



# COUNTY OF LOS ANGELES TREASURER AND TAX COLLECTOR



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## PROPOSED SHORT-TERM RENTAL ORDINANCE Frequently Asked Questions *Updated July 21, 2023*

On March 19, 2019, the County of Los Angeles (County) Board of Supervisors (Board) adopted a Motion directing County departments to prepare a Short-Term Rentals Ordinance (Ordinance) to comprehensively regulate Short-Term Rentals (STR) in the unincorporated areas of the County. The proposed Ordinance aims to strike a balance between the economic benefits of STRs and potential impacts to housing stock, neighborhood character, and quality of life for residents. If the Board adopts the Motion, the proposed regulations will apply to STRs in the unincorporated areas of the County. To determine if a STR is located in the unincorporated areas of the County and potentially impacted by the proposed ordinances, please visit <https://gis.lacounty.gov/districtlocator/> and enter the residence address.

The following is a list of frequently asked questions (FAQ) the County received from the public. For purposes of answering these FAQs, the following abbreviated definitions for key Ordinance terms are used. Citations from the Los Angeles County Code (LACC) for the full definitions are provided where applicable.

### **Key Ordinance Terms**

#### *Accessory Dwelling Unit (ADU)*

A dwelling unit located on the same lot as a single-family residence with independent exterior access, whether attached or detached, as further defined by LACC, Section 22.14.010.A.

#### *Day*

A calendar day, which is all days including Saturdays, Sundays, and holidays, unless otherwise specified.

#### *Guest*

The Person renting a Short-Term Rental for transient occupancy and includes all Persons identified in the booking or reservation.

*Host*

A person occupying a home, apartment, or condominium who rents their Primary Residence as a STR.

*Hosting Platform*

A marketplace in whatever form or format facilitating STR activity through advertising, matchmaking, or any other means, and from which the Hosting Platform derives revenues to match Hosts with prospective STR Guests, e.g., AirBnB, VRBO, etc.

*Hosted Stay*

An STR where the Host resides overnight at their Primary Residence being used for STR simultaneously with their STR Guest. A Host staying overnight in an ADU or another separate structure located on the property does not qualify as a Hosted Stay. Hosted Stay must be booked for a minimum one night stay.

*Income Property*

A piece of real estate (not a Primary Residence) that is primarily used for earning income by renting it out to others.

*Primary Residence*

A Host's permanent residence documented by at least two forms of documentation in the Host's name (motor vehicle license, utility bill, tax document, voter registration, and/or lease/rental agreement). A Host may have only one Primary Residence and must reside there for a minimum of two hundred seventy-five (275) Days per calendar year (nine (9) months per year).

*Rent Restricted Primary Residence*

A Primary Residence subject to housing restrictions by deed or agreement by the County or another public agency or authority as affordable housing, or subject to an agreement that provides a housing subsidy for affordable housing, or which is restricted under State or federal law or administrative regulation.

*Short-Term Rental*

Use of a Primary Residence, or portion thereof, for the purposes of providing temporary lodging for compensation for periods of thirty (30) consecutive Days or less, counting portions of Days as full Days.

*Transient Occupancy Tax*

Transient Occupancy Tax is commonly known as a hotel tax or bed tax and is authorized under Title 4 of the LACC Chapter 4.72-TOT. Under the LACC, hotel operators, including property owners who use online Hosting Platforms to rent lodging space in unincorporated areas of the County are required to charge a tax of 12% per Day on the rent paid by transient guests.

*Un-Hosted Stay*

A STR where the Host is not on-site with the STR Guest. Un-Hosted Stays must be booked for a minimum of two nights.

*Vacation Rental*

A dwelling unit that is not a Primary Residence and which is available for temporary lodging, for compensation. The term “Vacation Rental” does not include bed and breakfasts inns, hotels, or a dwelling unit for which a tenant has a month-to-month rental agreement, and the rental payments are paid monthly.

**Frequently Asked Questions**

1. Why is this STR Ordinance being proposed?

In recent years, there has been a large increase in the number of STRs in the unincorporated areas of the County. The proliferation of unregulated STRs has the potential to impact affordable housing stock by reducing the overall available number of rental units available for long-term tenancy. Additionally, STRs have a tendency to negatively impact neighbor quality of life and erode neighborhood character. Complaints about loud parties, street parking impacts, and a general disregard for community hospitality are common. In very high fire severity zones, STR activity may pose public safety concerns when Guests are unfamiliar with the fire risks and evacuation routes. Therefore, the STR Ordinance is designed to strike a balance between the economic benefits of STRs and potential impacts to housing stock, quality of life for neighborhood residents, and public safety.

