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Short-term Rental Regulation and Affordable Housing Protection Act of 2017

Resolved, that ANC1D advises the District Council Committee of the Whole to revise the “short-term rental regulation and affordable housing protection Act of 2017” to accommodate the small short-term rental operations of communities like Mount Pleasant, and, specifically, to refrain from imposing such burdensome requirements that resident homeowners operating such short-term rentals will be forced to stop.

Why: the stated concern of the Act is that short term rentals “can take affordable housing away from D.C. residents and disrupt neighborhood quality of life” (Councilmember McDuffie press release, January 31, 2017). Consequently, the provisions of the Act are intentionally burdensome on short-term rentals, with the implicit assumption that such rentals will, pressured by these regulations, be converted to long-term rentals.

For Mount Pleasant, this concern is entirely unwarranted. First, the neighborhood has hundreds of basement apartments offered for long-term rental. Furthermore, the A-2 and A-4 portions of Mount Pleasant comprise large apartment houses offering many thousands of rental apartments, e. g., the Woodner, with over 1000 units. About two-thirds of the approximately 5000 Mount Pleasant households are rentals. By comparison, a recent count indicated there were 177 short-term rentals in Mount Pleasant listed on Airbnb. Forcing these to become long-term rentals would, at best, increase the number of long-term rentals in the neighborhood by ~6%.

Of course, many of these short-term rentals could not be converted to long-term rentals. Sometimes homeowners can offer their rentals for only limited portions of the year, sometimes such units are merely rooms for rent, and sometimes such units do not have the necessary facilities required for long-term rentals. Therefore, as currently written, this bill would yield an insignificant increase in the number of long-term rentals while imposing severe burdens on homeowners with short-term rentals.

In particular, the 15 days per year limitation on “vacation rentals” will negatively affect many Mount Pleasant homeowners who travel for portions of the year. In contrast, Arlington, Virginia recently enacted a similar limitation of 180 days per year, and it is hard to see how reducing the limitation from 180 days to 15 days increases the supply of affordable housing. Also, the creation of a new business license and requirement for all short-term rental operators to obtain it and the severe fines envisioned by the bill impose a significant regulatory burden on homeowners. It is likewise not clear how this burden increases the supply of affordable housing. In fact, for many long-time homeowners the ability to operate short-term rentals has offered the best way to cope with the sustained property tax increases experienced by our neighborhood.

Plainly, the short-term rentals in Mount Pleasant do not “take affordable housing away from DC residents”. Furthermore, a survey of residents has turned up no complaints from neighbors about nearby short-term rentals, so there is no detectable “disrupt[ion of] neighborhood quality of life”. If the Council

is worried that “commercial operators” of short-term rentals decrease the supply of affordable housing, then the Council should fund a study to quantify such a problem, and other problems, such as the conversion of long-term rentals to short-term, and develop targeted regulations addressing those problems. The proposed legislation would cause more problems than it solves.

Passed by 4 to 0 vote at the legally noticed, public meeting of ANC1D on March 21, 2017, with a quorum present. Voting “yes”: Commissioners Stewart, Romero-Latin, Karrer, McKay. A quorum for this commission is three; four commissioners were present.