-term rentals was adopted Aug. 15 by the Orinda City Council, and as of Oct. 5, property owners and/or operators who list properties, or guest areas on properties in Orinda for a rental period of less than 30 days, are required to register these short-term rentals with the city. Hosts of existing short-term rentals have a grace period of two months to register; the city may pursue code enforcement on unregistered short-term rentals after Dec. 5.

The ordinance provides for a new Section 17.3.12 in the Orinda Municipal Code, creating an annual short-term rental registration system with the following requirements: signed registration forms must be submitted, including contact information and other key information; short-term rentals are not eligible for temporary event permits; there must be a maximum occupancy of two people per bedroom, plus three people; there must be a maximum of one short-term rental per property at any given time; short-term rental operators must get a transient occupancy registration certificate and pay a TOT on guests of hotels or short-term rentals of 8.5 percent of the rent charged quarterly; and the property owner must affirm that short-term rentals comply with all applicable building, fire, health and zoning codes.

The TOT is collected by property owners except for those who use the Airbnb website; Airbnb builds the TOT into their booking system and passes the tax on to the city. The TOT is reported quarterly.

Once there are 100 short-term rentals in Orinda, the planning commission will hold a public hearing to consider the effectiveness of the ordinance. Staff will prepare a report for the city council regarding implementation next August.

More information about short-term rentals can be found on the city of Orinda's website:

<http://www.cityoforinda.org/365/Short-Term-Rental-Registration>.

Short-term rental registration process:

Complete the Short-Term Rental Registration form.

Complete the supplemental Tax Registration Certificate Application form.

Submit both documents to the Planning Department along with payment of \$100. Registration can be completed via mail or in person during Planning Department permit counter hours: Monday through Thursday 1 to 4:30 p.m.

Registration is valid for one year and must be renewed annually along with a renewal fee of \$50.

Short-Term Rental property owners must pay a quarterly transient occupancy tax. The quarterly tax return form will be provided by the Finance Department upon issuance of a TOT registration certificate.

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