2. On what authority is the County and Department of Treasurer and Tax Collector (TTC) proposing these regulations?

The California Constitution authorizes the County to make and enforce local ordinances that do not conflict with general laws. The powers of the County can only be exercised by the Board or through officers acting under the authority of the Board or authority conferred by law. The California Constitution allows a county or city to make and enforce within its limits all local, police, sanitary, and other ordinances and regulations that do not conflict with the State’s own general laws.

3. Is the STR Ordinance currently in effect? If not, when will it become the law?

No. The Ordinance is not yet part of the LACC. It is anticipated that the TTC will present the Ordinance to the Board in Summer 2023.

4. If the Ordinance is approved and a Host has pre-existing bookings on a Hosting Platform, what happens to those bookings?

After the effective date of the Ordinance, all STRs must be in compliance with the requirements. The anticipated effective date is six months after the Board's approval of the Ordinance.

During this six-month period, TTC will work on implementation, which would involve hiring staff and developing an online STR registration system.

5. Will the Ordinance be placed on the ballot to be voted on?

No. The Ordinance does not require voter approval pursuant to the authority vested in the County by the California Constitution. The Ordinance will be presented to the Board for consideration at a public hearing, where all interested constituents may share their comments on the Ordinance.

6. Is it possible for the Ordinance to conflict with STR requirements of other jurisdictions?

No, it is not. The County's Ordinance will be applicable to STRs located in the Unincorporated areas of the County only. Regulations from other local jurisdictions do not apply to the County.

7. Will Hosts be required to register their STR?

Yes. All Hosts who utilize their Primary Residence for STR activity will be required to register with the TTC through an online LACC registration system, which will be available after the Board adopts the Ordinance.

8. Will a Host be required to be the owner of the STR property?

No. Renters or tenants of single-family homes, apartments, and condominiums may also use their Primary Residences as STRs as long as any applicable homeowner's association, condominium, lease or rental agreement does not prohibit STR activity, and the unit is not otherwise prohibited from STR activity by the Ordinance (i.e., not an ADU or other accessory habitable structure, not subject to a rental cap increase under the County's Rent Stabilization Ordinance, not income covenant restricted affordable housing, not Rent Restricted Housing). Tenants will be required to provide written authorization signed by the property owner and notarized in order to register their Primary Residence for STR.

9. Can a Host have multiple STR listings for more than one residence on a Hosting Platform?

No. The Ordinance limits STR registration to a Host's Primary Residence only, of which a Host can have only one. However, a Host is free to list their Primary Residence across multiple Hosting Platforms. Additionally, a Host may not rent their Primary Residence to more than one Guest at any given time.

10. Can a Host list several rooms within the same property for separate Guest Bookings on a Hosting Platform?

No. While a Host may list more than one room for STR Guest bookings in the residence, there can only be a single booking by a Guest for both rooms at the same time – such as a family requiring two bedrooms. The two bedrooms cannot be rented separately by two simultaneous Guest bookings.

11. If a Host's Primary Residence is a duplex and the two units are attached, is the Host allowed to use the other unit for STR?

No. However, if the second unit is leased to a long-term tenant, the tenant may register the unit for STR bookings, if it is their Primary Residence. The tenant must provide the landlord's notarized written consent to register the unit as an STR. If the second unit in a duplex is not leased to a long-term

tenant, it cannot be registered because it would constitute a prohibited Vacation Rental under the Ordinance.

12. Is a Host allowed to rent out additional properties that are located outside of the Unincorporated areas of the County?

Subject to any applicable municipal STR laws of the governing jurisdiction of that additional property, the Ordinance only applies to properties located within the unincorporated areas of the County.

13. Can a Host rent out a Vacation Rental on a Hosting Platform to a single Guest staying for more than thirty (30) consecutive Days?

Yes. The Ordinance only prohibits the registration of Vacation Rentals for STR activity. If a Host has a Vacation Rental in the unincorporated areas of the County and rents it exclusively to Guests for stays of more than thirty (30) consecutive Days, such rentals are long-term rentals and not subject to the Ordinance.

14. How much will the registration fee cost?

The annual STR registration fee will be \$914. The fee is an amount necessary to recover the costs for staffing and administration of the program.

15. Why will there be a 90-night limit on Un-Hosted stays?

A Host must reside at a residence for nine (9) months in a calendar year for it to be their Primary Residence. The Ordinance is accommodating those times when Hosts are on vacation, on leave for work, or other reasons when they may want to rent their residence for Un-Hosted stays.

The Ordinance will allow Un-Hosted STR bookings for stays of thirty (30) consecutive nights or less for a maximum of 90 nights per calendar year. This ninety (90) nights per calendar year limit affords Hosts the opportunity to optimize the economic benefit of renting their Primary Residence for STRs when the Host is not at the residence, while

maintaining the County’s goals of preserving long-term rental housing stock and minimizing the impacts on neighborhoods.

16. Will there be a limit to the number of Guests allowed per stay?

Yes. The Ordinance will have a Guest occupancy limit. STR Hosts may not allow more than 2 persons per bedroom, plus two, with a maximum occupancy of 12 persons in a Guest booking.

**Un-Hosted Stay**

**(Host does not reside overnight in the Primary Residence):**

Number of Bedrooms	Number of Persons Allowed per Guest Booking	Maximum Occupancy
2	6	6
4	10	10
6	12	12
10 or more	12	12

**Hosted Stay**

**(Host resides overnight in the Primary Residence and would occupy one of the bedrooms):**

Number of Bedrooms	Number of Persons Allowed per Guest Booking	Maximum Occupancy
2	4	4
4	8	8
6	12	12
10 or more	12	12

There will be no exceptions to the maximum occupancy, including properties with six (6) or more bedrooms. The Host and other permanent residents of the Primary Residence are not included in the Guest maximum occupancy.

17. For Hosted Stays, is the Host required to live in the same residence as the Guest?

Yes. The Host is required to be in the same residence if the Guest is booked for a Hosted Stay. A Host sleeping in an ADU or guest house on the property qualifies as an Un-Hosted Stay and not as a Hosted Stay.

18. Will month-to-month rentals or other long-term residential rentals be affected by the STR Ordinance?

No. Only residential rentals for thirty (30) consecutive calendar Days or less constitute an STR governed by the Ordinance.

19. Can ADU and Junior ADUs be used for STR?

No. Pursuant to LACC Title 22 Zoning Code, Section 22.140.640, ADUs including Junior ADUs are prohibited for STR use. Recently, State and local laws have made it much easier to construct and/or permit ADUs to assist with the significant shortage in long-term rental housing both in the State and County. In furtherance thereof, the Ordinance will prohibit the registration of ADUs as STRs.

20. What other use is allowed for the ADU if STR will be prohibited?

Other than STR activity, the Ordinance does not otherwise regulate ADUs. Legally permitted ADUs can be utilized for personal use or long-term tenancy, subject to any other applicable laws. The Department of Regional Planning and Title 22 of LACC should be consulted on permitted uses for ADUs.

21. Will Hosts be required to provide on-site parking?

Yes, if available. A Host that has on-site parking at their Primary Residence must make the on-site parking available to their STR Guests.



22. Will Hosts be required to send any notices to nearby properties?

Notice is required, but the Host will not be required to send the notices. The TTC will mail notices to the owners of all neighbor properties adjacent and abutting, and if applicable, across a street or alleyway, of the exterior boundaries of the Host's Primary Residence address noted on the Registration Certificate, within seven (7) Days of issuance thereof.

23. Will Vacation Rentals or Income Properties be allowed for STR use?

No. The Ordinance restricts STRs to a Host's Primary Residence only.

24. How will the Ordinance address fire safety and risk?

The Ordinance requires the Hosts to certify maintenance of fire extinguishers, smoke detectors, and carbon monoxide detectors and to post a notice in the unit containing emergency contact information for police, fire, and emergency services. Each Host must also provide an evacuation plan showing emergency exit routes and fire extinguisher locations. STRs in very high fire hazard severity zones will also have additional restrictions related to smoking and open flames.

25. What types of units do not qualify for STR use?

- 1) Motor homes, cars, or other types of recreational vehicles.
- 2) Boats.
- 3) ADUs or any other type of habitable accessory structures.
- 4) Temporary or semi-permanent structures such as tents or yurts.
- 5) Units subject to a cap on rental increases pursuant to the County's Rent Stabilization Ordinance.
- 6) Affordable housing units that are income covenant restricted.
- 7) Rent Restricted Primary Residences.

26. Will a Host be able to use a property management company?

Yes. A Host may use a property management company to manage their STR. However, the Ordinance restricts STRs to Primary Residences only.

27. Who will be enforcing this Ordinance?

The TTC, in coordination with other County departments, will enforce this Ordinance.

28. How will Hosted and Un-Hosted Stays be enforced?

The TTC is responsible for enforcement of the Ordinance. A third-party vendor will assist the TTC by monitoring online Hosting Platforms and tracking other kinds of relevant data that is available online. The TTC will then use this information to help enforce the Ordinance, such as tracking Hosted and Un-Hosted Stays.

29. Will STR units be subject to County inspections?

The TTC will not inspect residences unless local law enforcement, fire or health departments are called to a residence.

30. Will there be an online database where a resident can check if an address has a valid registration with TTC?

An online database may be available in the future once the TTC's STR registration program is operational and the registration website is online.

31. How will complaints be handled?

The Host, or another individual designated by the Host, must be available at all times during an STR stay. Additionally, the TTC will set up a 24-hour telephonic complaint hotline and an online portal where complainants may submit documentary evidence (e.g., photos and videos). TTC staff will monitor complaints and coordinate with other County departments for investigations and enforcement.

32. What will be the fines, fees, and penalties for STR violations?

Violators of the Ordinance may be subject to administrative fines and noncompliance fees pursuant to the proposed Ordinance and Chapter 1.25

of LACC. Fines will vary, but may be up to \$2,000 per violation per Day for more egregious violations. Repeat violators may also have their STR Registration Certificate suspended or revoked, thereby rendering such offenders ineligible from participating in STR activity.

If there is an imminent threat to public peace, health, or safety, the TTC can immediately suspend or revoke the STR Registration Certificate for thirty (30) Days pending further investigation.

If an STR is causing a nuisance and disrupting the surrounding neighborhood, TTC can impose a nuisance abatement lien against the property, where the Ordinance violations have occurred or continue to occur. Additionally, TTC can place a special assessment on the property's tax bill for the cost of the nuisance abatement.

33. Will this Ordinance address "party house rentals"?

The Ordinance seeks to prevent "party house rentals" by limiting STRs to Primary Residences and prohibiting the registration of Vacation Rentals. For Hosted Stays, the Host will be present overnight in the STR unit, which will decrease the likelihood of "party house" STRs.

The Ordinance specifically prohibits the advertisement of STRs for parties or events, including but not limited to open invite gatherings or parties advertised on social media, commercial events, commercial parties, commercial group gatherings, banquets, corporate events, or any event where an admission fee is charged for Un-Hosted Stays, a minimum 2-night booking will be required to deter "party house" rentals.

34. What are "coastal zones" and how will the Ordinance affect such areas?

Coastal zone areas are located in portions of the unincorporated areas of the County Supervisorial Districts 2, 3, and 4. These are the unincorporated area of Marina del Rey, Santa Catalina Island, and part of the Santa Monica Mountains. The coastal zone is within the jurisdiction of the California Coastal Commission pursuant to the California Coastal Act. For the County's coastal zone, the California Coastal Commission has approved Local Coastal Plans (LCPs) developed in conjunction with the

County, which protects coastal resources and furthers the purposes of the Coastal Act.

Before the Ordinance can take effect in the County's coastal zone, it must be approved by the California Coastal Commission and incorporated into each of the County's LCPs. Therefore, the Ordinance will be effective in all other parts of the unincorporated areas of the County if the Board adopts the Ordinance before it is effective in said coastal zones. The anticipated effective date in the County's coastal zone is no sooner than one (1) to two (2) years after the Ordinance is adopted.

35. When the California Coastal Commission reviews and eventually approves the proposed Ordinance, will the rules be the same or will they vary?

The Ordinance is consistent with some of the other local STR Ordinances approved by the California Coastal Commission. However, because every jurisdiction is different, it is unknown what the California Coastal Commission may recommend relevant to the County's Ordinance.

36. Are there currently any STR restrictions in coastal areas? Does Title 22 ADU restriction apply to the coastal zones?

No. The Title 22 ADU regulations do not apply to the coastal zone. Should the Ordinance be adopted, the LCPs will be amended and cover several policies, including STR and ADU prohibition.

37. Will the County enter into agreements with Hosting Platforms to collect the Transient Occupancy Tax (TOT)?

No. Hosting Platforms will inform STR Hosts that it is the Host's responsibility to collect and remit the TOT to the County. For additional information regarding TOT, please visit the TOT website at <https://ttc.lacounty.gov/tot/>.

38. Does the STR Ordinance give me the right to operate an STR?

No. If a rental or lease agreement, County contract, Title 22 of LACC (ADU prohibition), rental restriction, or homeowner's association or condominium's Conditions, Covenants and Restrictions prohibit STR

activity, the Ordinance will not supersede such restriction or otherwise grant any right to engage in STR activity.

39. How can I receive updates on the Ordinance development process?

To receive notification related to the Ordinance, please subscribe at <https://ttc.lacounty.gov/eNotify>.

40. Where can I go if I have more questions?

The Business License Section of TTC is available to answer questions regarding the proposed STR regulations. For general questions regarding the STR Ordinance or STR complaints, please email TTC at: [STRental@ttc.lacounty.gov](mailto:STRental@ttc.lacounty.gov).